

House _____ Amendment NO. _____

Offered By

AMEND Senate Committee Substitute for Senate Bill No. 217, Page 4, Section 135.647, Line 92,
by inserting after all of said section and line the following:

"537.530. 1. For purposes of this section, the term "perishable food product" shall mean a food product of agriculture or aquaculture that is sold or distributed in a form that will perish or decay beyond marketability within a limited period of time.

2. A person shall be liable as provided under subsection 3 of this section if:

(1) The person disseminates in any manner information relating to a perishable food product to the public;

(2) The person knows the information is false; and

(3) The information states or implies that the perishable food product is not safe for consumption by the public.

3. A person who is liable under subsection 2 of this section is liable to the producer of the perishable food product for damages and any other appropriate relief arising from the person's dissemination of the information.

4. In determining if the information is false, the trier of fact shall consider whether the information was based on reasonable and reliable scientific inquiry, facts, or data.

5. No person shall be liable under this section for marketing or labeling any agricultural product in a manner that indicates that the product:

(1) Was grown or produced by using or not using a chemical or drug;

(2) Was organically grown; or

(3) Was grown without the use of any synthetic additive."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken _____ Date _____