



NATIONAL CONFERENCE *of* STATE LEGISLATURES

*The Forum for America's Ideas*

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## State Legislation Addressing Genetically Modified Organisms

June 2015

Compiled by Victoria Naifeh

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**Summary:** 101 bills relating to genetically modified organisms were identified by NCSL in 29 states.

- 15 bills were enacted in 13 states
  - o Alabama
  - o Connecticut
  - o Idaho
  - o Indiana
  - o Maine
  - o Michigan
  - o Mississippi
  - o North Dakota
  - o Pennsylvania
  - o Rhode Island
  - o Tennessee
  - o Texas
  - o Washington
- Enacted Legislation fell under the following categories:
  - o Food Labeling Standards
    - CT H 6886; Chapter 15-13
    - ID HJM 6
    - ME H 296; Chapter 118
    - ND SCR 4020
  - o Urging the use of scientifically-based data (also called sound science) to regulate GMOs
    - AL SR 77
    - IN HR 30
    - IN SR 48
    - MI HR 89
    - MS SCR 647
    - PA SR 95
    - RI H 5078
    - TN HJR 218
    - TX HR 1508

- Other
  - MS H 839
  - WA SR 8676
- 57 bills are pending
- 29 bills failed

## **Alaska**

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Alaska introduced one related bill, which remains pending.

### Genetically Modified Food Labeling

AK H 92

Author: Tarr

Disposition: Pending - Carryover

Summary: Relates to the labeling of food. Relates to the misbranding of food. Requires labeling of food produced with genetic engineering.

## **Alabama**

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Alabama introduced and enacted one bill, requiring the use of sound science in evaluating crop protection chemistries. The state supports the use of science-based data to assess the impacts and the regulation of modern agricultural technologies, including, but not limited to, crop protection chemistries, genetically engineered or enhanced traits, and agricultural nutrients.

### Use of Sound Science in Evaluating Crop Protection

AL SR 37

Author: Whatley

Disposition: Adopted

Summary: Requires the use of sound science in evaluating crop protection chemistries, genetically engineered traits, and agricultural nutrients.

## **Arizona**

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The bill in Arizona proposing labeling of food produced with genetic engineering failed at adjournment.

### Genetically Engineered Foods

AZ H 2462

Author: Mendez

Disposition: Failed - Adjourned

Summary: Relates to genetically engineered foods. Relates to labeling.

## **Connecticut**

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Connecticut introduced six bills relating to genetically altered products. Five bills have failed; one has been enacted. Applicability of Genetically Engineered Food Labeling (Chapter 15-13) states that the following are not required by genetically engineered food labeling requirements:

alcoholic beverages, nonalcoholic malt beverages, food intended for human consumption that is not packaged for retail sale, food being sold directly from a farmer, and food derived from an animal that was not genetically engineered.

#### Genetically Modified Organisms

CT H 5726

Author: Steinberg

Disposition: Failed

Summary: Concerns the labeling of foods that contain genetically modified organisms. Enables the state to require the labeling of genetically modified organisms in food products.

#### Genetically Modified Grass Seeds

CT H 6041

Author: Steinberg

Disposition: Failed

Summary: Concerns genetically modified grass seeds. Limits the sale and distribution of genetically modified grass seeds.

#### Genetically Modified Organisms Food Labeling

CT H 6042

Author: Steinberg

Disposition: Failed

Summary: Concerns the labeling of foods that contain genetically modified organisms. Enables the state to require the labeling of genetically modified organisms in food products.

#### Genetically Modified Grass Seeds

CT H 6052

Author: Steinberg

Disposition: Failed

Summary: Concerns genetically modified grass seeds. Limits the sale and distribution of genetically modified grass seeds.

#### Labeling of Baby Food and Infant Formula

CT H 6798

Author: Joint Committee on Children

Disposition: Failed - Adjourned

Summary: Requires labeling of baby food and infant formula containing genetically engineered organisms.

#### Applicability of Genetically Engineered Food Labeling

CT H 6886; Chapter 15-13

Author: Joint Committee on General Law

Disposition: Enacted

Summary: Relates to the applicability of genetically-engineered food labeling requirements to nonalcoholic malt beverages.

## **Florida**

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Two related bills in Florida failed. These bills related to labeling raw foods and processed foods made with or derived from genetically engineered ingredients.

### Labeling of Genetically Engineered Foods

FL H 351

Author: Rehwinkle Vasil

Disposition: Failed

Summary: Relates to labeling of genetically engineered foods. Provides lists of raw agricultural commodities at high risk or potentially at risk for cultivation in genetically engineered form Requires Department of Agriculture and Consumer Services (DACS) to publish a list by a specified date and annually update list. Provides mandatory labeling requirements for genetically engineered raw agricultural commodities and processed foods made with or derived from genetically engineered ingredients.

### Labeling of Genetically Engineered Foods

FL S 416

Similar: FL H 351

Author: Ring

Disposition: Failed

Summary: Relates to labeling of genetically engineered foods. Provides lists of raw agricultural commodities at high risk or potentially at risk for cultivation in a genetically engineered form.Requires the Department of Agriculture and Consumer Services to publish the lists by a specified date and to update a published list annually. Provides for enforcement of the labeling requirements.

## **Georgia**

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One bill in Georgia remains pending. It aims to create a committee on genetically engineered foods in the House.

### House Study Committee on Genetically Engineered Foods

GA HR 450

Author: Turner

Disposition: Pending - Carryover

Summary: Creates the House Study Committee on Genetically Engineered Foods.

## **Hawaii**

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Twelve bills were introduced in Hawaii and they all are pending. Five bills relate to labeling requirements for genetically altered foods. Two bills mandate the Department of Agriculture to

take precautionary measures to minimize adverse effects of genetically altered products. One bill prevents counties or other political body from enacting rules related to GMOs.

#### Genetically Engineered Fish

HI H 686

Author: Ing

Disposition: Pending - Carryover

Summary: Prohibits propagating, cultivating, or farming genetically engineered fish in state marine Waters

#### Pesticide Use

HI H 687

Author: Ing

Disposition: Pending - Carryover

Summary: Authorizes counties to regulate genetically engineered organisms and pesticide use to the extent that the regulations are more stringent than state or federal laws.

#### Genetic Engineering

HI H 1391

Author: Say

Disposition: Pending - Carryover

Summary: Mandates the Department of Agriculture to take precautionary measures to anticipate, prevent, or minimize the adverse effects of biotechnology and genetic engineering.

#### Genetically Engineered Material

HI S 131

Author: Keith-Agaran

Disposition: Pending - Carryover

Summary: Establishes labeling requirements for any food or raw agricultural commodity sold in the State that contains a genetically engineered material, or was produced with a genetically engineered material. Establishes exceptions. Establishes violations. Requires the director of health to adopt rules.

#### Pesticide Rules and Ordinances

HI S 610

Author: Nishihara

Disposition: Pending - Carryover

Summary: Expressly pre-empts counties from enacting, adopting or enforcing ordinances or rules relating to GMOs. Expressly pre-empts counties or other political subdivisions from enacting, adopting, or enforcing ordinances or rules relating to pesticides.

#### Genetically Engineered Products in Enterprise Zones

HI S 712

Author: Gabbard

Disposition: Pending - Carryover

Summary: Makes the research, development, sale, production, or processing of genetically engineered agricultural products not for direct human consumption as food ineligible for tax and other incentives granted to certain businesses located in enterprise zones.

#### Genetically Engineered Seeds and Plant Parts

HI S 874

Author: English

Disposition: Pending - Carryover

Summary: Prohibits the planting of a genetically engineered seed or plant part in an open field. Allows the chairperson of the Board of Agriculture to grant an exception where such planting is done in a controlled environment.

#### Genetically Engineered Material

HI S 875

Author: English

Disposition: Pending - Carryover

Summary: Establishes, beginning Jan. 1, 2016, labeling requirements for any food or raw agricultural commodity sold in the state that contains a genetically engineered material, or was produced with a genetically engineered material. Establishes exceptions. Establishes violations. Requires director of health to adopt rules.

#### Genetically Modified Organism

HI S 884

Author: English

Disposition: Pending - Carryover

Summary: Requires a biotechnology company that sells a genetically modified organism that the company knows or has reason to believe will be used to produce an agricultural commodity to provide written disclosure of possible risks from the use of such an organism.

#### Genetic Engineering

HI S 885

Author: English

Disposition: Pending - Carryover

Summary: Mandates the Department of Agriculture to take precautionary measures to anticipate, prevent, or minimize the adverse effects of biotechnology and genetic engineering.

#### Labeling of Genetically Engineered Foods

HI S 1315

Author: Gabbard

Disposition: Pending - Carryover

Summary: Requires labeling of foods that have been genetically engineered. Provides a penalty for violations and authorizes private civil enforcement of the act.

## Genetically Engineered Food

HI S 1321

Author: Ihara

Disposition: Pending - Carryover

Summary: Requires all genetically engineered food to be labeled with a disclosure stating that it is "Produced with Genetic Engineering." Deems any genetically engineered food sold without the required disclosure to be misbranded and subject to penalties.

### Iowa

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Iowa introduced one bill, still pending, relating to labeling GMO food products.

#### Food Labeling

IA H 147

Author: Masher

Disposition: Pending - Carryover

Summary: Requires food items to be labeled with information that identifies the food items as genetically modified. Provides that the department of agriculture and land stewardship is responsible for administering and enforcing's provisions. Provides that a person manufacturing a packaged food item must disclose whether it was or may have been subjected to genetic engineering when produced.

### Idaho

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Idaho enacted one bill, Uniform Food Labeling, urging the US Congress to enact legislation reaffirming the FDA as the primary authority in uniform food labeling related to genetic engineering.

#### Uniform Food Labeling

ID HJM 6

Author: House Agricultural Affairs Committee

Disposition: Adopted

Summary: States findings of the Legislature. Urges the U.S. Congress to enact bipartisan legislation that reaffirms the FDA as the primary authority in uniform food labeling related to genetic engineering, based on scientific standards regarding health, safety and nutrition. Urges that existing FDA labeling rules and guidance, as well as the U.S. Department of Agriculture's National Organic Program, provide sufficient standards to address consumer interest in food production practices.

### Illinois

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Two bills relating to genetically engineered products were introduced in Illinois. One bill requires such food to be labeled. One bill supports meaningful consumer education and food manufacturers to inform consumers with truthful information.

#### Genetically Engineered Food Labeling Act

IL S 734

Author: Koehler

Disposition: Pending

Summary: Creates the Genetically Engineered Food Labeling Act. Provides that beginning on the effective date of the act, any food offered for retail sale in this state is misbranded if it is entirely or partially produced with genetic engineering and that fact is not disclosed in a certain manner. Provides that the act shall not be construed to require either the listing or identification of any ingredient or ingredients that were genetically engineered.

Legislative Resolution

IL SR 255

Author: Radogno

Disposition: Pending

Summary: Urges Congress to direct the clarification of national food labeling standards. Shows support for meaningful consumer education and for measures that provide consumers with a reasonable means of identifying food products that may or may not have been developed using bioengineering. Encourages food manufacturers to further study ways to inform consumers about food choices, as long as the information provided is truthful and not misleading.

## **Indiana**

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Five bills were introduced in Indiana. Three failed and two were adopted. Use of Sound Science (IN HR 30) and Crop Protection Chemistries and Nutrients (IN SR 48) oppose legislative or regulatory action at any level that may result in unnecessary restrictions on the use of modern agricultural technologies, including but not limited to crop protection chemistries, genetically engineered or enhanced traits, and nutrients that are not based on sound science.

Genetically Engineered Food

IN H 1460

Author: Kersey

Disposition: Failed - Adjourned

Summary: Provides that, beginning July 1, 2016, any food that is offered for retail sale is misbranded, for purposes of the law prohibiting the misbranding of food, if the food was or may have been entirely or partially produced with genetic engineering and this is not disclosed in a certain manner. Provides that, beginning July 1, 2016, there may be no statement or implication on a label, on a sign in the retail establishment, or in any advertising or promotional materials.

Use of Sound Science in Crop Chemistries

IN HR 30

Author: Lehe

Disposition: Adopted

Summary: Supports the use of "sound science" in evaluating crop protection chemistries and nutrients.



## Genetic Engineering

IN S 60

Author: Kruse

Disposition: Failed - Adjourned

Summary: Provides that, beginning July 1, 2016, any food that is offered for retail sale is misbranded if it is not disclosed that the food is or may have been entirely or partially produced with genetic engineering. Provides that, beginning July 1, 2016, a food that is genetically engineered or a processed food may not state or imply that the food is natural. Establishes exceptions to the disclosure requirements and prohibition on stating a food is natural.

## Genetically Engineered Food

IN S 264

Author: Kruse

Disposition: Failed - Adjourned

Summary: Provides that, beginning July 1, 2016, any food that is offered for retail sale is misbranded if it is not disclosed that the food is or may have been entirely or partially produced with genetic engineering. Provides that, beginning July 1, 2016, a food that is genetically engineered or a processed food may not state or imply that the food is natural. Establishes exceptions to the disclosure requirements and prohibition on stating a food is natural.

## Crop Protection Chemistries and Nutrients

IN SR 48

Author: Leising

Disposition: Adopted

Summary: Recognizes the need for the use of "sound science" in evaluating crop protection chemistries and nutrients.

## **Massachusetts**

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Three bills were introduced in Massachusetts. They are pending. The bills relate to labeling requirements on food determined to be genetically engineered, and plant seeds used to modify genetically organisms or influence their growth and development by genetic engineering.

### Labeling of Plant Seeds

MA H 761

Author: Story

Disposition: Pending

Summary: Relates to the labeling of plant seeds.

### Labeling of Genetically Engineered Food

MA H 3242

Author: Story

Disposition: Pending

Summary: Relates to the labeling of genetically engineered food.

## Liability for Genetically Engineered Food

MA S 1158

Author: Joyce

Disposition: Pending

Summary: Relates to liability for genetically engineered food.

## **Maine**

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Four bills relating to genetically modified organisms were introduced in Maine. One failed, two are pending and one has been enacted. Nonalcoholic Malt Beverages (Chapter 118) exempts nonalcoholic malt beverages from disclosure requirements of GMO labeling.

## False Labeling of Marine Organisms

ME H 292

Author: Chapman

Disposition: Failed

Summary: This bill requires clear and conspicuous labeling of a marine organism offered for sale if the marine organism is produced using genetic engineering and is labeled with the same name as its nongenetically engineered counterpart. Failure to provide the required labeling is a civil violation.

## Nonalcoholic Malt Beverages

ME H 295; Chapter 118

Author: Black

Disposition: Enacted

Summary: Exempts nonalcoholic malt beverages from the disclosure requirements of the laws regulating the labeling of genetically engineered products.

## Genetically Modified Food Products Labeling Law

ME H 686

Author: Dunphy

Disposition: Pending

Summary: Summary Maine's genetically modified food products labeling law included a delay of the effective date of the law until mandatory labeling of genetically engineered food is adopted by at least five contiguous states including Maine. The law also included an automatic repeal if mandatory labeling of genetically engineered food is not adopted by at least five contiguous states including Maine by Jan. 1, 2018.

## Labeling of All Genetically Modified Products

ME S 478

Author: Burns

Disposition: Pending

Summary: Summary This bill defines "genetically modified product," which includes genetically engineered seed stock, products from animals fed genetically engineered food and medicines that were manufactured with genetically engineered plants or animals to the laws regarding

the labeling of genetically engineered products. It requires the disclosure of genetic engineering of food, seed stock, products from animals fed genetically engineered food, or medicines that were manufactured with genetically engineered plants

## **Michigan**

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Three bills relating to genetically modified organisms were introduced in Michigan. Two are pending and one has been enacted. Genetically Modified Food Resolution (MI HR 89) urges Congress to pass legislation establishing a label program for genetically modified food that is science based.

### Genetically Modified Food Resolution

MI HR 89

Author: Lauwers

Disposition: Adopted

Summary: Urges the U.S. Congress to pass legislation that establishes a national, uniform, and scientifically based label program for genetically modified food.

### Sentencing Guidelines

MI S 246

Author: Zorn

Disposition: Pending

Summary: Updates references to sentencing guidelines, including that for the introduction of prohibited or genetically engineered species with intent to damage resources.

### Food Labeling Resolution

MI SR 59

Author: Green

Disposition: Pending

Summary: Urges the U.S. Congress to enact legislation requiring uniform and science-based food labeling nationwide.

## **Minnesota**

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Two related bills are pending in Minnesota. These would require disclosure of genetically engineered food.

### Commerce

MN H 351

Author: Clark

Disposition: Pending - Carryover

Summary: Relates to commerce. Provides consumer protection. Requires disclosure of genetically engineered food. Authorizes rulemaking.

### Commerce

MN S 335

Author: Marty

Disposition: Pending - Carryover

Summary: Relates to commerce. Provides consumer protection. Requires disclosure of genetically engineered food. Authorizes rulemaking

## **Missouri**

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Three bills relating to genetically modified products failed upon adjournment in Missouri. One bill related to labeling requirements for food products, two bills related to sound science in the regulation of agricultural technologies, including genetically modified organisms.

Genetically Modified Product Labeling

MO H 168

Author: Ellington

Disposition: Failed - Adjourned

Summary: Requires all food and food products sold in Missouri that are or contain genetically modified products to be labeled indicating that the food is or contains genetically modified products.

Modern Agricultural Technologies

MO HCR 47

Author: Korman

Disposition: Failed - Adjourned

Summary: Opposes legislative or regulatory actions that are not based on sound science that may restrict the use of modern agricultural technologies.

Modern Agricultural Technologies

MO SCR 33

Author: Curls

Disposition: Failed - Adjourned

Summary: Urges the Missouri congressional delegation to support the use of science-based data to assess the impacts and regulation of modern agricultural technologies.

## **Mississippi**

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Two bills relating to genetic engineering were passed in Mississippi. Cultivation of Invasive Nonnative Plant Species (MS H 839) prohibits the cultivation of potentially invasive nonnative plant species, including those that are genetically engineered. Expression of Intent Resolution (MS SCR 647) expresses support of federal regulation of crop protection chemistries when based on sound science.

Cultivation of Invasive Nonnative Plant Species

MS H 839

Author: Boyd

Disposition: Enacted

Summary: Prohibits the cultivation of potentially invasive nonnative plant species except under the special permit requirement for plantings in excess of one acre for the purpose of controlling the cultivation of nonnative plant species for fuel production by the Department of Agriculture and Commerce or Department of Agriculture Forestry plantings. Provides for issuance of a surety bond before the issuance of a permit.

Expression of Intent Resolution

MS SCR 647

Author: Hudson

Disposition: Adopted

Summary: Expresses the intent of the Mississippi Legislature for the support of federal regulations requiring the use of sound science in evaluating crop protection chemistries and nutrients.

## **Montana**

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Two bills relating to genetically engineered food failed on adjournment. One bill relates to food labeling requirements. One bill relates to an interim study to examine the potential market effects of genetically engineered wheat in Montana.

Food Labeling

MT D 595

Author: Olsen

Disposition: Failed - Adjourned

Summary: Revises laws regarding GMO contamination protections and food labeling. Relates to agriculture.

Study of Genetically Engineered Wheat

MT HJR 33

Author: Olsen

Disposition: Failed - Adjourned

Summary: Concerns the interim study of genetically engineered wheat on markets for Montana wheat. Relates to agriculture. Relates to interim studies legislature.

## **North Dakota**

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North Dakota adopted Food Labeling Standards (ND SCR 4020), urging Congress to establish food labeling standards, including those which apply to foods derived from biotechnology. No other bills were identified relating to Genetically Modified Organisms.

Food Labeling Standards

ND SCR 4020

Author: Miller

Disposition: Adopted

Summary: Urges Congress to establish food labeling standards, direct the clarification of voluntary food labeling standards, and provide for a review of foods derived through the use of biotechnology.

## **New Jersey**

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Five New Jersey bills relating to genetically modified food were introduced this year. All are pending. Two identical bills require labeling of foods containing genetically engineered material. Two identical bills urge the enactment of Safe and Accurate Food Labeling Act of 2015, a federal bill relating to food labeling. One bill relates to labeling food derived from genetic modification.

### Genetically Modified Food Labeling

NJ A 1359

Identical: NJ S 2496

Author: Stender

Disposition: Pending - Carryover

Summary: Requires labeling of all foods containing genetically engineered material. Relates to misbranding of food products.

### State and Accurate Food Labeling Act of 2015

NJ AR 239

Identical: NJ SR 133

Author: Coughlin

Disposition: Pending

Summary: Urges enactment of State and Accurate Food Labeling Act of 2015.

### Labeling of Foods Requirements

NJ S 91

Author: Singer

Disposition: Pending - Carryover

Summary: Requires labeling of foods containing genetically modified material. Relates to misbranding of food products

### Safe and Accurate Food Labeling Act

NJ SR 133

Identical: NJ AR 239

Author: Van Drew

Disposition: Pending

Summary: Urges enactment of Safe and Accurate Food Labeling Act of 2015.

### Labeling of Foods

NJ SR 2496

Identical: NJ AR 1359

Author: Ruiz

Disposition: Pending - Carryover

Summary: Requires labeling of foods containing genetically engineered material. Requires the label be on a food product that is consumable by a human and any item or substances that is intended for use as a food ingredient. Defines genetic engineering. Provides that failure to label such products constitutes misbranding and violates the pre-existing food and drug labeling law. Provides for monetary penalties.

## **New York**

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Sixteen bills concerning genetically modified organisms were introduced in New York. Twelve bills are pending and four have failed. Seven bills concern identifying or labeling food containing food derived from genetic engineering. Two bills relate to the use of genetically modified seeds. Three failed bills relate to GMOs in vaccines.

Damages for Violation of Patent

NY A 298

Identical: NY S 3085

Author: Abinanti

Disposition: Pending

Summary: Establishes an affirmative defense for causes of action related to violation of a patent, trademark or other intellectual property right on grounds that a party possessed or used seeds or plants that contained genetically engineered or genetically modified organisms without entering into an agreement or paying fees to the manufacturer or licensed distributor of such products.

Labeling of Genetic Engineering Products

NY A 617

Identical: NY S 485

Author: Rosenthal

Disposition: Pending

Summary: Provides for the labeling of raw agricultural commodities, processed foods, seed and seed stock produced with genetic engineering. Defines terms. Imposes penalties for false labels and misbranding. Sets forth exemptions.

Labeling of Genetically Engineered Seeds

NY A 641

Author: Rosenthal

Disposition: Pending

Summary: Requires all seeds that are or include genetically engineered organisms to be labeled "These are genetically engineered seeds," and include labeling on the identity of the relevant traits and characteristics introduced into such seed, any requirements for the safe handling, storage, transport and use of the seed, the name, address and telephone number of the manufacturer of the seed and the person who labeled, sells, offers for sale or exposes such seed for sale.

### Genetically Modified Organism Registry

NY A 652

Author: Rosenthal

Disposition: Pending

Summary: Establishes a genetically modified organism registry within the department of agriculture and markets. Provides that such registry shall include information on the location, type and use of genetically modified organisms possessed and used by institutions of higher education, and included in seeds sold and distributed in this state.

### Authorized Health Care Professionals

NY A 1536

Author: Abinanti

Disposition: Failed

Summary: Requires authorized health care professionals, prior to administering a vaccine, to provide patients with information relating to genetically modified organisms, and provide them the option to receive a non-genetically modified organism vaccine.

### Vaccines Containing Genetically Modified Organisms

NY A 1706

Author: Abinanti

Disposition: Failed

Summary: Bans the use of vaccines containing genetically modified organisms.

### Labeling of Certain Vaccines

NY A 2447

Author: Abinanti

Disposition: Failed

Summary: Relates to the labeling of vaccines containing genetically modified organisms.

### Task Force on Genetically Modified Organisms in Food

NY A 3251

Author: Titus

Disposition: Pending

Summary: Creates a task force to monitor and report on the effects of the use of genetically modified organisms in the food supply.

### Study of Genetically Modified Organisms

NY A 3407

Author: Titone

Disposition: Pending

Summary: Requires a study of genetically modified organisms and cross pollination, the impact on wildlife, and the effect on human consumption. Requires reporting and recommendations by Department of Agriculture and Markets, DEC, and Department of Health.



### Labeling of Consumable Commodities

NY A 4205

Author: Titus

Disposition: Pending

Summary: Relates to requiring clear and conspicuous labeling of all consumable commodities, including infant formula.

### New York Right To Know Genetically Engineered Food Act

NY A 4233

Author: Abinanti

Disposition: Pending

Summary: Enacts the "New York Right to Know Genetically Engineered Food Act," which relates to labeling food products derived from or containing products which are genetically engineered.

### Planting and Growing of Genetically Modified Crops

NY A 5116

Author: Abinanti

Disposition: Pending

Summary: Enacts provisions imposing a five-year moratorium on the planting and growing of genetically modified crops in New York and the use of a marketing plan to promote New York state agricultural products. Defines "genetically modified crops." Exempts such genetically modified crops planted and grown for the sole purpose of conducting research and not for sale.

### Labeling of Certain Food Products

NY A 8017

Author: Crouch

Disposition: Failed

Summary: Relates to requiring labeling indicating a food product is free of genetically modified organisms.

### Labeling of Genetically Engineered Products

NY S 435

Identical: NY A 617

Author: LA Valle

Disposition: Pending

Summary: Provides for the labeling of raw agricultural commodities, processed foods, seed, and seed stock produced with genetic engineering. Imposes penalties for false labels and misbranding. Sets forth exemptions.

### Affirmative Defense for Causes of Actions

NY S 3085

Identical: NY A 298

Author: Young

Disposition: Pending

Summary: Establishes an affirmative defense for causes of actions related to violation of a patent, trademark or other intellectual property right on grounds that a party possessed or used seeds or plants that contained genetically engineered or genetically modified organisms without entering into an agreement or paying fees to the manufacturer or licensed distributor of such products.

#### Labeling of Food or Food Products

NY S 3802

Author: Sanders

Disposition: Pending

Summary: Provides for the labeling of food or food products that contain a genetically engineered material or that are produced with a genetically engineered material. Defines terms. Imposes penalties for false labels and misbranding. Sets forth exemptions.

### **Oklahoma**

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One bill concerning product labeling for food or seed containing genetically altered products remains pending.

#### Agriculture

OK H 1370

Author: Griffith

Disposition: Pending - Carryover

Summary: Relates to agriculture. Defines terms. Requires certain food or seed stock to contain certain labeling. Provides that certain food or seed stock that does not contain certain labeling be considered misbranded. Provides for exceptions. Permits Oklahoma Department of Agriculture, Food and Forestry to promulgate certain rules. Relates to liability.

### **Oregon**

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Six bills concerning genetically modified organisms were introduced in Oregon. One has been sent to the governor, the rest are pending. One pending bill relates to labeling food when it contains GMOs. Four bills relate to the Department of Agriculture creating controlled areas for genetically modified plant products. One bill relates to genetically modified fish.

#### State Department of Agriculture

OR H 2509

Author: Clem

Disposition: To governor

Summary: Allows a person to file mediation request with the dtate Department of Agriculture if the person has reasonable belief that agricultural or horticultural practice on nearby land is interfering or might interfere with farming practice. Requires the department to provide mediation services or refer a person to federally certified mediation program. Caps department

charges for mediation services. Allows court making determination whether to grant injunctive relief to consider party unwillingness to mediate.

#### State Department of Agriculture

OR H 2674

Author: Buckey

Disposition: Pending

Summary: Requires State Department of Agriculture to establish control areas for growing commodities that are genetically engineered agricultural or horticultural plant products. Makes genetically engineered commodity grown outside authorized control area subject to eradication. Requires department to establish program for regulating growing of genetically engineered commodities not approved for unregulated use. Requires the department to establish program to provide financial assistance to people claiming damages.

#### Certain Merchants

OR H 2675

Author: Buckley

Disposition: Pending

Summary: Requires certain merchants to provide State Department of Agriculture with copies of royalty agreements signed by purchasers of propagants of proprietary genetically engineered crops. Requires purchaser that has signed royalty agreement to provide information regarding disposition of purchased propagants to department upon request. Authorizes department to designate crop production areas for species of proprietary genetically engineered crops. Prohibits production of proprietary genetically engineered products.

#### Legislative Findings and Declarations

OR H 3121

Author: Holvey

Disposition: Pending

Summary: Makes legislative findings and declarations regarding genetically engineered food. Requires labeling of genetically engineered raw agricultural commodities and packages of genetically engineered processed food offered or expected to be offered for retail sale within state. Declares commodity or food misbranded if not labeled as required. Authorizes person adversely affected or aggrieved by violation of labeling requirement to bring action on behalf of public interest seeking injunction against continued misbranding.

#### Farming Cultivation

OR H 3122

Author: Holvey

Disposition: Pending

Summary: Prohibits farming, cultivation, incubation or inducement to spawn in this state of Atlantic salmon or genetically engineered fish that may come into contact with or spread contagious diseases to native anadromous fish. Provides exceptions. Becomes operative Jan. 1, 2016. Declares emergency, effective on passage.

State Department of Agriculture

OR S 207

Author: Office of the governor

Disposition: Pending

Summary: Authorizes State Department of Agriculture to establish control areas for genetically engineered plants and other plants to avoid conflicts between growers.

## **Pennsylvania**

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Pennsylvania adopted PA SR 95, urging the use of science-based data in regulating crop protection chemistry and nutrients.

Urges Federal and State Regulatory Agencies

PA SR 95

Author: Vogel

Disposition: Adopted

Summary: Urges federal and state regulatory agencies to utilize science-based data in evaluating crop protection chemistry and nutrients.

## **Rhode Island**

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Seven bills concerning genetic engineering were introduced. One was adopted. RI H 5078 supports the use of science-based data in regulating crop protection chemistry and nutrients. Six failed bills relate to labeling requirements for genetically engineered food.

Urges Federal and State Regulatory Agencies

RI H 5078

Author: Hull

Disposition: Adopted

Summary: Urges federal and state regulatory agencies to utilize science-based data in evaluating crop protection chemistry and nutrients.

Food and Drugs

RI H 5197

Author: Canario

Disposition: Failed - Adjourned

Summary: Would require the labeling of all raw and packaged food that is entirely or partially produced with genetic engineering, commencing Jan. 1, 2016. This act would take effect upon passage.

Food and Drugs

RI H 5502

Author: Filippi

Disposition: Failed - Adjourned

Summary: Would require all businesses that sell food and have gross annual sales of more \$500,000, with the exception of restaurants, to post signs that informs their customers that all the products they have offered for sale contain genetically modified organisms unless there labels say otherwise. This act would take effect upon passage.

#### Milk Sanitation Code

RI H 5587

Author: Lima

Disposition: Failed - Adjourned

Summary: Would require that labels or marks on milk or milk products include information disclosing whether such milk or milk product has been genetically engineered or modified. This act would take effect upon passage.

#### Food and Drugs

RI S 93

Author: Walaska

Disposition: Failed - Adjourned

Summary: Would facilitate accurate labeling for food or food products that are produced or made in Rhode Island and consist of or contain genetically modified organisms. It would require the manufacturer or retailer to label such items before putting them on the market for sale in Rhode Island. This act would take effect on July 1, 2016.

#### Food and Drugs

RI S 549

Author: Nesselbush

Disposition: Failed – Adjourned

Summary: Would require that all genetically engineered food offered for retail sale in this state contain a label with the disclosure that the food is genetically engineered food. This act would take effect on Jan. 1, 2017.

#### Food and Drugs

RI S 557

Author: Nesselbush

Disposition: Failed - Adjourned

Summary: Would require that all genetically engineered food offered for retail sale in this state contain a label with the disclosure that the food is genetically engineered food, upon the occurrence of four other states adopting similar mandatory labeling laws, as specified in this act. This act would take effect upon passage.

### **Tennessee**

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Seven bills in Tennessee related to genetically modified organisms. Six remain pending. One was enacted. Statement of Intent (TN HJR 218) supports use of science-based data to assess the impacts and regulation of modern agricultural technologies. Two identical bills relate to a program to verify food to be labeled non-GMO. Two identical bills relate to labeling seeds

derived from genetically modified products. Two identical bills enact the Genetically Engineered Food Labeling Act, requiring labeling of foods that are or contain genetically engineered products.

#### Food and Food Products

TN H 521

Identical: TN S 394

Author: Butt

Disposition: Pending - Carryover

Summary: Relates to Food and Food Products. Authorizes a person, company or entity to participate in the Non-GMO Project's product verification program to ensure that the food is not genetically engineered.

#### Agriculture

TN H 1217

Author: Towns

Disposition: Pending - Carryover

Summary: Relates to agriculture. Requires that plants and seeds sold be labeled to indicate open pollination, genetic modification, and hybridization.

#### Food and Food Products

TN H 1218

Identical: TN S 696

Author: Towns

Disposition: Pending - Carryover

Summary: Relates to food and food products. Enacts the Genetically Engineered Food Labeling Act.

#### Statement of Intent or Position

TN HJR 218

Author: Brooks

Disposition: Enacted

Summary: Relates to Statement of Intent or Position. Supports use of science-based data to assess the impacts and regulation of modern agricultural technologies.

#### Food and Food Products

TN S 394

Identical: TN H 521

Author: Niceley

Disposition: Pending - Carryover

Summary: Relates to food and food products. Authorizes a person, company or entity to participate in the Non-GMO Projects products verification program to ensure that the food is not genetically engineered.

## Agriculture

TN S 551

Identical: TN H 1217

Author: Niceley

Disposition: Pending - Carryover

Summary: Relates to agriculture. Requires that plants and seeds sold in Tennessee be labeled to indicate open pollination, genetic modification and hybridization.

## Food and Food Products

TN S 696

Identical: TN H 1218

Author: Niceley

Disposition: Pending - Carryover

Summary: Relates to food and food Products. Enacts the Genetically Engineered Food Labeling Act.

## Texas

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Two bills concerning genetically modified organisms were introduced. One failed that related to labeling GMO foods. TX HR 1508, which passed, supports sound science to study and regulate agricultural technology.

### Labeling of Genetically Modified Food

TX H 3499

Author: Alvarado

Disposition: Failed - Adjourned

Summary: Relates to the labeling of genetically modified food. Authorizes a civil penalty.

### Sound Science to Study Modern Agricultural Technologies

TX HR 1508

Author: King

Disposition: Adopted

Summary: Expresses support for the use of sound science to study and regulate modern agricultural technologies and opposition to legislative or regulatory action that may result in unnecessary restrictions on the technologies.

## Virginia

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### Genetically Engineered Foods

VA H 1591

Author: DeSteph

Disposition: Failed

Summary: Relates to genetically engineered foods. Relates to penalty. Defines genetically engineered foods. Establishes conditions under which a food must be labeled as genetically

engineered and must, in some cases, bear additional labeling. Provides that a violation is a Class 3 misdemeanor.

## **Washington**

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Washington passed a resolution congratulating Dr. Hall, and expressing gratitude and appreciation for his contribution to the field of yeast technology and the invention of the Hepatitis B vaccine through his work with genetic engineering.

### Personal Congratulatory

WA SR 8676

Author: Chase

Disposition: Adopted

Summary: Congratulates Dr. Benjamin Hall upon his election as a fellow to the National Academy of Sciences, and commends his work to genetically engineering proteins in yeast to create coat proteins. These coat proteins formed the basis for the world's first genetically engineered vaccine against a human disease, the first vaccine against a sexually transmitted disease, and the first vaccine against a virus that leads to human cancer.



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