



House of Representatives

File No. 764

General Assembly

February Session, 2008

(Reprint of File No. 47)

Substitute House Bill No. 5610
As Amended by House Amendment Schedule
"A"

Approved by the Legislative Commissioner
May 1, 2008

AN ACT REQUIRING LAST SALE DATES FOR RETAIL PRODUCTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective January 1, 2009*) The Commissioner of
2 Weights and Measures shall adopt regulations, in accordance with
3 chapter 54 of the general statutes, incorporating, by reference, the
4 voluntary version of the Uniform Open Dating Regulation, as adopted
5 and as amended from time to time, by the National Conference on
6 Weights and Measures and published in the National Institute of
7 Standards and Technology Handbook 130, or subsequent
8 corresponding handbook of the United States Department of
9 Commerce. Dairy foods required to be marked with a last sale date
10 pursuant to section 22-197b of the general statutes shall be exempt
11 from the provisions of this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>January 1, 2009</i>	New section
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The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill requires the Commissioner of Consumer Protection (DCP) to adopt regulations by reference to the federal Uniform Open Dating Regulation and has no fiscal impact as DCP has sufficient staff to accomplish the task.

House "A" (LC0 5240) is technical and has no fiscal impact.

OLR Bill Analysis**sHB 5610 (as amended by House "A")******AN ACT REQUIRING LAST SALE DATES FOR RETAIL PRODUCTS.*****SUMMARY:**

This bill requires the consumer protection commissioner to adopt regulations incorporating by reference the voluntary version of the federal Uniform Open Dating Regulation as adopted and amended from time to time by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology Handbook 130, or subsequent corresponding handbook of the federal Department of Commerce.

The bill exempts from its provisions dairy products that must be marked with their last sale date in accordance with state law and regulations adopted by the Milk Regulation Board. These products are milk and milk products; cream; yogurt; cream, cottage, ricotta, and soft cheese; egg nog; and sour cream.

*House Amendment "A" exempts dairy products already subject to date labeling by other law and requires the consumer protection commissioner to adopt the voluntary version of the federal regulation.

EFFECTIVE DATE: January 1, 2009

BACKGROUND***National Conference of Weights and Measures***

The conference is supported by the National Institute of Standards and Technology (NIST) to assist the institute in fulfilling its statutory responsibility to cooperate with the states to secure uniformity in weights and measures laws and methods of inspection. NIST is a non-

regulatory agency within the federal Department of Commerce.

Uniform Open Dating Regulation

“Open Dating” (using a calendar date as opposed to a code on a food product) is a date stamped on a product's package to help the store determine how long to display the product for sale. It can also help the purchaser to know the time limit to purchase or use the product at its best quality. The NIST open dating regulation prescribes how the date must be expressed and defines such terms as “sell by,” and “best if used by.”

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/04/2008)