

CS FOR SENATE BILL NO. 65(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 3/7/97

Referred: Judiciary

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to domestic animals, to food, to pest control, and to the Alaska
2 Food, Drug and Cosmetic Act; and providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 03.05.011(a)(2) is amended to read:

5 (2) establishment of quarantines for eradication of pests and diseases
6 in livestock;

7 * **Sec. 2.** AS 03.05.020(a) is amended to read:

8 (a) The commissioner shall

9 (1) require routine inspection of food animals [, FISH, POULTRY,
10 AND DERIVATIVE FOOD PRODUCTS,] to protect the public against fraud and [,]
11 disease [, AND SPOILAGE, AND IN THIS CONNECTION ADOPT UNIFORM
12 REGULATIONS ESTABLISHING STANDARDS OF IDENTITY AND
13 COMPOSITION OF THESE FOOD PRODUCTS AND MINIMUM STANDARDS OF
14 SANITATION AND HANDLING METHODS AS TO ALL PHASES OF

1 SLAUGHTERING, PROCESSING, STORING, TRANSPORTING, DISPLAYING,
2 AND SELLING OF THESE FOOD PRODUCTS;

3 (2) ISSUE ORDERS OR CAUSE THE ORDERS TO BE ISSUED BY
4 AN AUTHORIZED VETERINARIAN PROHIBITING TRANSPORTATION AND
5 SALE OF FOOD PRODUCTS INTENDED FOR HUMAN CONSUMPTION THAT
6 DO NOT MEET THE MINIMUM REQUIREMENTS ESTABLISHED UNDER (1)
7 OF THIS SUBSECTION, AND LIMITING THEIR USE AND DISPOSAL IN
8 CONFORMITY WITH PROTECTION OF THE PUBLIC];

9 (2) [(3)] adopt a schedule of fees or charges, and credit provisions, for
10 services rendered by state veterinarians to farmers and others at their request in caring
11 for livestock and poultry, and all the fees shall be transmitted to the commissioner for
12 deposit in the state treasury;

13 (3) [(4)] designate points of entry for admission of livestock or poultry
14 into the state, and arrange inspection at those points with or without collaboration and
15 assistance of the federal government, and bar entry of stock or poultry not shipped
16 under a valid permit or not free from contagious or infectious disease [;

17 (5) ADOPT, REPEAL, AND AMEND REGULATIONS
18 CONSISTENT WITH EXISTING LAW FOR

19 (A) THE LABELING AND GRADING OF MILK AND
20 MILK PRODUCTS AND STANDARDS OF CLEANLINESS AND
21 SANITATION, TO AT LEAST THE MINIMUM OF CURRENT
22 RECOMMENDATIONS OF THE UNITED STATES PUBLIC HEALTH
23 SERVICE, FOR THE OPERATION OF DAIRIES SELLING, OR OFFERING
24 FOR SALE, MILK OR MILK PRODUCTS;

25 (B) THE PRODUCTION AND SALE OF ICE CREAM AND
26 ALLIED FROZEN DESSERTS;

27 (C) THE PRODUCTION AND SALE OF IMITATION MILK
28 AND IMITATION MILK PRODUCTS;

29 (6) ESTABLISH A FIELD-KILL INSPECTION PROGRAM FOR
30 REINDEER THAT IS AVAILABLE AT STATE EXPENSE AND PROVIDES FOR
31 VOLUNTARY PARTICIPATION ON THE PART OF REINDEER HERDERS AND

1 PROCESSORS WHO WISH TO HAVE THE INSPECTED REINDEER USED IN
2 FEDERALLY INSPECTED MEAT PRODUCTS].

3 * **Sec. 3.** AS 03.05.040(a) is amended to read:

4 (a) On any business day during the usual hours of business the commissioner
5 or an authorized inspector may, for the purpose of inspecting agricultural [,
6 FISHERIES, OR AQUATIC FARM] products [OR AQUATIC FARM SITES] subject
7 to regulation, enter a storehouse, warehouse, cold storage plant, packing house,
8 slaughterhouse, retail store, or other building or place where those products are kept,
9 stored, processed, or sold.

10 * **Sec. 4.** AS 03.05.050(a) is amended to read:

11 (a) An agricultural [OR FISHERIES] product found by the commissioner, or
12 an authorized inspector, to violate a regulation adopted under this chapter is declared
13 to be a public nuisance injurious to the public interest and may not be moved by the
14 person in whose possession it may be except upon the specific direction of the
15 commissioner or inspector.

16 * **Sec. 5.** AS 03.58.070(1) is amended to read:

17 (1) "department" means the [DEPARTMENT OF ENVIRONMENTAL
18 CONSERVATION WHEN THE FOOD IS MEAT, FISH, POULTRY, OR
19 PROCESSED, AND THE] Department of Natural Resources [WHEN THE FOOD IS
20 NOT MEAT, FISH, POULTRY, OR PROCESSED];

21 * **Sec. 6.** AS 03.58.070(2) is repealed and reenacted to read:

22 (2) "food represented as organic food" means food, when the food is
23 not meat, fish, poultry, or processed, that is marketed using the term "organic" or a
24 derivative of that term in the labeling or advertising;

25 * **Sec. 7.** AS 16.40.100(b) is amended to read:

26 (b) A permit issued under this section authorizes the permittee, subject to the
27 conditions of [AS 03.05 AND] AS 16.40.100 - 16.40.199 **and AS 17.20**, to acquire,
28 purchase, offer to purchase, transfer, possess, sell, and offer to sell stock and aquatic
29 farm products that are used or reared at the hatchery or aquatic farm. A person who
30 holds a permit under this section may sell or offer to sell shellfish stock to the
31 department or to an aquatic farm or related hatchery outside of the state.

1 * **Sec. 8.** AS 16.51.100(6) is amended to read:

2 (6) develop marketing programs based on the "inspection" and
3 "premium quality" seals designed under AS 17.20.066 [AS 03.05.026] and use the
4 seals in advertising and promotion efforts of the institute;

5 * **Sec. 9.** AS 17 is amended by adding a new chapter to read:

6 **Chapter 06. Sale of Organic Foods.**

7 **Sec. 17.06.010. Prohibition.** (a) A person may not sell or offer for sale food
8 represented as organic food if the person knows or has reason to know that the food
9 has been grown, raised, or produced with the use of

10 (1) a fertilizer, except for manure and other natural fertilizers;

11 (2) a manufactured pesticide, hormone, antibiotic, or growth stimulant,
12 except for *Bacillus thuringensis* and other natural pesticides;

13 (3) a substance listed by the department under AS 17.06.050 that is
14 similar to a substance that is restricted with regard to organic food under (1) or (2) of
15 this subsection.

16 (b) In this section, "with the use of" means

17 (1) applied to the food before a retail sale;

18 (2) fed to the animal producing the food;

19 (3) unless the substance applied is a pesticide, applied to the soil or
20 other growing medium within one year before seed planting or transplanting, or, if the
21 crops are perennial, before the appearance of the flower bud; or

22 (4) in the case of pesticides, applied to the soil or other growing
23 medium within two years before seed planting or transplanting, or, if the crops are
24 perennial, before the appearance of the flower bud.

25 **Sec. 17.06.020. Disclosure.** (a) Except as provided in (b) of this section, a
26 person may not sell food represented as organic food unless the name and address of
27 the producer of the food are displayed with the food. If the food is not displayed at the
28 purchase site, a written statement with the name and address of the producer must be
29 given to the purchaser unless the name and address are identified on a package
30 containing the purchased food. This subsection does not apply to a sale for
31 consumption on the premises.

1 (b) Advertising for the mail order sale of food represented as organic food
2 must include the name and address of the producer of the food.

3 **Sec. 17.06.030. Sworn statement of compliance.** (a) A producer may not
4 sell to a vendor food represented as organic food unless before the sale the producer
5 provides the vendor with a sworn statement that the producer has grown, raised, or
6 otherwise produced the food in compliance with AS 17.06.010. If a producer sells the
7 food to the same vendor more than one time during a calendar year, one statement for
8 the calendar year is sufficient to comply with this section.

9 (b) In this section, "vendor" means a person who sells food represented as
10 organic food to another person for resale or to a consumer.

11 **Sec. 17.06.050. Regulations.** The department may adopt regulations under
12 AS 44.62 (Administrative Procedure Act) to implement and interpret this chapter,
13 including a regulation that lists and periodically updates substances under
14 AS 17.06.010(a).

15 **Sec. 17.06.060. Enforcement.** (a) If the department determines that a person
16 is violating a provision of this chapter, or a regulation adopted under this chapter, the
17 department shall order the person to stop the violation and to refrain from future
18 violations.

19 (b) If a person violates this chapter, a regulation adopted under this chapter,
20 or an order issued under (a) of this section, the person is liable to the state for

21 (1) a civil fine that does not exceed the total of \$1,000 plus the state's
22 estimated costs of investigating and taking appropriate administrative and enforcement
23 actions for the violation; and

24 (2) an additional civil penalty of three times the value of the product
25 knowingly sold in violation of this chapter.

26 (c) The provisions of this section are in addition to the remedies available
27 under AS 45.50.471 - 45.50.561.

28 **Sec. 17.06.070. Definitions.** In this chapter,

29 (1) "department" means the Department of Environmental Conservation;

30 (2) "food represented as organic food" means food, when the food is
31 meat, fish, poultry, or processed, that is marketed using the term "organic" or a

1 derivative of that term in the labeling or advertising;

2 (3) "producer" means a person who grows, raises, or produces food.

3 * **Sec. 10.** AS 17.20 is amended by adding a new section to read:

4 **Sec. 17.20.005. Powers and duties of commissioner.** To carry out the
5 requirements of this chapter, the commissioner may issue orders, regulations, permits,
6 quarantines, and embargoes relating to

7 (1) food offered to the public or sold, including

8 (A) inspection of meat, fish, poultry, and other food products;

9 (B) standards of sanitation and handling methods for all phases
10 of slaughtering, processing, storing, transporting, displaying, and selling; and

11 (C) labeling;

12 (2) control and eradication of pests;

13 (3) enforcement of quality assurance plans developed in cooperation
14 with appropriate industry representatives;

15 (4) enforcement of hazard analysis critical control point programs for
16 seafood processing that are developed in cooperation with appropriate industry
17 representatives or, to the extent not inconsistent with this chapter or regulations
18 adopted under the authority of this chapter, that are established by regulations of the
19 United States Food and Drug Administration as they may periodically be revised;

20 (5) labeling and grading of milk and milk products and standards of
21 sanitation for dairies offering to the public or selling milk or milk products to at least
22 the minimum of current recommendations of the United States Public Health Service
23 pasteurized milk ordinance as it may periodically be revised;

24 (6) standards and conditions for the operation and siting of aquatic
25 farms and related hatcheries, including

26 (A) restrictions on the use of chemicals; and

27 (B) requirements to protect the public from contaminated
28 aquatic farm products that pose a risk to health;

29 (7) monitoring aquatic farms and aquatic farm products to ensure
30 compliance with this chapter and, to the extent not inconsistent with this chapter or
31 regulations adopted under the authority of this chapter, with the requirements of the

1 national shellfish sanitation program manual of operations published by the United
2 States Food and Drug Administration as it may periodically be revised;

3 (8) tests and analyses that may be made and hearings that may be held
4 to determine whether the commissioner will issue a stop order or quarantine;

5 (9) transportation of, use of, disposal of, recalls of, or warnings
6 concerning quarantined or embargoed items;

7 (10) cooperation with federal and other state agencies.

8 * **Sec. 11.** AS 17.20 is amended by adding a new section to read:

9 **Sec. 17.20.044. Sale and labeling of frozen meat, fish, and poultry.** (a)

10 Meat, fish, or poultry that has been frozen may not be sold, represented, or advertised
11 as a fresh food.

12 (b) Meat, fish, and poultry that has been frozen must be labeled as a frozen
13 food in accordance with regulations adopted by the commissioner.

14 (c) The commissioner shall adopt regulations that

15 (1) require frozen food labels for meat, fish, and poultry that has been
16 frozen; and

17 (2) provide for the examination and inspection of meat, fish, and
18 poultry to ascertain whether it has been frozen.

19 * **Sec. 12.** AS 17.20 is amended by adding a new section to read:

20 **Sec. 17.20.065. Seafood processing permits and plans of operation.** (a) A

21 person may not operate a seafood processing establishment or seafood processing
22 vessel without a seafood processing permit issued by the department. A seafood
23 processing permit issued under this section must be renewed annually.

24 (b) Unless a person complies with (c) of this section, a person may not operate
25 a seafood processing establishment or a seafood processing vessel to process seafood,
26 other than for the production of a fresh or frozen seafood product, without having a
27 plan of operation approved in writing by the department. An approved plan of
28 operation is not subject to further review or approval by the department unless an
29 amendment of the plan is necessitated by a change in

30 (1) the operation of the establishment or vessel; or

31 (2) a product produced or process conducted at the establishment or

1 vessel.

2 (c) As an alternative to (b) of this section, a person may not operate a seafood
3 processing establishment or a seafood processing vessel without a written hazard
4 analysis critical control point plan that explains the procedures used at each critical
5 control point in the operation of the seafood processing establishment or the seafood
6 processing vessel. The department may review, and comment on, the completeness
7 of the hazard analysis critical control point plan prepared for a seafood processing
8 establishment or a seafood processing vessel; however, the department may not require
9 annual submission of the plan unless a change in operation, product, or process
10 necessitates a change in the plan. In this subsection, "critical control point" means a
11 point, step, or procedure in a food process at which control can be applied, and a food
12 safety hazard can as a result be prevented, eliminated, or reduced to acceptable levels.

13 * **Sec. 13.** AS 17.20.065(b) is repealed and reenacted to read:

14 (b) A person may not operate a seafood processing establishment or a seafood
15 processing vessel without a written hazard analysis critical control point plan that
16 explains the procedures used at each critical control point in the operation of the
17 seafood processing establishment or the seafood processing vessel. The department
18 may review, and comment on, the completeness of the hazard analysis critical control
19 point plan prepared for a seafood processing establishment or a seafood processing
20 vessel; however, the department may not require annual submission of the plan unless
21 a change in operation, product, or process necessitates a change in the plan. In this
22 subsection, "critical control point" means a point, step, or procedure in a food process
23 at which control can be applied, and a food safety hazard can as a result be prevented,
24 eliminated, or reduced to acceptable levels.

25 * **Sec. 14.** AS 17.20 is amended by adding new sections to read:

26 **Sec. 17.20.066. Seafood product quality standards and seals.** (a) The
27 Alaska Seafood Marketing Institute established in AS 16.51 shall design an
28 "inspection" seal that may be used to signify that a seafood product has been packed
29 in compliance with the requirements of a permit issued under AS 17.20.065.

30 (b) The Alaska Seafood Marketing Institute shall design a "premium quality"
31 seal that may be used to signify that a seafood product has met the product

1 specifications and standards under (d) of this section.

2 (c) The commissioner shall authorize the use of an "inspection" seal for
3 display on seafood products processed by a person who, at the time the products are
4 processed, holds a permit to operate issued under AS 17.20.065 and who complies with
5 regulations adopted under this chapter.

6 (d) The commissioner, after consultation with the Alaska Seafood Marketing
7 Institute, shall develop product specifications and standards for the use of the
8 "premium quality" seal on Alaska seafood products. The commissioner shall authorize
9 a seafood processor to display a "premium quality" seal on products that qualify for
10 the seal if the processor meets the requirements of regulations adopted under this
11 chapter and has been issued a permit to operate under AS 17.20.065.

12 (e) A person may not display a seal under this section without authorization
13 from the commissioner.

14 **Sec. 17.20.067. Seafood processing research.** The commissioner may
15 conduct studies, research, experiments, and demonstrations, directly or through grants
16 to or contracts with public or private agencies, organizations, or individuals to

17 (1) improve sanitation practices in the processing of fish and fisheries
18 products; and

19 (2) develop improved techniques for surveillance and inspection
20 activities under this chapter.

21 * **Sec. 15.** AS 17.20.070 is amended to read:

22 **Sec. 17.20.070. Inspection by department.** An officer or employee
23 designated by the commissioner shall have access to a factory, aquatic farm, or
24 establishment, the operator of which holds a permit from the commissioner, for the
25 purpose of ascertaining whether [OR NOT] the conditions of the permit are being
26 complied with. Denial of access for inspection is ground for suspension of the permit
27 until access is freely given.

28 * **Sec. 16.** AS 17.20.072 is amended to read:

29 **Sec. 17.20.072. Enforcement authority.** The commissioner is responsible for
30 enforcing AS 17.20.005 - 17.20.075 [AS 17.20.010 - 17.20.075], and may delegate that
31 authority as appropriate. This section does not limit the authority of peace officers.

1 * **Sec. 17.** AS 17.20.075 is amended to read:

2 **Sec. 17.20.075. Definitions.** In AS 17.20.005 - 17.20.075 [AS 17.20.010 -
3 17.20.075],

4 (1) "commissioner" means the commissioner of environmental
5 conservation;

6 (2) "department" means the Department of Environmental Conservation.

7 * **Sec. 18.** AS 17.20.200(a) is amended to read:

8 (a) The commissioner of environmental conservation or an agent shall have
9 free access at reasonable hours to a factory, warehouse, or establishment in which
10 foods or cosmetics are manufactured, processed, packed, or held for introduction into
11 commerce, [OR] to enter a vehicle being used to transport or hold these foods or
12 cosmetics in commerce, **or to an aquatic farm** in order to

13 (1) inspect a factory, warehouse, establishment, [OR] vehicle, **or**
14 **aquatic farm** to determine if the provisions of the commissioner's respective portions
15 of this chapter are being violated; [,] and

16 (2) secure samples or specimens of a food, **aquatic farm product**, or
17 cosmetic [AFTER PAYING OR OFFERING TO PAY FOR THE SAMPLE].

18 * **Sec. 19.** AS 17.20.280 is amended to read:

19 **Sec. 17.20.280. Injunction proceedings.** The commissioner of environmental
20 conservation and the commissioner of health and social services may apply to the
21 superior court for, and the court has jurisdiction to grant, a temporary or permanent
22 injunction restraining a person from violating their respective portions of **this chapter**
23 [AS 17.20.290].

24 * **Sec. 20.** AS 17.20 is amended by adding a new section to read:

25 **Sec. 17.20.305. Penalty for violation.** A person who with criminal negligence
26 violates a provision of this chapter or a regulation, order, quarantine, embargo, or
27 recall made under authority of this chapter, or violates a provision of a permit issued
28 under this chapter, is guilty of a class A misdemeanor for each offense. In this
29 section, "criminal negligence" has the meaning given in AS 11.81.900.

30 * **Sec. 21.** AS 17.20.320 is amended to read:

31 **Sec. 17.20.320. Effect of written guaranty.** A person is not subject to the

1 penalties of AS 17.20.305 [AS 17.20.310] for having violated AS 17.20.290(a)(1) or
 2 (3) if that person establishes a guaranty or undertaking signed by and containing the
 3 name and address of the person residing in the state from whom the article was
 4 received in good faith, to the effect that it is not adulterated or misbranded within the
 5 meaning of this chapter.

6 * **Sec. 22.** AS 17.20.330 is amended to read:

7 **Sec. 17.20.330. Liability for dissemination of false advertising.** **The** [NO]
 8 publisher, radio-broadcast licensee, or agency or medium for the dissemination of an
 9 advertisement, except the manufacturer, packer, distributor, or seller of the article to
 10 which a false advertisement relates, is **not** liable under AS 17.20.305 [AS 17.20.310]
 11 for the dissemination of the false advertisement, unless the publisher, licensee, agency
 12 or medium has refused the request of the commissioner of health and social services
 13 to furnish the name and post office address of the manufacturer, packer, distributor,
 14 seller, or advertising agency, residing in the state who caused dissemination of the
 15 advertisement.

16 * **Sec. 23.** AS 17.20.345 is amended to read:

17 **Sec. 17.20.345. Liability of food donor.** (a) Notwithstanding the provisions
 18 of AS 17.20.290 and 17.20.305 [17.20.310], a donor of food for free distribution by
 19 a food bank is not subject to civil or criminal liability arising from an injury or death
 20 attributable to the condition of the donated food if the injury or death is not a result
 21 of the gross negligence, recklessness, or intentional misconduct of the donor.

22 (b) Nothing in this section, AS 17.20.290, or 17.20.305 [17.20.310] prohibits
 23 the donation by a donor of food apparently fit for human consumption at the time of
 24 its donation solely because

25 (1) the label on the food is missing or the food is otherwise
 26 misbranded; or

27 (2) the food, if offered for sale commercially, would not be readily
 28 marketable because of appearance or grade, or because it is surplus.

29 (c) A person who donates to a food bank salmon from a hatchery that operates
 30 under a permit issued under AS 16.10.400 - 16.10.470 is immune from liability as
 31 provided in this section if the salmon is apparently fit for human consumption at the

1 time of its donation, even if the hatchery does not have a permit issued by the
 2 Department of Environmental Conservation under this chapter [, AS 03.05,] or other
 3 statute to process fisheries products for human consumption.

4 * **Sec. 24.** AS 17.20.346 is amended to read:

5 **Sec. 17.20.346. Liability of food bank.** (a) Notwithstanding the provisions
 6 of AS 17.20.290 and 17.20.305 [17.20.310], a food bank that receives and distributes
 7 food is not subject to civil or criminal liability arising from an injury or death
 8 attributable to the condition of the food if

9 (1) the food bank inspects the food received in a reasonable manner
 10 and finds it to be apparently fit for human consumption at the time of distribution;

11 (2) the food bank has no actual or constructive knowledge at the time
 12 the food is distributed that it is adulterated, tainted, contaminated, or would be harmful
 13 to the health or well-being of an individual consuming it; and

14 (3) the injury or death is not a direct result of the negligence,
 15 recklessness, or intentional misconduct of the food bank.

16 (b) Nothing in this section, AS 17.20.290, or 17.20.305 [17.20.310] prohibits
 17 the distribution by a food bank of food apparently fit for human consumption at the
 18 time of its distribution solely because

19 (1) the label on the food is missing or the food is otherwise
 20 misbranded; or

21 (2) the food, if sold commercially, would not be readily marketable
 22 because of appearance or grade, or because it is surplus.

23 * **Sec. 25.** AS 17.20.370(7) is amended to read:

24 (7) "farmed salmon product" means a food product that contains salmon
 25 that is propagated, farmed, or cultivated in [AN AQUATIC FARM; IN THIS
 26 PARAGRAPH

27 (A) "AQUATIC FARM" MEANS] a facility that grows,
 28 farms, or cultivates finfish in captivity or under positive control [,] but **that is**
 29 [DOES] not [INCLUDE] a salmon hatchery that is owned by the state or that
 30 holds a salmon hatchery permit under AS 16.10.400; **in this paragraph,**

31 [(B)] "positive control" has the meaning given in AS 16.40.199;

1 * **Sec. 26.** AS 17.20.370 is amended by adding new paragraphs to read:

2 (15) "aquatic farm" has the meaning given in AS 16.40.199;

3 (16) "aquatic farm product" has the meaning given in AS 16.40.199;

4 (17) "fish or fisheries products" means any aquatic animal, including
5 amphibians, or aquatic plants or parts of those plants, animals or amphibians that are
6 usable as human food.

7 * **Sec. 27.** AS 03.05.011(a)(3), 03.05.011(a)(7), 03.05.011(a)(8), 03.05.011(a)(9),
8 03.05.011(a)(10), 03.05.025, 03.05.026, 03.05.035, 03.05.070, 03.05.085, 03.05.100(2);
9 AS 03.15.020; AS 17.05.010, 17.05.020, 17.05.050; AS 17.07; AS 17.20.210, and 17.20.310
10 are repealed.

11 * **Sec. 28.** Sections 1 and 4, ch. 48, SLA 1995 are repealed.

12 * **Sec. 29.** AS 17.20.005(3) and 17.20.065(c) are repealed.

13 * **Sec. 30.** TRANSITION. Regulations, orders, permits, quarantines, and embargoes issued
14 or adopted under authority of a law amended or repealed by this Act remain in effect for the
15 term issued, or until revoked, vacated, or otherwise modified under the provisions of this Act.
16 Litigation, hearings, investigations, and other proceedings pending under a law amended or
17 repealed by this Act continue in effect and may be continued and completed notwithstanding
18 an amendment or repeal provided for in this Act. Contracts, rights, liabilities, and obligations
19 created by or under a law amended or repealed by this Act, and in effect on the effective date
20 of this Act, remain in effect notwithstanding this Act's taking effect.

21 * **Sec. 31.** Sections 13 and 29 of this Act take effect on the effective date of regulations
22 adopted by the United States Food and Drug Administration that establish procedures for
23 ensuring safe processing of fish and fishery products in accordance with hazard analysis
24 critical control point principles, but not before July 2, 1997. The commissioner of
25 environmental conservation shall notify the revisor of statutes of the date on which the
26 regulations described in this section take effect.

27 * **Sec. 32.** Except as provided in sec. 31 of this Act, this Act takes effect July 1, 1997.