

As Introduced

**135th General Assembly
Regular Session
2023-2024**

H. B. No. 709

Representative Forhan

A BILL

To amend section 3715.60 of the Revised Code 1
regarding boneless meat products. 2

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3715.60 of the Revised Code be 3
amended to read as follows: 4

Sec. 3715.60. Food is misbranded within the meaning of 5
sections 3715.01, 3715.02, 3715.022, and 3715.52 to 3715.72 of 6
the Revised Code, if: 7

(A) Its labeling is false or misleading in any particular. 8

(B) It is offered for sale under the name of another food. 9

(C) Its container is so made, formed, or filled as to be 10
misleading. 11

(D) It is an imitation of another food, unless its label 12
bears in type of uniform size and prominence, the word 13
"imitation," and immediately thereafter the name of the food 14
imitated. 15

(E) When it is in package form, it does not bear a label 16
containing: 17

(1) The name and place of business of the manufacturer,
packer, or distributor; 18
19

(2) An accurate statement of the quantity of the contents
in terms of weight, measure, or numerical count; provided, that 20
reasonable variations shall be permitted, and exemptions as to 21
small packages shall be established by rules adopted by the 22
director of agriculture; 23
24

(3) In the case of food subject to section 3715.023 of the
Revised Code, the information specified in that section. 25
26

(F) Any word, statement, or other information required by
or under authority of sections 3715.01, 3715.02, and 3715.52 to 27
3715.72 of the Revised Code, to appear on the label or labeling 28
is not prominently placed thereon with such conspicuousness as 29
compared with other words, statements, designs, or devices, in 30
the labeling, and in such terms as to render it likely to be 31
read and understood by the ordinary individual under customary 32
conditions of purchase and use. 33
34

(G) It purports to be, or is represented as, a food for
which a definition and standard of identity have been prescribed 35
by statute, or by any rule adopted under an existing statute, or 36
by rule as provided by section 3715.02 of the Revised Code, 37
unless: 38
39

(1) It conforms to such definition and standard. 40

(2) Its label bears the name of the food specified in the
definition and standard, and, insofar as may be required by such 41
statute or rules, the common names of optional ingredients, 42
other than spices, flavoring, and coloring, present in such 43
food. 44
45

(H) It purports to be or is represented as: 46

(1) A food for which a standard of quality has been 47
prescribed by rule as provided by section 3715.02 of the Revised 48
Code and its quality falls below the standard unless its label 49
bears, in the manner and form that the rules specify, a 50
statement that it falls below the standard; 51

(2) A food for which a standard or standards of fill of 52
container have been prescribed by rule as provided by section 53
3715.02 of the Revised Code, and it falls below the standard of 54
fill of container applicable thereto, unless its label bears, in 55
the manner and form that the rules specify, a statement that it 56
falls below the standard. 57

(I) It is not subject to the provisions of division (G) of 58
this section, unless it bears labeling clearly giving: 59

(1) The common or usual name of the food, if any; 60

(2) In case it is fabricated from two or more ingredients, 61
the common or usual name of each ingredient; except that spices, 62
flavorings, and colorings, other than those sold as such, may be 63
designated as spices, flavorings, and colorings, without naming 64
each; provided, that, to the extent that compliance with the 65
requirements of division (I)(2) of this section is impractical 66
or results in deception or unfair competition, exemptions shall 67
be established by rules adopted by the director; and provided 68
that these requirements shall not apply to any carbonated 69
beverage of which a full and correct statement of the 70
ingredients, to the extent prescribed by division (I)(2) of this 71
section, has been filed under oath with the director. 72

(J) It purports to be or is represented to be for special 73
dietary uses, unless its label bears such information concerning 74
its vitamin, mineral, and other dietary properties as is 75

provided by rules adopted by the director, as necessary, in 76
order to fully inform purchasers as to its value for such uses. 77

(K) It bears or contains any artificial flavoring, 78
artificial coloring, or chemical preservative, unless it bears 79
labeling stating that fact; provided, that to the extent that 80
compliance with the requirements of this division is 81
impracticable, exemptions shall be established by rules adopted 82
by the director. 83

(L) It is a meat product, as defined in section 918.01 of 84
the Revised Code, that contains bones when it is labeled as 85
boneless. Sale of such a meat product is an unconscionable act 86
or practice under Chapter 1345. of the Revised Code. 87

Section 2. That existing section 3715.60 of the Revised 88
Code is hereby repealed. 89