

MEATPACKING AND LABELING LAWS

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting (5-4-105, MCA; [Chapter 309, Laws of 2017](#)). The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

Legislation can be complex, and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: Congress passed the Meat Inspection Act in 1906 to assure and provide the public with a safe, wholesome meat supply. This act, along with the subsequent federal Poultry Products Inspection Act and the Humane Methods of Slaughter Act, provide the regulatory basis for Montana's meat inspection and labeling process.

Meatpackers in Montana may either be state or federally inspected.¹ The Montana Legislature adopted the provisions of the three federal acts² and "rules consistent with the requirements of the rules of the U.S. Department of Agriculture governing meat inspection."³ The inspections process includes microbiological testing, humane-handling requirements, and disease identification.

Federal and state law allows for "custom-exempt facilities"—a plant subject to fewer inspections and exempt from some regulations, but responsible for certain sanitary and record-keeping requirements. Custom-exempt facilities process meat for the owner of the animals.

¹ Meat products sold across state lines must be federally inspected. The federal Food Safety and Inspection Service administers federally inspected plants.

² Section 81-9-219, MCA.

³ Section 81-9-220, MCA.

In addition to inspections, the Meat and Poultry Inspection Bureau issues licenses, manages slaughter data, conducts food safety assessments, ensure products are labelled properly, and measure compliance by meat retailers. Labeling of meat products is subject to state and federal laws, depending upon the inspection authority.⁴

Producers, facilities, and retailers may be subject to other laws. For example, livestock laws require brand inspections, and meat product retailers may be subject to public health sanitation rules.

Other Materials:

[FY2019 Annual Report, Meat and Poultry Inspection Bureau](#)

Food Safety and Inspection Service (USDA) [website](#)

Meat and Poultry Inspection Bureau (Montana Department of Livestock) [website](#)

Introduced Legislation

*Chapter number assigned means bill was passed and approved.

2019

[House Bill 327](#)—Chapter number assigned. CLARIFYING LABELING REQUIREMENTS FOR MEAT; PROVIDING A DEFINITION OF "CELL-CULTURED EDIBLE PRODUCT"; CLARIFYING THE DEFINITION OF "HAMBURGER" AND "GROUND BEEF"; CLARIFYING CIRCUMSTANCES WHEN FOOD AND MEAT IS MISBRANDED OR MISLABELED.

[HB594](#)—(H) Died in process. AN ACT ADOPTING THE COUNTRY OF ORIGIN PLACARDING ACT OF 2019; REQUIRING A PLACARD OF COUNTRY OF ORIGIN ON BEEF OR PORK PRODUCTS; PROVIDING PENALTIES FOR REMOVING LABELS AND OTHER VIOLATIONS; PROVIDING DEFINITIONS; PROVIDING RULEMAKING AUTHORITY TO THE DEPARTMENT OF LABOR AND INDUSTRY.

[HB621](#)—(H) Died in process. REVISING LAWS RELATED TO CUSTOM SLAUGHTERING OF LIVESTOCK OR POULTRY; REVISING A DEFINITION.

[House Joint Resolution 29](#)—(H) Filed with Secretary of State. REQUESTING A STUDY OF MEAT INSPECTION LAWS; AND REQUIRING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 67TH LEGISLATURE.

[Senate Bill 56](#)—Chapter number assigned. REMOVING THE REQUIREMENT TO HOLD A HEARING BEFORE SUSPENDING OR REVOKING A MEAT ESTABLISHMENT LICENSE.

[SB57](#)—Chapter number assigned. REMOVING AUTHORITY OF DEPARTMENT OF LIVESTOCK TO INSPECT AND REGULATE HOME-KILLED MEAT.

⁴ Labeling requirements fall primarily under the Federal Meat Inspection Act, the Poultry Products Inspection Act, and section 81-9-220, MCA.

2017:

[HB352](#)—(S) Died in standing committee. PROVIDING FOR THE MONTANA LOCAL FOOD CHOICE ACT; EXEMPTING CERTAIN FOOD PRODUCERS FROM FOOD LICENSURE, PERMITTING, CERTIFICATION, PACKAGING, LABELING, AND INSPECTION REGULATIONS AS WELL AS CERTAIN OTHER STANDARDS AND REQUIREMENTS; PROVIDING EXCEPTIONS TO CERTAIN REQUIREMENTS; PROVIDING DEFINITIONS.

2015: None.

2013:

[HB356](#)—Chapter number assigned. UPDATING THE REFERENCE TO FEDERAL LAWS FOR MEAT AND POULTRY INSPECTION.

[HB563](#)—(H) Died in standing committee. EXEMPTING WHOLESALE FOOD ESTABLISHMENTS FROM CERTAIN REQUIREMENTS REGARDING THE PREPARATION AND SALE OF MEAT PIZZAS; PROHIBITING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FROM ENFORCING CERTAIN FEDERAL RULES AND REGULATIONS REGARDING THE PREPARATION AND SALE OF MEAT PIZZAS; PROVIDING FOR SPECIAL INSPECTIONS OF WHOLESALE FOOD ESTABLISHMENT.

2011

[HB443](#)—(H) Died in standing committee. ASSERTING MONTANA'S SOVEREIGNTY REGARDING AND THE STATE'S RIGHT TO REGULATE THE MANUFACTURE, PRODUCTION, SALE, OR GIVING OF FOOD INTENDED TO REMAIN IN THIS STATE AND NOT INTENDED TO ENTER INTERSTATE COMMERCE; CLARIFYING THAT THE MANUFACTURE, PRODUCTION, SALE, OR GIVING OF FOOD THAT IS INTENDED TO ENTER OR HAS ENTERED INTERSTATE COMMERCE IS SUBJECT TO CERTAIN FEDERAL REGULATIONS; AUTHORIZING AN IN-STATE ORGANIC FOOD CERTIFICATION PROGRAM AND ADVISORY COUNCIL; EXTENDING RULEMAKING AUTHORITY.

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Nov. 12, 2020