



February 6, 2025

HOUSE BILL No. 1602

DIGEST OF HB 1602 (Updated February 6, 2025 11:41 am - DI 148)

Citations Affected: IC 16-18; IC 16-20; IC 16-42; IC 35-52.

Synopsis: Various food matters. Requires a food manufacturer to label alternative meat products as "THIS IS AN IMITATION MEAT PRODUCT". Provides that a recipient may appeal to the legislative body an enforcement action issued or taken by a local board of health or local health officer under IC 16-20-1 in response to a food service establishment inspection. Adds provisions concerning limited meat product sales.

Effective: July 1, 2025.

Culp, Smith H

January 21, 2025, read first time and referred to Committee on Agriculture and Rural Development.

February 6, 2025, amended, reported — Do Pass. Referred to Committee on Courts and Criminal Code pursuant to Rule 126.3.

HB 1602—LS 7558/DI 150



February 6, 2025

First Regular Session of the 124th General Assembly (2025)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1602

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-18-2-12.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2025]: **Sec. 12.5. "Alternative meat product",**
4 **for purposes of IC 16-42-5.5, means a food product having one (1)**
5 **or more sensory attributes that resemble a type of tissue found in**
6 **an animal but is derived from manufacturing:**

7 (1) **plant protein; or**

8 (2) **insect protein.**

9 SECTION 2. IC 16-18-2-137, AS AMENDED BY P.L.49-2022,
10 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2025]: Sec. 137. (a) "Food establishment", for purposes of
12 IC 16-42-5, IC 16-42-5.2, ~~and~~ IC 16-42-5.3, **IC 16-42-5.4, and**
13 **IC 16-42-5.5**, means any building, room, basement, vehicle of
14 transportation, cellar, or open or enclosed area occupied or used for
15 handling food.

16 (b) The term does not include the following:

17 (1) A dwelling where food is prepared on the premises by the

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- 1 occupants, free of charge, for their consumption or for
 2 consumption by their guests.
- 3 (2) A gathering of individuals at a venue of an organization that
 4 is organized for educational purposes in a nonpublic educational
 5 setting or for religious purposes, if:
- 6 (A) the individuals separately or jointly provide or prepare,
 7 free of charge, and consume their own food or that of others
 8 attending the gathering; and
 9 (B) the gathering is for a purpose of the organization.
- 10 Gatherings for the purpose of the organization include funerals,
 11 wedding receptions, christenings, bar or bat mitzvahs, baptisms,
 12 communions, and other events or celebrations sponsored by the
 13 organization.
- 14 (3) A vehicle used to transport food solely for distribution to the
 15 needy, either free of charge or for a nominal donation.
- 16 (4) A private gathering of individuals who separately or jointly
 17 provide or prepare and consume their own food or that of others
 18 attending the gathering, regardless of whether the gathering is
 19 held on public or private property.
- 20 (5) Except for food prepared by a for-profit entity, a venue of the
 21 sale of food prepared for an organization:
- 22 (A) that is organized for:
- 23 (i) religious purposes; or
 24 (ii) educational purposes in a nonpublic educational setting;
- 25 (B) that is exempt from taxation under Section 501 of the
 26 Internal Revenue Code; and
 27 (C) that offers the food for sale to the final consumer at an
 28 event held for the benefit of the organization;
- 29 unless the food is being provided in a restaurant or a cafeteria
 30 with an extensive menu of prepared foods.
- 31 (6) Except for food prepared by a for-profit entity, an Indiana
 32 nonprofit organization that:
- 33 (A) is organized for civic, fraternal, veterans, or charitable
 34 purposes;
- 35 (B) is exempt from taxation under Section 501 of the Internal
 36 Revenue Code; and
 37 (C) offers food for sale to the final consumer at an event held
 38 for the benefit of the organization;
- 39 if the events conducted by the organization take place for not
 40 more than fifteen (15) days in a calendar year.
- 41 (7) The holder of a farm winery permit under IC 7.1-3-12-5 or a
 42 brewer's permit under IC 7.1-3-2-7(5) if the requirements of



1 IC 16-42-5-30 are met.

2 (8) A home based vendor or an individual vendor who sells a food
3 product under IC 16-42-5.3.

4 SECTION 3. IC 16-18-2-138.6 IS ADDED TO THE INDIANA
5 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
6 [EFFECTIVE JULY 1, 2025]: **Sec. 138.6. "Food manufacturer", for**
7 **purposes of IC 16-42-5.5, means a person who:**

- 8 (1) **produces food products for sale to the public; and**
9 (2) **is located in Indiana.**

10 SECTION 4. IC 16-18-2-190.4 IS ADDED TO THE INDIANA
11 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2025]: **Sec. 190.4. "Insect protein", for**
13 **purposes of IC 16-42-5.5, means a protein:**

- 14 (1) **that is naturally derived from the processing of:**
15 (A) **whole insects; or**
16 (B) **parts of insects; and**
17 (2) **intended for human consumption.**

18 SECTION 5. IC 16-18-2-239.3, AS ADDED BY P.L.151-2024,
19 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2025]: **Sec. 239.3. "Mobile retail food establishment", for**
21 **purposes of IC 16-42-5.1 and IC 16-42-5.5, has the meaning set forth**
22 **in IC 16-42-5.1-2.**

23 SECTION 6. IC 16-18-2-282.5 IS ADDED TO THE INDIANA
24 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2025]: **Sec. 282.5. "Plant protein", for**
26 **purposes of IC 16-42-5.5, means a protein:**

- 27 (1) **that is naturally derived from plant sources; and**
28 (2) **intended for human consumption.**

29 SECTION 7. IC 16-20-5.5-2, AS ADDED BY P.L.219-2021,
30 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2025]: **Sec. 2. (a) A recipient may appeal to the legislative**
32 **body an enforcement action issued or taken by a local board of health**
33 **or local health officer under IC 16-20-1 in response to:**

- 34 (1) **a declared local public health emergency determined by a**
35 **local health department or local health officer; or**
36 (2) **a disaster emergency declared by the governor under**
37 **IC 10-14-3-12; or**
38 (3) **a food service establishment inspection;**

39 in a manner prescribed by the legislative body.

40 (b) In order to make an appeal under this chapter, the recipient of
41 the enforcement action must file the appeal with the legislative body
42 not later than seven (7) days from the issuance of the enforcement



1 action. Upon the proper filing of an appeal under this section by a
 2 recipient, the legislative body may stay the enforcement action until
 3 final disposition of the appeal.

4 SECTION 8. IC 16-42-2-3 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. A food is considered
 6 to be misbranded under any of the following conditions:

7 (1) If the food's labeling is false or misleading in any way.

8 (2) If the food's labeling or packaging fails to conform with the
 9 rules adopted under IC 16-42-1-2.

10 (3) If the food is offered for sale under the name of another food.

11 (4) If the food is an imitation of another food, unless the food's
 12 label bears, in type of uniform size and prominence, the word
 13 "imitation" and, immediately following that term, the name of the
 14 food imitated.

15 (5) If the food's container is so made, formed, or filled as to be
 16 misleading.

17 (6) If the food is in package form, unless the food bears a label
 18 containing the following:

19 (A) The name and place of business of the manufacturer,
 20 packer, or distributor.

21 (B) An accurate statement of the quantity of the contents in
 22 terms of weight, measure, or numerical count. However,
 23 reasonable variations shall be permitted under this clause and
 24 exemptions for small packages shall be established by rules
 25 adopted by the state department.

26 (7) If any word, statement, or other information required under
 27 IC 16-42-1 through IC 16-42-4 to appear on the label or labeling
 28 is not prominently placed on the food with the conspicuousness
 29 (as compared with other words, statements, designs, or devices in
 30 the labeling) and in such terms that make the information likely
 31 to be read and understood by the ordinary individual under
 32 customary conditions of purchase and use.

33 (8) If the food purports to be or is represented as a food for which
 34 a definition and standard of identity has been prescribed by rules
 35 under section 1 of this chapter, unless:

36 (A) the food conforms to that definition and standard; and

37 (B) the food's label bears the name of the food specified in the
 38 definition and standard, and, insofar as may be required by
 39 those rules, the common names of optional ingredients (other
 40 than spices, flavoring, and coloring) present in the food.

41 This subdivision with respect to artificial coloring does not apply
 42 to butter, cheese, or ice cream.



- 1 (9) If the food purports to be or is represented as:
 2 (A) a food for which a standard of quality has been prescribed
 3 by rules as provided by section 1 of this chapter and the food's
 4 quality falls below that standard, unless the label bears, in the
 5 manner and form as the rules specify, a statement that the food
 6 falls below that standard; or
 7 (B) a food for which a standard or standards of fill of container
 8 have been prescribed by rule under section 1 of this chapter
 9 and the food falls below the applicable standard of fill of
 10 container unless the food's label bears, in such manner and
 11 form as the rules specify, a statement that the food falls below
 12 that standard.
- 13 (10) If the food is not subject to subdivision (8), unless the food's
 14 label bears:
 15 (A) the common or usual name of the food, if any; and
 16 (B) if the food is fabricated from at least two (2) ingredients,
 17 the common or usual name of each ingredient. However,
 18 spices, flavorings, and colorings, other than those sold as such,
 19 may be designated as spices, flavorings, and colorings without
 20 naming each. In addition, to the extent that compliance with
 21 this clause is impracticable or results in deception or unfair
 22 competition, the state department shall establish exemptions
 23 by rule.
- 24 This subdivision with respect to artificial coloring does not apply
 25 to butter, cheese, or ice cream.
- 26 (11) If the food purports to be or is represented to be for special
 27 dietary uses, unless the food's label bears information concerning
 28 the food's vitamin, mineral, and other dietary properties that the
 29 state department determines to be, and by rules prescribes as
 30 necessary to fully inform purchasers as to the food's value for
 31 such uses.
- 32 (12) If the food bears or contains any artificial flavoring, artificial
 33 coloring, or chemical preservative, unless the food bears labeling
 34 stating that fact. However, to the extent that compliance with the
 35 requirements of this subdivision is impracticable, the state
 36 department shall establish exemptions by rule. This subdivision:
 37 (A) with respect to artificial coloring, does not apply to butter,
 38 cheese, or ice cream; and
 39 (B) with respect to chemical preservatives, does not apply to
 40 a pesticide chemical when used in or on a raw agricultural
 41 commodity that is the product of the soil.
- 42 **(13) If the food's labeling or packaging fails to conform with**



1 **the rules adopted under IC 16-42-5.5.**

2 SECTION 9. IC 16-42-5.4 IS ADDED TO THE INDIANA CODE
3 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2025]:

5 **Chapter 5.4. Limited Meat Product Sales**

6 **Sec. 1. (a) The production and sale of meat products in**
7 **accordance with this chapter are exempt from the requirements of**
8 **this title that apply to food establishments.**

9 **(b) An individual selling meat products under this chapter is not**
10 **a home based vendor (as defined in IC 16-42-5.3-2).**

11 **Sec. 2. An individual may sell meat products under this chapter**
12 **if the following criteria are met:**

13 **(1) The livestock was raised on the individual's farm.**

14 **(2) The livestock was slaughtered and processed at an official**
15 **establishment (as defined in IC 15-17-2-72).**

16 **(3) The meat products are sold by the individual at a farmers'**
17 **market or roadside stand.**

18 **(4) The meat products are sold only to an end consumer and**
19 **the meat products is not resold.**

20 **Sec. 3. Meat products from livestock sold on the farm where the**
21 **product is produced must be kept refrigerated at the point of sale**
22 **and through delivery by the producer to the end consumer.**

23 **Sec. 4. An individual selling meat products under this chapter**
24 **shall include a label for packaged meat products or a sign for**
25 **unpackaged meat products that contains the following**
26 **information:**

27 **(1) The name and address of the producer of the meat**
28 **product.**

29 **(2) The common or usual name of the meat product.**

30 **(3) The net weight of the meat product by standard measure**
31 **or numerical count.**

32 **(4) The date on which the meat product was processed.**

33 **Sec. 5. (a) An individual selling meat products under this**
34 **chapter is subject to a meat sampling and inspection if:**

35 **(1) the state department determines that the person's meat**
36 **product is:**

37 **(A) misbranded under IC 16-42-2-3; or**

38 **(B) adulterated; or**

39 **(2) a consumer complaint has been received by the state**
40 **department.**

41 **(b) If the state department has reason to believe that an**
42 **imminent health hazard exists with respect to an individual's meat**



1 product, the state department may order cessation of production
 2 and sale of the meat product until the state department determines
 3 that the health hazard has been addressed.

4 (c) For purposes of this chapter, the state health commissioner
 5 or the commissioner's authorized representatives may take
 6 samples for analysis and conduct examinations and investigations
 7 through any officers or employees under the state health
 8 commissioner's supervision. Those officers and employees may
 9 enter, at reasonable times, the facilities of a person selling meat
 10 products under this chapter and inspect any meat products in those
 11 places and all pertinent equipment, materials, containers, and
 12 labeling.

13 (d) A local health officer may work with the Indiana state board
 14 of animal health to carry out this section.

15 Sec. 6. Notwithstanding any other law, a local unit of
 16 government (as defined in IC 14-22-31.5-1) may not by ordinance
 17 or resolution require any licensure, certification, or inspection of
 18 a meat product of an individual who sells meat products under this
 19 chapter.

20 Sec. 7. (a) For the purpose of enforcing this chapter, the local
 21 health officers are food environmental health specialists
 22 subordinate to the state department.

23 (b) To ensure that enforcement of the state laws and rules is
 24 uniform throughout Indiana, the state department shall provide to
 25 the local health officers who are food environmental health
 26 specialists guidelines concerning the interpretation of the state
 27 department's rules. A food environmental health specialist may not
 28 enforce the state department's rules concerning a person under this
 29 chapter in a manner that is more strict than the state department's
 30 guidelines.

31 SECTION 10. IC 16-42-5.5 IS ADDED TO THE INDIANA CODE
 32 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2025]:

34 **Chapter 5.5. Prohibition on Alternative Meat Products**

35 **Sec. 1. A food establishment or mobile retail food establishment**
 36 **shall not:**

- 37 (1) sell;
 38 (2) offer for sale; or
 39 (3) distribute;

40 **an alternative meat product that is misbranded as a meat product.**

41 **Sec. 2. An alternative meat product is misbranded as a meat**
 42 **product if all of the following apply:**



- 1 (1) The alternative meat product is advertised as a meat
2 product but does not satisfy the definition of a meat product
3 in IC 15-17-2-54.
- 4 (2) The alternative meat product is offered for sale or sold by
5 a food manufacturer.
- 6 (3) The alternative meat product has a label that is:
7 (A) part of the package;
8 (B) placed on the package; or
9 (C) placed on the container storing the alternative meat
10 product;
11 and identifies the alternative meat product as a meat product.
- 12 Sec. 3. A food manufacturer shall include the phrase "THIS IS
13 AN IMITATION MEAT PRODUCT" on the package containing
14 the alternative meat product.
- 15 Sec. 4. (a) The state department shall inspect a food
16 establishment or mobile retail food establishment's inventory of
17 products:
18 (1) offered for sale; or
19 (2) sold;
20 to the general public if the state department receives a complaint
21 that a food establishment or mobile retail food establishment is
22 selling or offering for sale an alternative meat product misbranded
23 as a meat product.
- 24 (b) The state department may coordinate with:
25 (1) local departments of health; or
26 (2) the Indiana state board of animal health;
27 to carry out inspections under subsection (a).
- 28 Sec. 5. (a) If the state department has reasonable cause to
29 believe that a food establishment or mobile retail food
30 establishment is violating section 1 of this chapter, the state
31 department may halt the sale of alternative meat products at the
32 food establishment or mobile retail food establishment.
- 33 (b) Upon receiving an order to halt the sale of alternative meat
34 products, a food establishment or mobile retail food establishment
35 may not:
36 (1) sell; or
37 (2) offer to sell;
38 the product in question until the state department determines
39 whether the product in question is an alternative meat product
40 misbranded as a meat product.
- 41 (c) The state department may require the food establishment or
42 mobile retail food establishment to refrain from:



1 (1) selling; or
 2 (2) offering to sell;
 3 **the product in question until the state department's investigation**
 4 **is complete.**
 5 **(d) If the state department determines that a food establishment**
 6 **or mobile retail food establishment:**
 7 (1) offered for sale; or
 8 (2) sold;
 9 **an alternative meat product misbranded as a meat product, the**
 10 **state department may require the food establishment or mobile**
 11 **retail food establishment to dispose of the misbranded alternative**
 12 **meat product in a manner other than by sale to purchasers in**
 13 **Indiana.**
 14 **Sec. 6. The state department may impose a civil penalty of not**
 15 **more than ten thousand dollars (\$10,000) on a food establishment**
 16 **or mobile retail food establishment that violates section 1 of this**
 17 **chapter. Civil penalties collected under this section shall be**
 18 **deposited in the state general fund.**
 19 **Sec. 7. (a) The owner of a food establishment or mobile retail**
 20 **food establishment who recklessly violates or fails to comply with**
 21 **this chapter commits a Class B misdemeanor.**
 22 **(b) Each day a violation continues constitutes a separate offense.**
 23 **Sec. 8. After notice and hearing in compliance with IC 4-21.5, a**
 24 **local health department may seek a court order to enjoin a food**
 25 **establishment or mobile retail food establishment from operating**
 26 **if the owner of the food establishment or mobile retail food**
 27 **establishment repeatedly and persistently fails to comply with this**
 28 **chapter and the rules adopted under this chapter.**
 29 **Sec. 9. The state department shall adopt rules under IC 4-22-2**
 30 **to carry out its responsibilities under this chapter.**
 31 **SECTION 11. IC 35-52-16-86.2 IS ADDED TO THE INDIANA**
 32 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
 33 **[EFFECTIVE JULY 1, 2025]: Sec. 86.2. IC 16-42-5.5-7 defines a**
 34 **crime concerning alternative meat products.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1602, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 4.

Page 5, delete lines 1 through 40.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1602 as introduced.)

AYLESWORTH

Committee Vote: yeas 10, nays 0.

