

SENATE BILL NO. 1186

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOON.

4092S.01I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 196, RSMo, by adding thereto three new sections relating to required disclosures for certain products.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 196, RSMo, is amended by adding thereto
2 three new sections, to be known as sections 196.1400, 196.1405,
3 and 196.1410, to read as follows:

**196.1400. 1. For purposes of this section, the
2 following terms mean:**

3 (1) "Cosmetic", the same meaning given to the term in
4 section 196.010, except that the term "cosmetic" shall
5 include soap;

6 (2) "Food", the same meaning given to the term in
7 section 196.010;

8 (3) "Gene therapy product", any product with any
9 capacity to alter, interfere with, or otherwise act in any
10 manner similar or equivalent to genes;

11 (4) "Product", any product that is:

12 (a) A food, cosmetic, or other substance intended to
13 be ingested, introduced into, or applied to the human body
14 or intended to induce physiological effects; and

15 (b) Made available for sale in this state to the
16 general public at retail.

17 2. Any product that has been created to act as, or
18 exposed to processes that could result in the product

19 potentially acting as, a gene therapy or that could
20 otherwise possibly impact, alter, or introduce genetic
21 material or a genetic change into the user of the product,
22 individuals exposed to the product, or individuals exposed
23 to others who have used the product shall be conspicuously
24 labeled with the words "Potential Gene Therapy Product"
25 unless the product is known to be a gene therapy product.
26 Reasonable steps shall be taken to ensure the potential
27 purchaser or user of the product is made aware of the
28 presence of this label.

29 3. If a product is known to be a gene therapy product,
30 the product shall be conspicuously labeled with the words
31 "Gene Therapy Product".

32 4. The provisions of this section shall be liberally
33 construed in favor of disclosure of any potential gene
34 therapy product.

196.1405. 1. For purposes of this section, the
2 following terms mean:

3 (1) "Expose", transmit to another through skin-to-skin
4 contact, sexual activity, droplets or aerosols suspended in
5 the air, introduction into the blood supply or food supply,
6 or any other means;

7 (2) "Genetically modified", the alteration of genetic
8 material through modern biotechnology, directed evolution,
9 or any other mechanism in a way that does not occur
10 naturally or that does not occur at its natural rate.

11 2. Upon the written request of any resident of this
12 state, any entity that produces, sells, or distributes a
13 product in this state with the capacity to infect an
14 individual with a disease or to expose an individual to
15 genetically modified material, including, but not limited
16 to, vaccines, gene therapies, drugs, and medical

17 interventions, shall provide any and all information related
18 to the ways in which individuals who did not directly obtain
19 or use such product may be exposed to the product or a
20 component of the product. Any product manufacturer,
21 government agency, or organization of any type that has an
22 interest in the production, sale, or distribution of such
23 product shall be subject to the disclosure requirement of
24 this section and shall provide all relevant reports,
25 research, and knowledge upon request under this section.

26 3. Any entity described in subsection 2 of this
27 section shall provide the information requested under
28 subsection 2 of this section as soon as reasonably
29 practicable, but at least within twenty-one days, after
30 receipt of the written request to the resident who made the
31 request.

196.1410. Any entity that makes a product available in
2 this state that could infect, transmit to, or be absorbed in
3 any individual in any way that would act as a medical
4 intervention, vaccine, drug, or genetic modification shall
5 obtain fully informed consent from all individuals who could
6 be exposed to such product before exposure could occur.
7 Fully informed consent requires, at a minimum, that an
8 individual is made aware of all benefits and risks,
9 including side effects of the product, any adverse events of
10 special interest, and any other reasonably possible impacts
11 of the product.

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