

**Sixty-third Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 8, 2013**

HOUSE CONCURRENT RESOLUTION NO. 3022
(Representatives Schatz, Belter, Boehning, Dockter, Froseth, Headland, Larson)

A concurrent resolution urging Congress to amend the Federal Meat Inspection Act for the purpose of allowing flexibility in state meat inspection programs.

WHEREAS, the Federal Meat Inspection Act of 1906 was enacted to prevent adulterated or misbranded meat and meat products from being sold as food; and

WHEREAS, the Federal Meat Inspection Act of 1906 authorized the Secretary of Agriculture to inspect and condemn any meat or meat product found to be unfit for human consumption; and

WHEREAS, the Federal Meat Inspection Act authorizes the development and administration of state meat inspection programs that are equal to the federal provisions, for purposes of inspecting meat and meat products remaining in intrastate commerce; and

WHEREAS, the United States Supreme Court in 2012 held that the Preemption Clause of the Federal Meat Inspection Act prevents a state from imposing any additional or different requirements on slaughter facilities and operations; and

WHEREAS, the Federal Meat Inspection Act and its interpretation by the courts provides no flexibility to the states in addressing their own situations and circumstances with respect to their producers and consumers of meat and meat products;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Sixty-third Legislative Assembly urges the Congress of the United States to amend the Federal Meat Inspection Act so that each state can determine the nature and scope of protections necessary for its citizens and develop and implement an intrastate meat inspection program that is appropriate to its own culture and manner of producing and consuming meat and meat products; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Secretary of the United States Department of Agriculture and to each member of the North Dakota Congressional Delegation.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate