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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1959 Session of  
2019

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INTRODUCED BY OTTEN, BRIGGS, KOSIEROWSKI, MURT, CALTAGIRONE,  
DeLUCA, CIRESI, ROEBUCK, JOHNSON-HARRELL, HILL-EVANS AND  
SCHWEYER, OCTOBER 21, 2019

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REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,  
OCTOBER 21, 2019

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AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated  
2 Statutes, in food protection, providing for labeling of food.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Title 3 of the Pennsylvania Consolidated Statutes  
6 is amended by adding a section to read:

7 § 5728.1. Labeling of food.

8 (a) General rule.--All food subject to the provisions of  
9 this subchapter when offered for retail sale in this  
10 Commonwealth shall display on the principle display panel of the  
11 label the term "Use By" followed by an indication of the month,  
12 day and year in which the food must be used for human  
13 consumption.

14 (b) Optional label.--In addition to the requirements of  
15 subsection (a), food offered for retail sale in this  
16 Commonwealth may display on the principle display panel of the  
17 label the term "Best If Used By" followed by an indication of

1 the month, day and year in which the food is most fresh.

2 (c) Definitions.--As used in this section, the following  
3 words and phrases shall have the meanings given to them in this  
4 subsection unless the context clearly indicates otherwise:

5 "Best If Used By." A voluntary label displaying a date that  
6 food might begin to lose quality in taste or appearance but  
7 still be safe for human consumption.

8 "Use By." A mandatory label displaying the last date that  
9 food is safe for human consumption.

10 Section 2. Any regulation inconsistent with this act is  
11 abrogated to the extent of any inconsistency with this act.

12 Section 3. All acts and parts of acts are repealed insofar  
13 as they are inconsistent with this act.

14 Section 4. This act shall take effect in 60 days.