

Offered: 3/29/89
Referred: Rules

6-0222J

Original sponsors: Phillips, Brown,
Navarre and Taylor

1 IN THE HOUSE BY THE RULES COMMITTEE
2 CS FOR HOUSE BILL NO. 25 (Rules)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act prohibiting under the Alaska Food, Drug, and
7 Cosmetic Act the knowing sale of irradiated food;
8 authorizing embargo and detention remedies in the
9 case of a violation of the prohibition against the
10 sale of irradiated food; and making the commissioner
11 of environmental conservation responsible for enforcing
12 the prohibition."
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
14 * Section 1. AS 17.20.230 is amended by adding a new subsection to read:
15 (c) If the commissioner of environmental conservation finds or
16 has probable cause to believe that a person is violating AS 17.20.-
17 290(d), the commissioner may affix to the food that is the subject of
18 the violation a tag or other appropriate marking that gives notice
19 that the food may not be sold and warning all persons not to remove or
20 dispose of the food until permission for removal or disposal is given
21 by the commissioner or a court. A person may not remove or dispose of
22 the detained or embargoed food without this permission.
23 * Sec. 2. AS 17.20.290(b) is amended to read:
24 (b) The commissioner of environmental conservation or a designee
25 of the commissioner is responsible for enforcing the provisions of
26 [PARAGRAPHS] (a)(1), (2), (3), (4), (6), (7), (8), (9), and (10) of
27 this section, if the subject of the prohibited act involves food or
28 cosmetics, and the provisions of [PARAGRAPH] (a)(12) and (d) of this
29 section. This subsection does not limit the authority of peace

1 officers.

2 * Sec. 3. AS 17.20.290 is amended by adding a new subsection to read:

3 (d) The knowing sale of irradiated food is prohibited.

4 * Sec. 4. AS 17.20.370 is amended by adding a new paragraph to read:

5 (14) "irradiated food" means food that has been treated
6 with gamma radiation or other ionizing radiation; "irradiated food"
7 does not include spices that have been irradiated or food that con-
8 tains spices that have been irradiated unless there are other irradi-
9 ated ingredients in the food.