

1 HOUSE BILL NO. 350
 2 INTRODUCED BY F. SMITH, J. COHENOUR, T. RUNNING WOLF, G. NIKOLAKAKOS, T. FRANCE, J. READ,
 3 J. BERGSTROM, P. GREEN, P. TUSS, S. STEWART PEREGOY, D. BAUM

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 5 A BILL FOR AN ACT ENTITLED: "AN ACT ADOPTING THE COUNTRY OF ORIGIN PLACARDING ACT OF
 6 2023; REQUIRING A PLACARD OF COUNTRY OF ORIGIN ON BEEF OR PORK PRODUCTS; PROVIDING
 7 RULEMAKING AUTHORITY; PROVIDING DEFINITIONS; AMENDING SECTION 30-12-702, MCA; AND
 8 PROVIDING A DELAYED EFFECTIVE DATE."

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 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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 12 NEW SECTION. Section 1. Short title. This part may be cited as the "Country of Origin Placarding
 13 Act of 2023".

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 15 NEW SECTION. Section 2. Placarding requirements. (1) A retailer who sells beef, pork, or both, or
 16 offers beef, pork, or both, for sale in this state shall make an effort to display a placard, label, or identifying mark
 17 that is clearly visible and readily viewable by the public. It must be placed in the immediate vicinity of the beef,
 18 pork, or both, to designate the beef, pork, or both, as:

19 (a) "Born, raised, and processed in the USA", if the beef, pork, or both, is derived exclusively from
 20 animals that are born, raised, and slaughtered in the United States; or

21 (b) "Imported/Origin Unlabeled", if the beef, pork, or both, does not meet the criteria provided in
 22 subsection (1)(a).

23 (2) A retail vendor engaged in the business of selling products that are labeled or identified as to
 24 the country of origin may not knowingly or purposely remove a placard, label, or identifying mark.

25 (3) As used in this section, "knowingly" and "purposely" have the meanings provided in 45-2-101.

26 (4) A placard, label, or identifying mark is not required for prepared foods that are for immediate
 27 sale or ready to eat.

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1 **NEW SECTION. Section 3. Rulemaking.** (1) The department shall adopt rules to implement this
2 part. The rules must include:

- 3 (a) statements that delineate the difference between imported and unimported beef, pork, or both;
 - 4 (b) the preferred labeling or placarding method for each commodity type; and
 - 5 (c) other rules necessary to enforce the requirements of this part.
- 6 (2) Rules adopted to implement this part may not unduly restrict a person from conducting
7 business.

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9 **Section 4.** Section 30-12-702, MCA, is amended to read:

10 **"30-12-702. Definitions.** As used in this part, the following definitions apply:

11 (1) "Department" means the department of labor and industry provided for in Title 2, chapter 15,
12 part 17.

13 (2) "Label" has and "labeling" have the meaning meanings provided in 50-31-103.

14 ~~(2)~~(3) "Package" has the meaning provided in 50-31-103.

15 (4) "Person" means an individual, partnership, corporation, company, society, or association.

16 (5) "Placard" has the meaning provided in 50-31-103."

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18 **NEW SECTION. Section 5. Codification instruction.** [Sections 1 through 3] are intended to be
19 codified as an integral part of Title 30, chapter 12, part 7, and the provisions of Title 30, chapter 12, part 7,
20 apply to [sections 1 through 3].

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22 **NEW SECTION. Section 6. Severability.** If a part of [this act] is invalid, all valid parts that are
23 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
24 the part remains in effect in all valid applications that are severable from the invalid applications.

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26 **NEW SECTION. Section 7. Effective date.** [This act] is effective January 1, 2024.

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