

FIRST REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 433

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES KORMAN (Sponsor), HICKS, FITZWATER, LANT, REIBOLDT,  
CORNEJO, CRAWFORD, HAMPTON AND ROSS (Co-sponsors).

0889H.01P

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 196.055, RSMo, and to enact in lieu thereof two new sections relating to inspection of meat processors.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 196.055, RSMo, is repealed and two new sections enacted in lieu  
2 thereof, to be known as sections 196.055 and 265.435, to read as follows:

196.055. **1.** The department of health and senior services or its duly authorized agent  
2 shall have free access at all reasonable hours to any factory, warehouse, or establishment in  
3 which foods, drugs, devices, or cosmetics are manufactured, processed, packed, or held for  
4 introduction into commerce, or to enter any vehicle being used to transport or hold such foods,  
5 drugs, devices, or cosmetics in commerce, for the purposes:

6 (1) Of inspecting such factory, warehouse, establishment, or vehicle to determine if any  
7 of the provisions of sections 196.010 to 196.120 are being violated; and

8 (2) To secure samples or specimens of any food, drug, device, or cosmetic after paying  
9 or offering to pay for such sample. It shall be the duty of the department of health and senior  
10 services to make or cause to be made examinations or analyses of samples secured under the  
11 provisions of this section to determine whether or not any provision of sections 196.010 to  
12 196.120 is being violated.

13 **2. Notwithstanding the provisions of subsection 1 of this section to the contrary, the**  
14 **department of health and senior services or its duly authorized agent shall not inspect any**  
15 **commercial plant, as defined in section 265.300, for any criteria already under inspection**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 at such commercial plant under sections 265.300 to 265.470 or under federal inspection  
17 pursuant to section 265.430. This subsection shall not be construed as to prevent or  
18 prohibit the department of health and senior services or its duly authorized agent from  
19 carrying out its duties under this chapter or to prevent inspections of commercial plants  
20 in the state by the department of health and senior services or its duly authorized agent  
21 when the purpose of such inspections is to inspect items not covered under the inspection  
22 requirements of sections 265.300 to 265.470 or not covered by federal inspection  
23 requirements pursuant to section 265.430.

265.435. Any commercial plant inspected under sections 265.300 to 265.470, or that  
2 is exempted from inspection under section 265.430 because the commercial plant is under  
3 federal inspection, shall not be subject to inspection under chapter 196 by the department  
4 of health and senior services or its duly authorized agent to the extent that such inspection  
5 examines items already under inspection under sections 265.300 to 265.470 or under the  
6 federal inspection.

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