

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 254 Session of
2003

INTRODUCED BY GEORGE, BELFANTI, BEBKO-JONES, BELARDI, DIVEN,
EACHUS, FICHTER, HARHAI, HORSEY, JOSEPHS, LAUGHLIN, LEACH,
GOODMAN, McILHATTAN, MELIO, MUNDY, RUFFING, SOLOBAY, SURRA,
WALKO AND YOUNGBLOOD, FEBRUARY 12, 2003

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
FEBRUARY 12, 2003

AN ACT

1 Amending the act of July 7, 1994 (P.L.421, No.70), entitled "An
2 act providing for protection of public health and prevention
3 of fraud and deception by prohibiting the manufacture or sale
4 of, the offering for sale or exposing for sale of or the
5 having in possession with intent to sell adulterated,
6 misbranded or deleterious foods; and making repeals," further
7 providing for misbranding of food.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 9(a) and (b) of the act of July 7, 1994
11 (P.L.421, No.70), known as the Food Act, are amended by adding
12 paragraphs to read:

13 Section 9. Misbranding of food.

14 (a) General rule.--A food shall be misbranded:

15 * * *

16 (9.1) If it or one of its ingredients was produced on
17 land on which sewage sludge was applied, a label clearly
18 notifies the consumer of that fact.

19 (9.2) If it is a raw agricultural commodity that was

1 produced on land on which sewage sludge was applied, a sign,
2 placard or other graphic matter within close proximity to the
3 purchase site of the particular food notifies the consumer of
4 that fact.

5 * * *

6 (b) Exceptions.--The provisions of subsection (a)(1) through
7 (11) shall not apply to the following:

8 * * *

9 (3) For food, one of its ingredients or a raw
10 agricultural commodity that was produced on land on which
11 sewage sludge was applied and the application of the sewage
12 sludge was terminated at least 365 days prior to the date on
13 which production of the food, ingredient or raw agricultural
14 commodity commenced.

15 * * *

16 Section 2. This act shall take effect in 60 days.