

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1167 Session of
2024

INTRODUCED BY CAPPELLETTI, FONTANA, KANE, HUGHES, COMITTA,
COSTA, BREWSTER, MUTH AND MILLER, MAY 16, 2024

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, MAY 16, 2024

AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
2 Statutes, in food protection, providing for labeling of food
3 products with gluten-containing grains.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 3 of the Pennsylvania Consolidated Statutes
7 is amended by adding a section to read:

8 § 5735.1. Labeling of food products with gluten-containing
9 grains.

10 (a) Legislative findings and declarations.--The General
11 Assembly finds and declares as follows:

12 (1) Celiac disease is a potentially life-threatening and
13 life-debilitating food allergy, autoimmune disease and
14 digestive disease triggered by eating gluten.

15 (2) Individuals living with celiac disease, non-celiac
16 gluten sensitivity and other related food allergies are
17 subject to gluten-induced sicknesses, which may:

18 (i) Involve myriad symptoms, including vomiting,

1 diarrhea, cramping, joint pain, fatigue and brain fog.

2 (ii) Result in damage to intestinal lining,
3 malnutrition, permanent immunological scarring, iron
4 deficiency anemia, diarrhea, vomiting, migraines,
5 osteoporosis, additional autoimmune diseases, heart
6 disease, intestinal cancers and potentially life-
7 threatening anaphylaxis.

8 (3) The labeling of gluten-containing grains is a key
9 component to improve the health and safety of the residents
10 of this Commonwealth who live with celiac disease, non-celiac
11 gluten sensitivity and other related food allergies.

12 (b) Labeling.--In addition to any other labeling requirement
13 under Federal or State law, the following apply to the labeling
14 of a food product manufactured, sold or distributed in this
15 Commonwealth:

16 (1) If the food product contains gluten or an ingredient
17 derived from a gluten-containing grain, the label shall:

18 (i) Specify the content of gluten in the food
19 product.

20 (ii) Include a statement that food products
21 containing gluten may cause adverse health effects in
22 individuals with celiac disease or certain food
23 sensitivities or intolerances.

24 (2) The label of the food product may specify that the
25 food product is gluten free if:

26 (i) the food product does not contain gluten or an
27 ingredient derived from a gluten-containing grain;

28 (ii) the food product contains less than 20 parts
29 per million gluten; or

30 (iii) the ingredients of the food product have been

1 processed to remove gluten.

2 (c) Definitions.--As used in this section, the following
3 words and phrases shall have the meanings given to them in this
4 subsection unless the context clearly indicates otherwise:

5 "Gluten." The proteins that:

6 (1) naturally occur in a gluten-containing grain; and

7 (2) cause adverse health effects in individuals with
8 celiac disease or certain food sensitivities or intolerances.

9 "Gluten-containing grain." Any of the following grains or a
10 crossbred hybrid of any of the following grains:

11 (1) Wheat, including any species belonging to the genus
12 Triticum.

13 (2) Rye, including any species belonging to the genus
14 Secale.

15 (3) Barley, including any species belonging to the genus
16 Hordeum.

17 (4) Oat, including any species belonging to the genus
18 Avena sativa.

19 Section 2. This act shall take effect in 60 days.