

HOUSE CONCURRENT RESOLUTION NO. 3022

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
23 and meat products; and

- 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.