

FIRST REGULAR SESSION

SENATE BILL NO. 56

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUNZLINGER.

Pre-filed December 3, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

0386S.011

AN ACT

To repeal section 196.055, RSMo, and to enact in lieu thereof two new sections relating to inspection of meat processors.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 196.055, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 196.055 and 265.435, to read as
3 follows:

196.055. 1. The department of health and senior services or its duly
2 authorized agent shall have free access at all reasonable hours to any factory,
3 warehouse, or establishment in which foods, drugs, devices, or cosmetics are
4 manufactured, processed, packed, or held for introduction into commerce, or to
5 enter any vehicle being used to transport or hold such foods, drugs, devices, or
6 cosmetics in commerce, for the purposes:

7 (1) Of inspecting such factory, warehouse, establishment, or vehicle to
8 determine if any of the provisions of sections 196.010 to 196.120 are being
9 violated; and

10 (2) To secure samples or specimens of any food, drug, device, or cosmetic
11 after paying or offering to pay for such sample. It shall be the duty of the
12 department of health and senior services to make or cause to be made
13 examinations or analyses of samples secured under the provisions of this section
14 to determine whether or not any provision of sections 196.010 to 196.120 is being
15 violated.

16 **2. Notwithstanding the provisions of subsection 1 of this section**
17 **to the contrary, the department of health and senior services or its duly**
18 **authorized agent shall not inspect any commercial plant, as defined in**
19 **section 265.300, for any criteria already under inspection at such**

20 commercial plant under sections 265.300 to 265.470 or under federal
21 inspection pursuant to section 265.430. This subsection shall not be
22 construed as to prevent or prohibit the department of health and senior
23 services or its duly authorized agent from carrying out its duties under
24 this chapter or to prevent inspections of commercial plants in the state
25 by the department of health and senior services or its duly authorized
26 agent when the purpose of such inspections is to inspect items not
27 covered under the inspection requirements of sections 265.300 to
28 265.470 or not covered by federal inspection requirements pursuant to
29 section 265.430.

265.435. Any commercial plant inspected under sections 265.300
2 to 265.470, or that is exempted from inspection under section 265.430
3 because the commercial plant is under federal inspection, shall not be
4 subject to inspection under chapter 196 by the department of health
5 and senior services or its duly authorized agent to the extent that such
6 inspection examines items already under inspection under sections
7 265.300 to 265.470 or under the federal inspection.

Bill ✓

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