

SENATE BILL No. 595

By Committee on Ways and Means

2-11

9 AN ACT concerning agricultural products; relating to labeling require-
10 ments; amending K.S.A. 2-2302 and repealing the existing section.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 2-2302 is hereby amended to read as follows: 2-
14 2302. (a) It shall be unlawful for any person: ~~(a)~~ (1) To label any agricul-
15 tural product, or the container thereof, with any grade, standard, desig-
16 nation, words or figures denoting comparative quality which is in any way
17 misleading;

18 ~~(b)~~ (A) to represent any agricultural product as being of any grade,
19 standard or comparative quality, which representation is in any way
20 misleading;

21 (B) (i) to label any agricultural product as having a compositional
22 claim that cannot be confirmed through laboratory analysis; or

23 (ii) to state a compositional or production-related claim that is sup-
24 ported solely by sworn statements, affidavits or testimonials; and

25 ~~(c)~~ (C) to move into the state for sale, have in possession for sale, or
26 sell, any agricultural product, which is labeled or represented in any mis-
27 leading manner as any grade or standard.

28 (b) Nothing in this section shall prohibit any person from using a
29 brand or descriptive term in the labeling of an agricultural product. ~~Pro-~~
30 ~~vided, if~~ such labeling is not misleading. If an established standard has
31 not been adopted for an agricultural product, nothing in this section shall
32 prohibit any person from selling such a product with a label thereon, or
33 on its container, denoting comparative qualities. ~~Provided, That if~~ such
34 product is not made in semblance of or imitation of, a product for which
35 an established standard has been adopted.

36 Sec. 2. K.S.A. 2-2302 is hereby repealed.

37 Sec. 3. This act shall take effect and be in force from and after its
38 publication in the statute book.