

**HOUSE . . . . . No. 00630**

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The Commonwealth of Massachusetts

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PRESENTED BY:

*Ellen Story*

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the labeling of food

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PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Ellen Story</i>	<i>3rd Hampshire</i>
<i>Paul Mark</i>	<i>2nd Berkshire</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>

# HOUSE . . . . . No. 00630

By Ms. Ellen Story of Amherst, petition (accompanied by bill, House, No. 00630) of Paul Mark and others relative to the definition of genetically engineered material in the labeling of food. Joint Committee on Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ HOUSE  
□ , NO. 2168 OF 2009-2010.]

## The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act relative to the labeling of food

□.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 1 of chapter 94 of the General Laws, as appearing in the 2010 Official  
2 Edition, is hereby amended by inserting after the definition of “Food” the following new  
3 definition:-  
4 “Genetically engineered material”, any material derived in whole or in part from processes, as  
5 identified by the national organic program of the U.S. department of agriculture, used to modify  
6 genetically organisms or influence their growth and development by means that are not possible  
7 under natural conditions or processes. Such methods include cell fusion, microencapsulation and  
8 macroencapsulation, and recombinant DNA technology (including gene deletion, gene doubling,

9 introducing a foreign gene, and changing the positions of genes when achieved by recombinant  
10 DNA technology). Such methods do not include the use of traditional breeding, conjugation,  
11 fermentation, hybridization, in vitro fertilization, or tissue culture. Material grown from  
12 genetically engineered seed and genetically engineered plant parts shall be considered  
13 genetically engineered material.

14 SECTION 2. Chapter 94 of the General Laws, as appearing in the 2004 Official Edition, is  
15 hereby amended by adding after section 184E the following new section:-

16 Section 184F. The Genetically Engineered Food Right to Know Act

17 Upon each package or receptacle holding any proprietary or patent food preparation containing  
18 genetically engineered material, there shall be a label upon which shall be printed, in plain  
19 english, in type not smaller than sixteen point (Columbian) capitals:-

20 “Genetically engineered”

21 Also upon each package, appearing in type not smaller than eight point (brevier) capitals:-

22 “This product contains a genetically engineered material, or was produced with a genetically  
23 engineered material.”

24 If the size of the package or receptacle will not permit the use of such type, as determined by the  
25 manufacturer, and subject to the approval of the director of standards of the division of  
26 standards, the size thereof may be reduced proportionately. Whoever manufactures, sells or  
27 offers for sale any food preparation in violation of this section shall be punished by a fine of not  
28 less than five nor more than one hundred dollars; but no dealer or retailer shall be held liable or  
29 be prosecuted under this section if the article is marked as it was when purchased by him and he

30 can establish a guaranty signed by the wholesaler, jobber or manufacturer, residing in this  
31 commonwealth, from whom he purchases such article, to the effect that the same is correctly  
32 marked as required by this section, designating it, unless said dealer or retailer had reason to  
33 believe such guaranty was provided in violation of this section. Such guaranty, to afford  
34 protection, shall contain the names and addresses of the parties making the sale of such articles  
35 to such dealer.

36 SECTION 3. The director of standards may promulgate regulations regarding the  
37 implementation and enforcement of section 184F of chapter 94 of the General Laws.

38 SECTION 4. This act shall take effect July 1, 2013.