

MAINE STATE LEGISLATURE

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L.D. 1078

DATE: 5-7-97

(Filing No. H-394)

MAJORITY

AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 790, L.D. 1078, Bill, "An Act to Require Labeling on Genetically Engineered Food"

Amend the bill by striking out the title and substituting the following:

'An Act to Further Define Foods Labeled as Organic or Natural'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 7 MRSA §§51, sub-§§3 and 4 are enacted to read:

3. Genetically engineered food. "Genetically engineered food" means a substance for human consumption containing a genetic material from another species or a genetic material assembled in vitro, which genetic material is introduced into the substance by nonsexual means as the result of a current or previous application of a recombinant deoxyribonucleic acid, or rDNA, technique or other similar technique for genetic manipulation capable of combining or introducing genetic material from dissimilar organisms, or a substance containing a genetically engineered food or part of that genetically engineered food as an ingredient. "Genetically engineered food" does not include a food developed exclusively through traditional methods of breeding, such as artificial insemination, embryo transfer, hybridization or nondirected mutagenesis, nor does it include foods containing extracted products of a genetically engineered organism with no more than trace amounts of the organism itself or its genetic material.

COMMITTEE AMENDMENT

2 4. Genetic material. "Genetic material" means
3 deoxyribonucleic acid, or DNA, or ribonucleic acid, or RNA.

4
5 **Sec. 2. 7 MRSA §552, sub-§1, as enacted by PL 1979, c. 240,**
6 **§1, is amended to read:**

7
8 **1. Artificial ingredients and pesticides; genetically**
9 **engineered food. Ne--feed--shall Food may not be labeled or**
10 **advertised as "natural" unless it is free from any artificial**
11 **flavoring, color additive or chemical preservative or any other**
12 **artificial or synthetic ingredient added after harvesting. A**
13 **genetically engineered food may not be labeled or advertised as**
14 **"natural."**

15
16 **Sec. 3. 7 MRSA §553, sub-§2, as enacted by PL 1979, c. 240,**
17 **§1, is amended to read:**

18
19 **2. Other requirements. A food:**

20
21 **A. ~~Which~~ That is free from any artificial flavoring, color**
22 **additive or chemical preservative or any other artificial or**
23 **synthetic ingredient; and**

24
25 **B. ~~Which~~ That has no more than 10% of the level of any**
26 **pesticide, fungicide or herbicide, which the United States**
27 **Food and Drug Administration regards as a safe level; and**

28
29 **C. That is not a genetically engineered food as defined in**
30 **section 551, subsection 3.**

31
32 **Sec. 4. 7 MRSA §557, sub-§1, as enacted by PL 1979, c. 240,**
33 **§1, is amended to read:**

34
35 **1. Growers. Every grower who sells a food which that is**
36 **derived from a crop ~~which he or it~~ that the grower has grown and**
37 **which that is identified as organic, organically grown or**
38 **biologically grown, or by a similar term, shall keep accurate**
39 **records of the location of the acreage used for growing that crop**
40 **and, the additions made to the soil or applied to that crop and**
41 **the source and variety of material planted. These records shall**
42 **must be retained for 2 years after the food is sold and delivered**
43 **by the grower.'**

44
45 Further amend the bill by inserting at the end before the
46 summary the following:

47
48 **FISCAL NOTE**

49 The Department of Agriculture, Food and Rural Resources will

incur some additional costs to enforce these labeling and
advertising restrictions. These enforcement responsibilities can
be implemented utilizing existing budgeted resources.

The additional workload and administrative costs associated
with the minimal number of new cases filed in the court system
can be absorbed within the budgeted resources of the Judicial
Department. The collection of additional fines may increase
General Fund revenue by minor amounts.'

SUMMARY

This amendment replaces the original bill. This amendment
is the majority report. It prohibits genetically engineered food
from being labeled or advertised as organic or natural.