

HOUSE BILL 474

IN THE HOUSE

January 30, 1979	Introduced and referred to Committee on Business and Industry.
February 9, 1979	Committee recommend bill, do not pass.
February 10, 1979	Report adopted.

HOUSE BILL NO. 474

INTRODUCED BY

Johnson, McBride, Reichert, Jeschke, Roth

A BILL FOR AN ACT ENTITLED: "AN ACT DEFINING BREAD CONTAINING WOOD FIBER OR SAWDUST AS AN ADULTERATED FOOD; AMENDING SECTION 50-31-202, MCA."

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

Section 1. Section 50-31-202, MCA, is amended to read:

"50-31-202. When food adulterated. A food shall be deemed to be adulterated if:

(1) it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such food shall not be considered adulterated under this subsection if the quantity of such substance in such food does not ordinarily render it injurious to health;

(2) it bears or contains any added poisonous or added deleterious substance, other than one which is:

(a) a pesticide chemical in or on a raw agricultural commodity;

(b) a food additive; or

(c) a color additive, which is unsafe within the meaning of 50-31-109;

(3) it is a raw agricultural commodity and it bears or

contains a pesticide chemical which is unsafe within the meaning of section 408(a) of the federal act as amended;

(4) it is or it bears or contains any food additive which is unsafe within the meaning of section 409 of the federal act as amended; provided that where a pesticide chemical has been used in or on a raw agricultural commodity in conformity with an exemption granted or tolerance prescribed under section 408 of the federal act and such raw agricultural commodity has been subjected to processing such as canning, cooking, freezing, dehydrating, or milling, the residue of such pesticide chemical remaining in or on such processed food shall, notwithstanding the provisions of 50-31-108, 50-31-109, and subsection (4) of this section, not be deemed unsafe if such residue in or on the raw agricultural commodity has been removed to the extent possible in good manufacturing practice and the concentration of such residue in the processed food when ready to eat is not greater than the tolerance prescribed for the raw agricultural commodity;

(5) it consists in whole or in part of a diseased, contaminated, filthy, putrid, or decomposed substance or if it is otherwise unfit for food;

(6) it has been produced, prepared, packed, or held under unsanitary conditions whereby it may have become contaminated with filth or whereby it may have been rendered

1 diseased, unwholesome, or injurious to health;

2 (7) it is the product of a diseased animal or an
3 animal which has died otherwise than by slaughter or that
4 has been fed upon the uncooked offal from a slaughterhouse;

5 (8) its container is composed in whole or in part of
6 any poisonous or deleterious substance which may render the
7 contents injurious to health;

8 (9) any valuable constituent has been in whole or in
9 part omitted or abstracted therefrom;

10 (10) any substance has been substituted wholly or in
11 part therefor;

12 (11) damage or inferiority has been concealed in any
13 manner;

14 (12) any substance has been added thereto or mixed or
15 packed therewith so as to increase its bulk or weight,
16 reduce its quality or strength, or make it appear better or
17 of greater value than it is;

18 (13) it is confectionery and it bears or contains any
19 alcohol or nonnutritive article or substance except harmless
20 coloring, harmless flavoring, harmless resinous glaze not in
21 excess of .4%, harmless natural wax not in excess of .4% or
22 harmless natural gum and pectin; provided that this
23 paragraph shall not apply to any confectionery by reason of
24 its containing less than .5% by volume of alcohol derived
25 solely from the use of flavoring extracts or to any chewing

1 gum by reason of its containing harmless nonnutritive
2 masticatory substances;

3 (14) it is or bears or contains any color additive
4 which is unsafe within the meaning of the federal act;

5 ~~(15) it is bread that contains sawdust or wood~~
6 ~~cellulose fiber.~~"

-End-