

Vernon's Annotated Missouri Statutes
Title XVII. Agriculture and Animals [Chs. 261-281]
Chapter 265. Regulation and Marketing of Agricultural Products (Refs & Annos)
Meat Advertising

V.A.M.S. 265.494

265.494. Prohibited practices, required disclosures

Effective: August 28, 2018
Currentness

No person advertising, offering for sale or selling all or part of a carcass or food plan shall engage in any misleading or deceptive practices, including, but not limited to, any one or more of the following:

- (1) Disparaging or degrading any product advertised or offered for sale by the seller, displaying any product or depiction of a product to any buyer in order to induce the purchase of another product or representing that a product is for sale when the representation is used primarily to sell another product, or substituting any product for that ordered by the buyer without the buyer's consent. Nothing in this subdivision shall be construed to prohibit the enhancement of sales of any product by the use of a gift;
- (2) Failing to have available a sufficient quantity of the product represented as being for sale to meet reasonable anticipated demands, unless the available amount is disclosed fully and conspicuously;
- (3) Using any price list or advertisement subject to changes without notice unless so stated, and which contains prices other than the seller's current billing prices, unless changes are subject to consumer's advance acceptance or rejection at or before the time of order or delivery;
- (4) Misrepresenting the amount of money that the buyer will save on purchases of any products which are not of the same grade or quality;
- (5) Failing to disclose fully and conspicuously in any printed advertisement and invoice in at least ten-point type any charge for cutting, wrapping, freezing, delivery, annual interest rate or financing and other services;
- (6) Representing the price of any product to be offered for sale in units larger than one pound in terms other than price per single pound. Nothing in this subdivision shall be construed to prevent the price of such units from also being represented by individual serving, by fluid measure or by other meaningful description;
- (7) Misrepresenting the cut, grade, brand or trade name, or weight or measure of any product, or misrepresenting a product as meat that is not derived from harvested production livestock or poultry;

(8) Using the abbreviation "U.S." in describing a product not graded by the United States Department of Agriculture, except that a product may be described as "U.S. Inspected" when true;

(9) Referring to a quality grade other than the United States Department of Agriculture quality grade, unless the grade name is preceded by the seller's name in type at least as large and conspicuous as the grade name;

(10) Misrepresenting a product through the use of any term similar to a government grade;

(11) Failing to disclose in uniform ten-point type, when a quality grade is advertised, a definition of the United States Department of Agriculture quality grade in the following terms:

(a) Prime;

(b) Choice;

(c) Good;

(d) Standard;

(e) Utility;

(f) Commercial;

(g) Canner;

(h) Cutter;

and within each quality grade the following yield grade:

a. Yield grade 1--extra lean;

b. Yield grade 2--lean;

c. Yield grade 3--average waste;

d. Yield grade 4--wasty;

e. Yield grade 5--exceptionally wastey;

(12) Advertising or offering for sale carcasses, sides or primal cuts as such, while including disproportionate numbers or amounts of less expensive components of those cuts, or offering them in tandem with less expensive components from other carcasses, sides or primal cut parts;

(13) Failing to disclose fully and conspicuously the correct government grade for any product if the product is represented as having been graded;

(14) Failing to disclose fully and conspicuously that the yield of consumable meat from any carcass or part of a carcass will be less than the weight of the carcass or part of the carcass. The seller shall, for each carcass or part of carcass advertised, use separately and distinctly in any printed matter, in at least ten-point type, the following disclosure: "Sold gross weight subject to trim loss.";

(15) Misrepresenting the amount or proportion of retail cuts that a carcass or part of carcass will yield;

(16) Failing to disclose fully and conspicuously whether a quarter of a carcass is the frontquarter or hindquarter;

(17) Representing any part of a carcass as a "half" or "side" unless it consists exclusively of a frontquarter and hindquarter. Sides or halves must consist of only anatomically natural proportions of cuts from frontquarters or hindquarters;

(18) Representing primal cuts in a manner other than described in subdivision (1) of section 265.490;

(19) Using the words "bundle", "sample order" or words of similar import to describe a quantity of meat unless the seller itemizes each type of cut and the weight of each type of cut which the buyer will receive;

(20) Advertising or offering a free, bonus, or extra product or service combined with or conditioned on the purchase of any other product or service unless the additional product or service is accurately described, including, whenever applicable, grade, net weight or measure, type and brand or trade name. The words "free", "bonus" or other words of similar import shall not be used in any advertisement unless the advertisement clearly and conspicuously sets forth the total price or amount which must be purchased to entitle the buyer to the additional product or service.

Credits

(L.1985, H.B. Nos. 409 & 532, § 29. Amended by L.2018, S.B. Nos. 627 & 925, § A, eff. Aug. 28, 2018.)

V. A. M. S. 265.494, MO ST 265.494

Statutes are current through the end of the 2024 Second Regular Session of the 102nd General Assembly. Constitution is current through the November 8, 2022 General Election.