

Regular Session, 2008

HOUSE BILL NO. 358

BY REPRESENTATIVES GISCLAIR, HARRISON, AND KLECKLEY

SEAFOOD: Provides relative to claims on restaurant menus regarding seafood

1 AN ACT

2 To enact R.S. 56:578.14, relative to seafood sold at restaurants; to provide for certain notice
3 on menus and signs relative to the origin of seafood; to provide for penalties; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 56:578.14 is hereby enacted to read as follows:

7 §578.14. Restaurant menus, signs, penalties

8 A. Any restaurant, person, corporation, or organization that sells or provides
9 fully cooked seafood for human consumption and uses a menu as a standard business
10 practice, shall specify on the menu the origin of the seafood. The menu shall
11 indicate if the seafood is a product of Louisiana waters or the product of another state
12 in the United States or imported from a foreign country. If it is imported from a
13 foreign country, the menu shall list the country of origin. In addition, the menu shall
14 indicate if the seafood is farm-raised, as defined in R.S. 56:578.11(D), or wild-
15 caught. The menu notice shall be printed in letters no smaller than one-half inch in
16 size in the English language immediately adjacent to the menu listing of seafood
17 being sold. This notice may be paper-clipped to the menu.

18 B. Any restaurant, person, corporation, or organization that sells or provides
19 fully cooked seafood for human consumption and does not use a menu as a standard
20 business practice shall display on a sign posted at the main entrance to the restaurant,

1 banquet hall, dining room, or drive-through window the origin of the seafood. The
 2 sign shall indicate if the seafood is a product of Louisiana waters or the product of
 3 another state in the United States or imported from a foreign country. If it is
 4 imported from a foreign country, the sign shall list the country of origin. In addition,
 5 the sign shall indicate if the seafood is farm-raised, as defined in R.S. 56:578.11(D),
 6 or wild-caught.

7 C. Signs displayed as specified in Subsection B shall be at least eighteen
 8 inches tall and eighteen inches wide and shall be written in the English language in
 9 letters not less than two inches in size. The sign shall be placed in an open and
 10 conspicuous position not less than thirty-six inches from the floor so that it is visible
 11 to all patrons.

12 D. Any violation of this Section shall be a class three violation under the
 13 provisions of R.S. 56:33.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Gisclair

HB No. 358

Abstract: Requires display on menus or signs the origin of seafood prepared and sold in restaurants.

Proposed law provides that any restaurant, person, corporation, or organization that sells fully cooked seafood for human consumption shall indicate if the seafood is a product of La., a product of another state in the U.S., or imported from a foreign country on the menu or, if a menu is not used, on a sign conspicuously placed at the entrance to the restaurant, dining hall, or drive-through window. Provides that the menu or sign shall list the country of origin if the seafood is imported. Additionally provides that the menu or sign shall indicate if the seafood is farm-raised or wild-caught.

Proposed law provides that a violation of these requirements constitutes a class three violation punishable as follows:

1st offense	\$250 - \$500	or	imprisonment not more than 90 days, or both
2nd offense	\$500 - \$800	or	imprisonment between 60 and 90 days, and forfeiture
3rd +	\$750 - \$1,000	&	imprisonment between 90 and 120 days, and forfeiture

(Adds R.S. 56:578.14)