

CHAPTER 31

FOOD LAW

31.01	Definitions.	31.403	Repealed.
31.10	Standards, definitions; promulgation.	31.404	Repealed.
31.101	Regulations; hearings; uniformity with federal law.	31.405	Repealed.
31.175	Water, plumbing, and sewage.	31.406	Repealed.
31.401	Repealed.	31.51	Definitions.
31.402	Repealed.	31.56	Limitation.
		31.60	Meat industry division.

31.01 DEFINITIONS.

[For text of subs 1 to 18, see M.S.1982]

Subd. 20. **Consumer commodity.** "Consumer commodity," except as otherwise specifically provided by this subdivision, means any food as defined in subdivision 3 or by the federal act. Such term does not include:

- (a) Any tobacco or tobacco product.
- (b) Any commodity subject to packaging or labeling requirements imposed under chapter 24.
- (c) Any drug subject to the provisions of sections 151.34 to 151.40.
- (d) Any beverage subject to the provisions of chapter 340.
- (e) Any commodity subject to the provisions of chapter 21.

[For text of subs 21 to 32, see M.S.1982]

History: 1983 c 300 s 6

31.10 STANDARDS, DEFINITIONS; PROMULGATION.

For the purpose of preventing fraud and deception in the manufacture, use, sale, and transportation of food, or for the purpose of protecting and preserving the public health, it shall be the duty of the commissioner to fix, adopt, and publish, from time to time, by rulings or regulations, in writing, definitions and standards of quality, purity, identity, composition, analysis, content and strength of articles of food, for which no definitions and standards are prescribed by law, and such definitions and standards so fixed, adopted, and published by the commissioner shall be the lawful definitions and standards thereof before all courts; provided that when definitions and standards have been or may be fixed by the secretary of the department of agriculture, or the secretary of the department of health and human services of the United States, except in cases where definitions or standards otherwise are prescribed by law, they may be accepted by the commissioner and if accepted, published as definitions or standards for Minnesota. All definitions and standards promulgated and adopted by the commissioner shall be done in the manner provided by law. Until such definitions and standards are promulgated and adopted in the manner stated, the definitions and standards heretofore prescribed by law or promulgated and adopted by the commissioner shall remain in full force and effect, except as otherwise prescribed by law. Any person who shall manufacture, use, sell, transport, package, offer for sale or transportation, or have in possession with the intent to sell, package, repack, offer for sale or transportation, or use, or

transport, any article of food, which does not conform to such definitions or standards so fixed, adopted, and published, shall be guilty of a misdemeanor.

History: 1983 c 300 s 7

31.101 REGULATIONS; HEARINGS; UNIFORMITY WITH FEDERAL LAW.

[For text of subds 1 and 2, see M.S.1982]

Subd. 3. Federal pesticide chemical regulations and amendments thereto in effect on April 1, 1982 adopted under authority of the Federal Insecticide, Fungicide and Rodenticide Act, as provided by United States Code, title 7, chapter 6, are the pesticide chemical regulations in this state. Such regulations may be amended by the commissioner proceeding in accordance with the Administrative Procedure Act.

Subd. 4. Federal food additive regulations and amendments thereto in effect on April 1, 1982, as provided by Code of Federal Regulations, title 21, parts 170 to 199, are the food additive regulations in this state. Such regulations may be amended by the commissioner proceeding in accordance with the Administrative Procedure Act.

Subd. 5. Federal color additive regulations and amendments thereto in effect on April 1, 1982, as provided by Code of Federal Regulations, title 21, parts 70 to 82, are the color additive regulations in this state. Such regulations may be amended by the commissioner proceeding in accordance with the Administrative Procedure Act.

Subd. 6. Federal special dietary use regulations and amendments thereto in effect on April 1, 1982, as provided by Code of Federal Regulations, title 21, parts 104 and 105, are the special dietary use regulations in this state. Such regulations may be amended by the commissioner proceeding in accordance with the Administrative Procedure Act.

Subd. 7. Federal regulations and amendments thereto in effect on April 1, 1982 adopted under the fair packaging and labeling act, as provided by United States Code, title 15, sections 1451 to 1461, are the regulations in this state. Such regulations may be amended by the commissioner proceeding in accordance with the Administrative Procedure Act; provided that the commissioner shall not adopt amendments to such regulations or adopt other regulations which are contrary to the labeling requirements for the net quantity of contents required pursuant to section 4 of the Fair Packaging and Labeling Act and the regulations promulgated thereunder.

Subd. 8. Applicable federal regulations including recodification contained in Code of Federal Regulations, title 21, parts 0-1299, Food and Drugs, in effect April 1, 1982, and not otherwise adopted herein, also are adopted as food regulations of this state. Such regulations may be amended by the commissioner in accordance with the Administrative Procedure Act.

History: 1983 c 300 s 8-13

31.175 WATER, PLUMBING, AND SEWAGE.

A person who is required by statutes administered by the department of agriculture, or by rules adopted pursuant to those statutes, to provide a suitable water supply, or plumbing or sewage disposal system, may not engage in the business of manufacturing, processing, selling, handling, or storing food at whole-

sale or retail unless his water supply is satisfactory under plumbing codes adopted by the department of health and his sewage disposal system satisfies the rules of the pollution control agency.

History: 1983 c 300 s 14

31.401 [Repealed, 1983 c 300 s 28]

31.402 [Repealed, 1983 c 300 s 28]

31.403 [Repealed, 1983 c 300 s 28]

31.404 [Repealed, 1983 c 300 s 28]

31.405 [Repealed, 1983 c 300 s 28]

31.406 [Repealed, 1983 c 300 s 28]

31.51 DEFINITIONS.

[For text of subd 1, see M.S.1982]

Subd. 2. **Slaughter house.** "Slaughter house" means an establishment in which animals other than poultry are slaughtered, eviscerated, or dressed for human food.

[For text of subds 3 to 14, see M.S.1982]

History: 1983 c 300 s 15

31.56 LIMITATION.

Subdivision 1. **Farmer's own animals.** Sections 31.51 to 31.58 do not apply to a farmer slaughtering his own rabbits or poultry on his own farm for: (1) his own use, (2) the use of his immediate family, or (3) sale directly to the ultimate consumer; or to the farmer slaughtering his own animals on his own farm for his own use or the use of his household and nonpaying guests and employees.

[For text of subds 2 to 5, see M.S.1982]

History: 1983 c 300 s 16

31.60 MEAT INDUSTRY DIVISION.

[For text of subd 1, see M.S.1982]

Subd. 2. [Repealed, 1983 c 260 s 68]

Subd. 3. [Repealed, 1983 c 260 s 68]