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H.367

Introduced by Representatives Lorber of Burlington, Mrowicki of Putney,
Bartholomew of Hartland, Bohi of Hartford, Edwards of
Brattleboro, Haas of Rochester, McCullough of Williston,
Sharpe of Bristol, Taylor of Barre City, Trieber of Rockingham
and Wizowaty of Burlington

Referred to Committee on

Date:

Subject: Food safety; food labeling; genetically engineered food

Statement of purpose: This bill proposes to require all genetically engineered
food offered for sale in Vermont to be labeled as such.

An act relating to labeling genetically engineered food

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 9 V.S.A. chapter 151 is added to read:

CHAPTER 151. GENETICALLY ENGINEERED PRODUCTS

§ 5701. DEFINITIONS

For the purposes of this chapter:

(1) "Genetically engineered food" means a substance meant for human
or animal consumption that has been produced using a variety of methods, as
identified by the National Organic Program of the U.S. Department of

1 Agriculture, used to modify genetically engineered organisms or influence
2 their growth and development by means that are not possible under natural
3 conditions or processes. Such methods include cell fusion, microencapsulation
4 and macroencapsulation, and recombinant DNA technology (including gene
5 deletion, gene doubling, introducing a foreign gene, and changing the positions
6 of genes when achieved by recombinant DNA technology). Such methods do
7 not include the use of traditional breeding, conjugation, fermentation,
8 hybridization, in vitro fertilization, or tissue culture.

9 (2) “Genetically engineered ingredient” means a component of a larger
10 substance meant for human or animal consumption that has been produced
11 according to procedures described in subdivision (1) of this section.

12 § 5702. LABELING GENETICALLY ENGINEERED FOOD

13 Genetically engineered food or food products that contain one or more
14 genetically engineered ingredients and are offered for sale within the state shall
15 be labeled as follows:

16 (1) food sold in packaged form shall be identified as genetically
17 engineered food by bearing a conspicuous label on the package that lists all
18 genetically engineered ingredients therein; or

19 (2) food sold in unpackaged form shall be conspicuously identified as
20 genetically engineered food by placing a notation that is visible and easily

1 identifiable by a consumer in close proximity to the displayed product, or by
2 issuing a verbal disclosure to consumers when a notation is not feasible.

3 § 5703. PENALTIES

4 A person who violates section 5702 of this title shall be subject to the same
5 penalties for the misbranding of food as provided in 18 V.S.A. § 4054.

6 Sec. 2. 18 V.S.A. § 4060 is amended to read:

7 § 4060. MISBRANDED FOOD

8 * * *

9 (13) If it is a genetically engineered food or a food product containing
10 one or more genetically engineered ingredients as defined in 9 V.S.A. § 5701
11 and is not labeled in compliance with chapter 151 of Title 9.

12 Sec. 3. EFFECTIVE DATE

13 This act shall take effect on July 1, 2011.