

Regular Session, 2014

HOUSE BILL NO. 828

BY REPRESENTATIVE WOODRUFF

AGRICULTURE/MEAT: Requires disclosure and labeling of food products derived from cloned animals

1 AN ACT

2 To enact Part I-B of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 40:661 through 666, relative to cloned animal products; to provide
4 for definitions; to require disclosure of any food product derived from a cloned
5 animal or the progeny of a cloned animal; to require the disclosure statement to be
6 conspicuous and easily legible to consumers; to provide for recordkeeping; to
7 provide for the retention and inspection of records; to exempt food prepared in
8 restaurants; to provide for penalties; to provide rulemaking authority; and to provide
9 for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Part I-B of Chapter 4 of Title 40 of the Louisiana Revised Statutes of
12 1950, comprised of R.S. 40:661 through 666, is hereby enacted to read as follows:

13 PART I-B. FOOD MADE FROM CLONED

14 OR GENETICALLY ENGINEERED PRODUCTS

15 §661. Definitions

16 As used in this Part, the following terms have the meanings given to them
17 except where the context expressly indicates otherwise:

18 (1) "Cloned animal" means an animal that is created from a somatic cell
19 nuclear transfer event.

20 (2) "Department" means the Department of Health and Hospitals.

1 (3) "Progeny of a cloned animal" means an animal derived from the sexual
2 reproduction of a cloned animal with another cloned animal or an animal that is not
3 cloned.

4 §662. Products made from a cloned animal or its progeny; disclosure required

5 A. Any person who manufactures, processes, or prepares food intended for
6 human consumption in this state that contains any product from a cloned animal or
7 the progeny of a cloned animal shall state on the label or packaging on the food, or
8 by a sign if the food is not packaged, that the food contains product from a cloned
9 animal or the progeny of a cloned animal.

10 B. The lettering of the statement on the label, packaging, or sign required by
11 this Section shall be displayed in a conspicuous and easily legible boldface print or
12 type that is in clear contrast to other matter on the label, packaging, or sign.

13 §663. Recordkeeping requirements

14 A. Any person who sells or offers for sale a food intended for human
15 consumption in this state that contains any product from a cloned animal or the
16 progeny of a cloned animal shall maintain a record of each purchase from a
17 producer, distributor, manufacturer, processor, or packer.

18 B.(1) The record required by Subsection A of this Section shall include a bill
19 of sale and any documents regarding the origin of the food that contains product
20 from a cloned animal or the progeny of a cloned animal.

21 (2) The record required by Subsection A of this Section shall be kept for a
22 period of two years after the date of sale of the food.

23 (3) The record required by Subsection A of this Section shall be made
24 available to the department for inspection on request of the department.

25 §664. Exemption

26 The provisions of this Part shall not apply to any food that is served, sold, or
27 otherwise provided in any restaurant or other food service establishment that is
28 primarily engaged in the sale of food prepared and intended for immediate human
29 consumption.

- 1 §665. Violations
- 2 Any person violating the provisions of this Part shall be guilty of a
- 3 misdemeanor and upon conviction shall be fined not less than fifty dollars nor more
- 4 than five hundred dollars and each such violation shall constitute a separate offense.
- 5 §666. Rules and regulations
- 6 The Department of Health and Hospitals may promulgate, in accordance with
- 7 the Administrative Procedure Act, any rules and regulations necessary for the
- 8 administration of this Part.

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)]

Woodruff

HB No. 828

Abstract: Requires disclosure of any food product derived from a cloned animal or the progeny of a cloned animal.

Proposed law defines "cloned animal" as an animal that is created from a somatic cell nuclear transfer event.

Proposed law defines "department" as the Dept. of Health and Hospitals (DHH).

Proposed law defines "progeny of a cloned animal" as an animal derived from the sexual reproduction of a cloned animal with another cloned animal or an animal that is not cloned.

Proposed law requires any person that manufactures, processes, or prepares food intended for human consumption in this state that contains any product from a cloned animal or the progeny of a cloned animal to state on the label or packaging on the food, or by a sign if the food is not packaged, that the food contains product from a cloned animal or the progeny of a cloned animal.

Proposed law requires the lettering of the statement on the label, packaging, or sign to be displayed in a conspicuous and easily legible boldface print or type that is in clear contrast to other matter on the label, packaging, or sign.

Proposed law requires any person that sells or offers for sale a food intended for human consumption in this state that contains any product from a cloned animal or the progeny of a cloned animal to maintain a record of each purchase from a producer, distributor, manufacturer, processor, or packer.

Proposed law requires the records to include a bill of sale and any documents regarding the origin of the food that contains product from a cloned animal or the progeny of a cloned animal, to be kept for a period of two years after the date of sale of the food, and to be made available to DHH for inspection on request of the department.

The provisions of proposed law shall not apply to any food that is served, sold, or otherwise provided in any restaurant or other food service establishment that is primarily engaged in the sale of food prepared and intended for immediate human consumption.

Proposed law provides that any person violating the provisions of proposed law shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$50 nor more than \$500 and each such violation shall constitute a separate offense.

Proposed law authorizes DHH to promulgate any administrative rules and regulations necessary for the administration of proposed law.

(Adds R.S. 40:661-666)