

January 11, 1989

LB 399

research that came up with this amendment. He knows it better than I do and I will let him explain it for you.

SENATOR KREMER: Very fine. I should have taken time but I haven't, Senator DeCamp. Just give me the high points of what you are attempting to do in the amendment.

SPEAKER MARVEL: Senator De Camp.

SENATOR DeCAMP: You may remember for the last five, six, seven, eight years there has been a lot of controversy about the standards of meat products coming into the United States and whether they have to be subject to the same inspection standards as we are and, additionally, you may remember when cattle prices were at an all time low, one of the big issues was, well, heck, one of the reasons is because we are getting so much foreign meat into the United States. People don't know whether they are buying American beef that has been well inspected or kangaroo or stringy beef out of Australia, whatever. So the idea came up in two or three different bills before the Legislature, one of which Senator Merz introduced, let's make anybody that sells beef meat products in the United States and the State of Nebraska put a big sign up and say, hey, this beef came from Australia or this didn't come from the United States or whatever. That is what started the whole thing. That concept has been declared unconstitutional in two or three or four different places as an unreasonable burden on interstate commerce. Okay, Michigan then came up with another concept that they tried that did win approval in their courts. That concept was something like this. If you carefully define, and if you go through the bill, most of the sixteen pages or whatever they are, define what constitutes, for example, sausage or different kinds of meats and it makes specific standards, only X percent soybean meal or no cereals and this and that and so on and so forth. So you define what constitutes a particular product according to Nebraska standard, and then the heart of the bill gets to page 11 and it says, Section 15, "A person shall not sell or offer for retail sale a product which is not manufactured to the ingredients standards of this act unless the federal government preempts Nebraska's ingredient standards. In that case, federally inspected meats not meeting the ingredient requirements of this act shall be prominently identified in the display area where they are offered for sale. The identification shall consist of a sign not less than....", and it gives the size, so on and so forth, so the theory is then you would have two