



KeyCite Yellow Flag - Negative Treatment

Unconstitutional or Preempted Limited on Constitutional Grounds by *Turtle Island Foods, S.P.C. v. Strain*, 5th Cir.(La.), Apr. 12, 2023

West's Louisiana Statutes Annotated  
Louisiana Revised Statutes  
Title 3. Agriculture and Forestry (Refs & Annos)  
Chapter 30. Louisiana Weights and Measures Law (Refs & Annos)  
Part III. Truth in Labeling of Food Products

LSA-R.S. 3:4743

§ 4743. Definitions

Effective: October 1, 2020

Currentness

As used in this Part:

- (1) "Agricultural product" means any beef, pork, poultry, crawfish, shrimp, meat, sugar, or rice product that is edible by humans.
- (2) "Beef" means the flesh of a domesticated bovine that is edible by humans.
- (3) "Beef product" means a type of agricultural product that is edible by humans and produced in whole or in part from beef, including beef jerky, beef patties, chopped beef, fabricated steak, hamburger, ground beef, ribs, and roast.
- (4) "Cell cultured food product" means any cultured animal tissue produced from in vitro animal cell cultures outside of the organism from which it is derived.
- (5) "Commissioner" means the commissioner of agriculture and forestry.
- (6) "Deceptively similar" means misleading to a reasonable person.
- (7) "Food product" means any edible product sold or offered for retail sale that is intended for human consumption.
- (8) "Label" means a display of written, printed, or graphic matter upon or affixed to the container or wrapper in which a food product is offered for direct retail sale.
- (9) "Labeling" means the act of identifying, describing, or advertising a food product by means of a label or through other means.

(10) "Meat" means a portion of a beef, pork, poultry, alligator, farm-raised deer, turtle, domestic rabbit, crawfish, or shrimp carcass that is edible by humans but does not include a:

(a) Synthetic product derived from a plant, insect, or other source.

(b) Cell cultured food product grown in a laboratory from animal cells.

(11) "Meat product" means a type of agricultural product that is edible by humans and made wholly or in part from meat or another portion of a beef, pork, poultry, alligator, farm-raised deer, turtle, domestic rabbit, crawfish, or shrimp carcass.

(12) "Misbrand" means to intentionally identify or label a food product in a false or misleading way.

(13) "Misrepresent" means to intentionally use any untrue, misleading, or deceptive oral or written statement, advertisement, label, display, picture, illustration, or sample.

(14) "Person" means an individual, partnership, limited liability company, limited liability partnership, corporation, trust, firm, company, or other entity doing business in Louisiana.

(15) "Pork" means the flesh of a domesticated swine that is edible by humans.

(16) "Pork product" means a type of agricultural product that is edible by humans and produced in whole or in part from pork, including bacon, bratwurst, ground pork, ham, pork chops, ribs, roast, and sausage.

(17) "Poultry" means domesticated birds that are edible by humans.

(18) "Rice" means the whole or broken kernels obtained from the species *Oryza sativa* L. or *Oryza glaberrima*, or wild rice, which is obtained from one of the four species of grasses from the genus *Zizania* or *Porteresia*.

#### **Credits**

Added by Acts 2019, No. 273, § 1, eff. Oct. 1, 2020.

LSA-R.S. 3:4743, LA R.S. 3:4743

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 19, 22 to 34, 39, 40, 44, 46, 47, and 56, and the Codes are current through the 2024 First Extraordinary, Second Extraordinary and Regular Sessions. All other statutes and codes are current through the 2024 First Extraordinary and Second Extraordinary Sessions.



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Part III. Truth in Labeling of Food Products

LSA-R.S. 3:4744

§ 4744. Applicability; prohibited activities

Effective: October 1, 2020

Currentness

A. The provisions of this Part shall apply only to a person that places a label on a food product as defined in R.S. 3:4743.

B. No person shall intentionally misbrand or misrepresent any food product as an agricultural product through any activity including:

(1) Affixing a label to a food product that is false or misleading.

(2) Selling a food product under the name of an agricultural product.

(3) Representing a food product as an agricultural product for which a definition and standard of identity has been provided by the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 301 et seq., unless:

(a) The food product conforms to the definition and standard.

(b) The label of the food product bears the name of the food specified in the definition and standard and includes the common names of optional ingredients other than spices, flavoring, and coloring present in the food as regulations require.

(4) Representing a food product as meat or a meat product when the food product is not derived from a harvested beef, pork, poultry, alligator, farm-raised deer, turtle, domestic rabbit, crawfish, or shrimp carcass.

(5) Representing a food product as rice when the food product is not rice.

(6) Representing a food product as beef or a beef product when the food product is not derived from a domesticated bovine.

- (7) Representing a food product as pork or a pork product when the food product is not derived from a domesticated swine.
- (8) Representing a food product as poultry when the food product is not derived from domesticated birds.
- (9) Utilizing a term that is the same as or deceptively similar to a term that has been used or defined historically in reference to a specific agricultural product.
- (10) Affixing a label that uses the term “rice” in the name of the food product when the food product is not rice or derived from rice.
- (11) Representing a cell cultured food product as a meat product.
- (12) Representing a food product as sugar when it is not an unaltered plant-based simple sugar or sucrose.

**Credits**

Added by Acts 2019, No. 273, § 1, eff. Oct. 1, 2020.

LSA-R.S. 3:4744, LA R.S. 3:4744

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