Sixty-third Legislative Assembly of North Dakota

Introduced by

Representatives Schatz, Belter, Boehning, Dockter, Froseth, Headland, Larson

1 A concurrent resolution urging Congress to amend the Federal Meat Inspection Act for the

2 purpose of allowing flexibility in state meat inspection programs.

3 WHEREAS, the Federal Meat Inspection Act of 1906 was enacted to prevent adulterated or

4 misbranded meat and meat products from being sold as food; and

5 WHEREAS, the Federal Meat Inspection Act of 1906 authorized the Secretary of Agriculture

6 to inspect and condemn any meat or meat product found to be unfit for human consumption;

7 and

8 **WHEREAS**, the Federal Meat Inspection Act authorizes the development and

9 administration of state meat inspection programs that are equal to the federal provisions, for

10 purposes of inspecting meat and meat products remaining in intrastate commerce; and

11 WHEREAS, the United States Supreme Court in 2012 held that the Preemption Clause of

12 the Federal Meat Inspection Act prevents a state from imposing any additional or different

13 requirements on slaughter facilities and operations; and

14 WHEREAS, the Federal Meat Inspection Act and its interpretation by the courts provides no

15 flexibility to the states in addressing their own situations and circumstances with respect to their

16 producers and consumers of meat and meat products;

17 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF

18 NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

19 That the Sixty-third Legislative Assembly urges the Congress of the United States to amend

20 the Federal Meat Inspection Act so that each state can determine the nature and scope of

21 protections necessary for its citizens and develop and implement an intrastate meat inspection

22 program that is appropriate to its own culture and manner of producing and consuming meat

and meat products; and

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- 1 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
- 2 to the Secretary of the United States Department of Agriculture and to each member of the
- 3 North Dakota Congressional Delegation.