

**HOUSE BILL NO. 92**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/29/97

Referred: Resources, Labor and Commerce, Finance

**A BILL**

**FOR AN ACT ENTITLED**

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

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

4 \* **Section 1.** AS 03.05.020(a) is amended to read:

5 (a) The commissioner shall

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

14 (2) [ISSUES ORDERS OR CAUSE THE ORDERS TO BE ISSUED BY

1 AN AUTHORIZED VETERINARIAN PROHIBITING TRANSPORTATION AND  
 2 SALE OF FOOD PRODUCTS INTENDED FOR HUMAN CONSUMPTION THAT  
 3 DO NOT MEET THE MINIMUM REQUIREMENTS ESTABLISHED UNDER (1)  
 4 OF THIS SUBSECTION, AND LIMITING THEIR USE AND DISPOSAL IN  
 5 CONFORMITY WITH PROTECTION OF THE PUBLIC;

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

10 (3) [(4)] designate points of entry for admission of livestock or poultry  
 11 into the state, and arrange inspection at those points with or without collaboration and  
 12 assistance of the federal government, and bar entry of stock or poultry not shipped  
 13 under a valid permit or not free from contagious or infectious disease[;

14 (5) ADOPT, REPEAL, AND AMEND REGULATIONS CONSISTENT  
 15 WITH EXISTING LAW FOR

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

22 (B) THE PRODUCTION AND SALE OF ICE CREAM AND  
 23 ALLIED FROZEN DESERTS;

24 (C) THE PRODUCTION AND SALE OF IMITATION MILK  
 25 AND IMITATION MILK PRODUCTS;

26 (6) ESTABLISH A FIELD KILL INSPECTION PROGRAM FOR  
 27 REINDEER THAT IS AVAILABLE AT STATE EXPENSE AND PROVIDES FOR  
 28 VOLUNTARY PARTICIPATION ON THE PART OF REINDEER HERDERS AND  
 29 PROCESSORS WHO WISH TO HAVE THE INSPECTED REINDEER USED IN  
 30 FEDERALLY INSPECTED MEAT PRODUCTS].

31 \* **Sec. 2.** AS 03.05.040(a) is amended to read:

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

7 \* **Sec. 3.** AS 03.05.050(a) is amended to read:

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

13 \* **Sec. 4.** AS 03.58.070(1) is amended to read:

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

18 \* **Sec. 5.** AS 03.58.070(2) is repealed and reenacted to read:

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

22 \* **Sec. 6.** AS 16.40.100(b) is amended to read:

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

29 \* **Sec. 7.** AS 16.51.100(6) is amended to read:

30 (6) develop marketing programs based on the "inspection" and  
 31 "premium quality" seals designed under AS 17.20.066 [AS 03.05.026] and use the

1 seals in advertising and promotion efforts of the institute;

2 \* **Sec. 8.** AS 17 is amended by adding a new chapter to read:

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

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

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

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

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

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

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

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

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

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

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

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

31 **Sec. 17.06.030. Sworn statement of compliance.** (a) A producer may not

1 sell to a vendor food represented as organic food unless before the sale the producer  
 2 provides the vendor with a sworn statement that the producer has grown, raised, or  
 3 otherwise produced the food in compliance with AS 17.06.010. If a producer sells the  
 4 food to the same vendor more than one time during a calendar year, one statement for  
 5 the calendar year is sufficient to comply with this section.

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

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

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

16 (b) If a person violates this chapter, a regulation adopted under this chapter,  
 17 or an order issued under (a) of this section, the person is

18 (1) liable to the state for a civil fine that does not exceed the total of  
 19 \$1,000 plus the state's estimated costs of investigating and taking appropriate  
 20 administrative and enforcement actions for the violation; and

21 (2) liable to the state for an additional civil penalty of three times the  
 22 value of the product knowingly sold in violation of this chapter.

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

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

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

27 (2) "food represented as organic food" means food, when the food is  
 28 meat, fish, poultry, or processed, that is marketed using the term "organic" or a  
 29 derivative of that term in the labeling or advertising;

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

31 \* **Sec. 9.** AS 17.20 is amended by adding a new section to read:

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

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

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

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

8                           (C) labeling;

9                   (2) control and eradication of pests;

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

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

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

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

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

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

26                   (7) monitoring aquatic farms and aquatic farm products to ensure  
27 compliance with this chapter and, to the extent not inconsistent with this chapter or  
28 regulations adopted under the authority of this chapter, with the requirements of the  
29 national shellfish sanitation program manual of operations published by the United  
30 States Food and Drug Administration as it may periodically be revised;

31                   (8) tests and analyses that may be made and hearings that may be held

1 to determine whether the commissioner will issue a stop order or quarantine;

2 (9) transportation, use, or disposal of quarantined or embargoed items;

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

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

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

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

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

10 (c) The commissioner shall adopt regulations that

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

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

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

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

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

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

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

27 (2) a product produced or process conducted at the establishment or  
28 vessel.

29 (c) As an alternative to (b) of this section, a person may not operate a seafood  
30 processing establishment or a seafood processing vessel without a written hazard  
31 analysis critical control point plan that explains the procedures used at each critical

1 control point in the operation of the seafood processing establishment or the seafood  
2 processing vessel. The department may review, and comment on, the completeness  
3 of the hazard analysis critical control point plan prepared for a seafood processing  
4 establishment or a seafood processing vessel; however, the department may not require  
5 annual submission of the plan unless a change in operation, product, or process  
6 necessitates a change in the plan. In this subsection, "critical control point" means a  
7 point, step, or procedure in a food process at which control can be applied, and a food  
8 safety hazard can as a result be prevented, eliminated, or reduced to acceptable levels.

9 \* **Sec. 12.** AS 17.20.065(b) is repealed and reenacted to read:

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

21 \* **Sec. 13.** AS 17.20 is amended by adding new sections to read:

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

26 (b) The Alaska Seafood Marketing Institute shall design a "premium quality"  
27 seal that may be used to signify that a seafood product has met the product  
28 specifications and standards under (d) of this section.

29 (c) The commissioner shall authorize the use of an "inspection" seal for  
30 display on seafood products processed by a person who, at the time the products are  
31 processed, holds a permit to operate issued under AS 17.20.065, and who complies

1 with regulations adopted under this chapter.

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

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

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

13 (1) to improve sanitation practices in the processing of fish and  
14 fisheries products; and

15 (2) to develop improved techniques for surveillance and inspection  
16 activities under this chapter.

17 \* **Sec. 14.** AS 17.20.070 is amended to read:

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

24 \* **Sec. 15.** AS 17.20.072 is amended to read:

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

28 \* **Sec. 16.** AS 17.20.075 is amended to read:

29 **Sec. 17.20.075. Definitions.** In AS 17.20.005 - 17.20.075 [AS 17.20.010 -  
30 17.20.075],

31 (1) "commissioner" means the commissioner of environmental

1 conservation;

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

3 \* **Sec. 17.** AS 17.20.200(a) is amended to read:

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

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

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

14 \* **Sec. 18.** AS 17.20.280 is amended to read:

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

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

21 **Sec. 17.20.305. Penalty for violation.** A person who violates a provision of  
22 this chapter or a regulation, order, quarantine, or embargo made under authority of this  
23 chapter, or violates a provision of a permit issued under this chapter is guilty of a class  
24 A misdemeanor for each offense.

25 \* **Sec. 20.** AS 17.20.320 is amended to read:

26 **Sec. 17.20.320. Effect of written guaranty.** A person is not subject to the  
27 penalties of **AS 17.20.305** [AS 17.20.310] for having violated AS 17.20.290(a)(1) or  
28 (3) if that person establishes a guaranty or undertaking signed by and containing the  
29 name and address of the person residing in the state from whom the article was  
30 received in good faith, to the effect that it is not adulterated or misbranded within the  
31 meaning of this chapter.

1 \* **Sec. 21.** AS 17.20.330 is amended to read:

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

11 \* **Sec. 22.** AS 17.20.345 is amended to read:

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

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

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

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

24           (c) A person who donates to a food bank salmon from a hatchery that operates  
25 under a permit issued under AS 16.10.400 - 16.10.470 is immune from liability as  
26 provided in this section if the salmon is apparently fit for human consumption at the  
27 time of its donation, even if the hatchery does not have a permit issued by the  
28 Department of Environmental Conservation under this chapter [, AS 03.05,] or other  
29 statute to process fisheries products for human consumption.

30 \* **Sec. 23.** AS 17.20.346 is amended to read:

31           **Sec. 17.20.346. Liability of food bank.** (a) Notwithstanding the provisions

1 of AS 17.20.290 and **17.20.305** [17.20.310], a food bank that receives and distributes  
 2 food is not subject to civil or criminal liability arising from an injury or death  
 3 attributable to the condition of the food if

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

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

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

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

14 (1) the label on the food is missing or the food is otherwise  
 15 misbranded; or

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

18 \* **Sec. 24.** AS 17.20.370(7) is amended to read:

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

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

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

27 \* **Sec. 25.** AS 17.20.370 is amended by adding new paragraphs to read:

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

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

30 (17) "fish or fisheries products" means any aquatic animal, including  
 31 amphibians, or aquatic plants or parts of those plants, animals or amphibians that are

1 usable as human food.

2 \* **Sec. 26.** AS 03.05.011(a)(3), 03.05.011(a)(7), 03.05.011(a)(8), 03.05.011(a)(9),  
3 03.05.011(a)(10), 03.05.025, 03.05.026, 03.05.035, 03.05.070, 03.05.085, 03.05.100(2);  
4 AS 17.05.010, 17.05.020, 17.05.050; AS 17.07; AS 17.20.210, and 17.20.310 are repealed.

5 \* **Sec. 27.** Sections 1 and 4, ch. 48, SLA 1995 are repealed.

6 \* **Sec. 28.** AS 17.20.005(3) and 17.20.065(c) are repealed.

7 \* **Sec. 29.** TRANSITION. Regulations, orders, permits, quarantines, and embargoes issued  
8 or adopted under authority of a law amended or repealed by this Act remain in effect for the  
9 term issued, or until revoked, vacated, or otherwise modified under the provisions of this Act.  
10 Litigation, hearings, investigations, and other proceedings pending under a law amended or  
11 repealed by this Act continue in effect and may be continued and completed notwithstanding  
12 an amendment or repeal provided for in this Act. Contracts, rights, liabilities, and obligations  
13 created by or under a law amended or repealed by this Act, and in effect on the effective date  
14 of this Act, remain in effect notwithstanding this Act's taking effect.

15 \* **Sec. 30.** Sections 12 and 28 of this Act take effect on the effective date of regulations  
16 adopted by the United States Food and Drug Administration that establish procedures for  
17 ensuring safe processing of fish and fishery products in accordance with hazard analysis  
18 critical control point principles, but not before July 2, 1997. The commissioner of  
19 environmental conservation shall notify the revisor of statutes of the date on which the  
20 regulations described in this section take effect.

21 \* **Sec. 31.** Except as provided in sec. 30 of this Act, this Act takes effect July 1, 1997.