

## No. 65

## AN ACT

## HB 1161

Defining, regulating and relating to the sale of meat and poultry products to institutions owned, operated, related or funded by the Commonwealth of Pennsylvania; prescribing restrictions on such sales or contracts; and providing remedies and penalties.

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

Section 1. Short Title.—This act shall be known and may be cited as the “Institutional Safe Meat Act.”

Section 2. Definitions.—Unless the context or subject matter otherwise requires, the definitions given in this section govern the construction of this act.

(1) “Federal Inspection Service” means the meat and poultry inspection service conducted by the Meat Inspection Division and the Poultry Inspection Division of the Consumer and Marketing Service of the United States Department of Agriculture.

(2) “Institution” means any institution or facility which is owned, or operated by the Commonwealth of Pennsylvania or receives any funds from the Commonwealth or any of its agencies, bureaus, departments or authorities, directly or indirectly.

(3) “Meat and poultry product” means any food sold for human consumption which is derived wholly or in part from carcasses, or parts or products of carcasses, of cattle, calves, sheep, swine, goats, poultry or other animals and whether such meat or poultry is prepared by slaughtering, canning, salting, rendering, boning, or otherwise manufactured or processed.

(4) “Person” means any person who has made a purchase or a contract with a seller on behalf of any institution.

(5) “Seller” means any person, firm, partnership, association, or other incorporated business.

Section 3. Prohibited Acts.—Notwithstanding the provisions of any other regulation or rule of law: (a) No seller shall sell to any institution any meat or poultry product which has not been inspected by the Federal Inspection Service or a municipality or the Commonwealth of Pennsylvania which has an inspection program consistent with and containing authorities comparable to such Federal Inspection Service.

(b) No person shall contract or purchase from any seller any meat or poultry product which has not been inspected as provided in section 3 for any institution.

Section 4. Penalties.—(a) Any seller or person who violates any provision of this act shall upon conviction be subject to imprisonment not

exceeding one year, or a fine of not more than five thousand dollars (\$5,000). For a second and subsequent offense any person or seller shall, upon conviction, be sentenced to undergo both imprisonment not exceeding one year and a fine of not more than five thousand dollars (\$5,000) notwithstanding the fact the seller was convicted for a first offense under another corporate name.

(b) All fines imposed and recovered for the violation of any of the provisions of this act shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund.

Section 5. Severability.—If any provision of this act or the application thereof to any person, seller, or circumstance is held unconstitutional, the remainder of the act and the application of such provision to other persons, sellers or circumstances shall not be affected thereby.

Section 6. Repealer.—All acts or regulations or parts thereof inconsistent herewith are hereby repealed.

Section 7. Effective Date.—This act shall take effect immediately.

APPROVED—The 9th day of March, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 65.



*Joseph P. Kelly*  
Secretary of the Commonwealth.