AN ACT concerning agriculture; relating to the labeling of certain foods; prohibiting the use of identifiable meat terms on labels or in advertisements of meat analogs without use of proper qualifying language; amending K.S.A. 65-656 and 65-665 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 65-656 is hereby amended to read as follows: 65-656. For the purpose of this act:
(a) "Secretary" means the secretary of agriculture or the secretary's authorized representatives.
(b) "Person" means an individual, partnership, governmental entity, corporation, or association of persons.
(c) "Food" means: (1) Articles used for food or drink for humans or other animals; (2) chewing gum; and (3) articles used for components of any such article.
(d) "Drug" means: (1) Articles recognized in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States, or official national formulary, or any supplement to any of them; (2) articles intended for use in diagnosis, cure, mitigation, treatment or prevention of disease in humans or other animals; (3) articles, other than food, intended to affect the structure or any function of the body of humans or other animals; and (4) articles intended for use as a component of any article specified in paragraph (1), (2); or (3); but does not include devices or their components, parts or accessories. The term "drug" does not include amygdaulin (laetrile).
(e) "Device," except as used in subsection (j) of K.S.A. 65-657(j), subsection (l) of K.S.A. 65-665(l), subsections (e) and (o) of K.S.A. 65-665; (c) and (o) and subsection (e) of K.S.A. 65-671(e), and amendments thereto, means instruments, apparatus and contrivances, including their components, parts and accessories, intended for use in the diagnosis, cure, mitigation, treatment; or prevention of disease in humans or other animals or to affect the structure or any function of the body of humans or other animals.
(f) "Cosmetic" means: (1) Articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the
(m) If it is a meat analog and: (1) its labeling or advertisement utilizes an identifiable meat term; and (2) the labeling or advertisement does not have a disclaimer in the same font, style, and size, immediately before or after the identifiable meat term, stating "this product does not contain meat," the provisions of this subsection shall not apply to a food that can be defined as "imitation" under subsection (c) and is in compliance with the provisions of such subsection.

(n) If any provision of this section is held to be invalid or unconstitutional, it shall be conclusively presumed that the legislature would have enacted the remainder of this section without such invalid or unconstitutional provision.

Sec. 3. K.S.A. 65-656 and 65-665 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.