



**National Conference of State Legislatures
Office of State-Federal Relations**

Congress Approves Both a Mandatory GMO Labeling Bill with State Preemption and FAA Extension Without Drone Preemption

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On July 14, the House approved [S. 764](#), 306-117, which requires mandatory labeling of certain bioengineered products while also preempting any existing or future state labeling requirements. The House's approval comes a week after the Senate passage, and it now moves to the President, who is expected to sign the bill into law.

Specifically, [S. 764](#) provides a number of methods to comply with the mandatory labeling requirement, including on package labeling, a symbol indicating the presence of GMOs or a type of electronic signature, such as QR code, that would link to the required information. However, the bill tasks the United States Department of Agriculture (USDA) with developing the formal rule for mandatory labeling within two years of the bill's enactment that would include what exact type of products would have to comply. The bill does note that the mandatory requirement would not apply to animal products in which the animal was fed bioengineered products. USDA is also charged in its rulemaking with determining at what level the requirement would come into effect for those food products that include some animal products. For more information on state GMO legislation, including the recently implemented labeling requirement in Vermont, visit NCSL.org.

Additionally, on July 13, Congress approved the [FAA Extension, Safety, and Security Act of 2016](#) that ensures the Federal Aviation Administration (FAA) is funded through September 2017 - the president is expected to sign the bill shortly. While the bill includes significantly more policy provisions than a clean extension, including language regarding unmanned aerial systems and aviation and airport security, it lacks a number of other provisions that were included in the FAA reauthorization [passed](#) by the Senate as well as the House's version, [approved](#) the Transportation and Infrastructure Committee.

Most importantly, the [FAA extension](#) does not include a preemption of state and local laws regarding unmanned aerial systems. Such a provision had been included in the Senate approved

bill. NCSL [strongly advocated](#) for its removal from any final legislation with many members of Congress and issued numerous [joint statements](#) with the National Governors Association (NGA) and National Association of State Aviation Officials (NASAO).

For additional information on state drone laws, please see NCSL's recently released report "[Taking Off: State Unmanned Aircraft System Policies.](#)"

For any further questions or concerns on the bill please contact NCSL staff [Ben Husch](#) (202-624-7779) or [Kristen Hildreth](#) (202-624-3597).