
DIGEST

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HB 528 Original

2023 Regular Session

Cormier

Abstract: Increases civil penalties for food service establishments that do not give the required notice to patrons that crawfish or shrimp being served is imported.

Present law provides requirements for restaurants to inform patrons if they are serving imported shrimp or crawfish, and provides that a violation of this requirement is a violation of the sanitary code.

Proposed law adds the following fines and consequences for a violation of the present law requirement:

- (1) A fine of up to \$1,000 for a first violation.
- (2) A fine of up to \$2,000 for a second violation.
- (3) A fine of up to \$5,000 for any subsequent violation, and the department shall suspend the license for the food service establishment until the violation has been corrected.

Present law prohibits restaurants that serve imported crawfish or shrimp from misrepresenting to the public that they are domestic and further provides for the following penalties:

- (1) A fine of up to \$50 for a first violation.
- (2) A fine of up to \$250 for a second violation.
- (3) A fine of up to \$500 for any subsequent violation, and the department shall suspend the license for the food service establishment until the violation has been corrected.

Proposed law removes the penalties and the district attorney's jurisdiction over present law violations. Additionally, provides that failure to follow present law requirement to provide notice to patrons that imported shrimp and crawfish are being served constitutes a misrepresentation to the public under present law prohibition against serving imported shrimp and representing that they are domestic. Further provides the following civil penalties:

- (1) A fine of up to \$1,000 for a first violation.
- (2) A fine of up to \$2,000 for a second violation.

(3) A fine of up to \$5,000 for any subsequent violation.

Proposed law authorizes the La. Dept. of Wildlife and Fisheries to enforce the provisions of proposed law through civil action and through administrative proceedings in accordance with present law, and that any monies received must be deposited into the Conservation Fund.

(Amends R.S. 56:578.14(B); Adds R.S. 40:5.5.4(C)(1) and (2) and R.S. 56:578.14(C) and (D))