

**§170. Consumption of food**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Food product" means any product that is grown, prepared, manufactured, provided, served or sold and that is primarily intended for human consumption and nourishment. [PL 2005, c. 355, §1 (NEW).]

B. "Long-term" means consisting of multiple instances over a period of time and not a single or isolated instance. [PL 2005, c. 355, §1 (NEW).]  
[PL 2005, c. 355, §1 (NEW).]

**2. Liability limited.** Except as provided in subsection 3, a manufacturer, distributor or seller of a food product, or an association of one or more such entities, is not liable for personal injury or death to the extent the liability is based upon a person's weight gain or obesity resulting from the person's long-term consumption of the food product.  
[PL 2005, c. 355, §1 (NEW).]

**3. Exception.** Subsection 2 does not bar a claim for damages if otherwise available under any other provision of law against a manufacturer or distributor of food products if the manufacturer or distributor has failed to provide nutritional content information as required by any applicable state or federal statute, rule or regulation or has provided materially false or misleading information to the public.  
[PL 2005, c. 355, §1 (NEW).]

**SECTION HISTORY**

PL 2005, c. 355, §1 (NEW).

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