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Date: (Filing No. H- )

**AGRICULTURE, CONSERVATION AND FORESTRY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 490, L.D. 718, Bill, “An Act To Protect Maine Food Consumers' Right To Know about Genetically Engineered Food and Seed Stock”

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

**'An Act To Protect Maine Food Consumers' Right To Know about Genetically Engineered Food'**

Amend the bill in section 1 by inserting before §2591 the following:

**§2591. Purpose**

It is the purpose of this chapter to:

**1. Public health and food safety.** Promote food safety and protect public health by enabling consumers to avoid the potential risks associated with genetically engineered foods and serve as a risk management tool enabling consumers, physicians and scientists to identify unintended health effects resulting from the consumption of genetically engineered foods;

**2. Environmental impacts.** Assist consumers who are concerned about the potential effects of genetic engineering on the environment to make informed purchasing decisions;

**3. Consumer confusion and inadvertent deception.** Reduce and prevent consumer confusion and inadvertent deception and promote the disclosure of factual information on food labels to allow consumers to make informed decisions;

**4. Promote economic development.** Create additional market opportunities for those producers who are not certified organic producers and whose products are not produced using genetic engineering and enable consumers to make informed purchasing decisions; and

**COMMITTEE AMENDMENT**

1 **5. Protect religious and cultural practices.** Ensure consumers are provided with  
2 data from which they may make informed decisions for personal, religious, moral,  
3 cultural or ethical reasons.'

4 Amend the bill in section 1 in §2591 by inserting after subsection 1 the following:

5 **2. DNA.** "DNA" means deoxyribonucleic acid.'

6 Amend the bill in section 1 in §2591 by renumbering the subsections to read  
7 consecutively.

8 Amend the bill in section 1 by striking out all of §2592 and inserting the following:

9 **§2592. Disclosure requirements for genetically engineered food**

10 **1. Disclosure.** Beginning 18 months after the effective date of this section, any food  
11 offered for retail sale that is genetically engineered must be accompanied by a  
12 conspicuous disclosure that states "Produced with Genetic Engineering." The statement  
13 must be located on the package for all packaged food or, in the case of unpackaged food,  
14 on a card or label on the store shelf or bin in which the food is displayed.

15 **2. Use of term "natural."** A food that is subject to disclosure under subsection 1  
16 may not be described on the label or by similar identification as "natural."

17 **3. Misbranding.** Any food that is genetically engineered that does not display the  
18 disclosure required under subsection 1 or that is labeled or identified as natural in  
19 violation of subsection 2 is considered misbranded for the purposes of chapter 551,  
20 subchapter 1 except that:

21 A. A food is not considered misbranded if the food is produced by a person who:

22 (1) Grows, raises or otherwise produces that food without knowledge that the  
23 food was created from other seed or other food that was genetically engineered;  
24 and

25 (2) Obtains a sworn statement from the person from whom the food was  
26 obtained that the food was not knowingly genetically engineered and was  
27 segregated from and not knowingly commingled with a food component that may  
28 have been genetically engineered;

29 B. A food product derived from an animal is not considered misbranded if the animal  
30 was not genetically engineered but was fed genetically engineered feed. A food  
31 product derived from any highly refined ingredients where the effect of a purification  
32 process is to remove DNA or novel protein is not considered misbranded; and

33 C. A packaged processed food is not considered misbranded if the total weight of the  
34 processed food that was genetically engineered is less than 0.9% of the total weight  
35 of the processed food.

36 **4. Rules.** The commissioner may adopt routine technical rules under Title 5, chapter  
37 375, subchapter 2-A for the administration and enforcement of this chapter.'

38 Amend the bill in section 1 in §2593 by striking out all of subsections 1 and 2 (page  
39 2, lines 9 to 16 in L.D.) and inserting the following:



1 effect 30 days after the date of the commissioner's certification. The amendment also  
2 proposes to exempt from the labeling requirements of the bill food products derived from  
3 any highly refined ingredients, where the effect of the purification process is to remove  
4 DNA or novel protein.

5 **FISCAL NOTE REQUIRED**

6 **(See attached)**