

HB1249



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1249

Introduced 02/08/11, by Rep. Deborah Mell

SYNOPSIS AS INTRODUCED:

New Act

Creates the Genetically Engineered Food Right To Know Act. Provides that all foods containing genetically engineered material or produced with genetically engineered material must be clearly marked with a label placed in a conspicuous place that indicates that the food contains genetically engineered material or was produced with a genetically engineered material. Provides the specific language to be included on the label. Provides that the Department of Public Health may create rules necessary for the implementation of the Act.

LRB097 06431 RPM 46513 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning public health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Genetically Engineered Food Right To Know Act.

6 Section 5. Findings. The General Assembly finds all of the
7 following:

8 (1) Consumers wish to know whether the food they
9 purchase and consume contains or is produced with a
10 genetically engineered material for a variety of reasons,
11 including the potential transfer of allergens into food and
12 other health risks, concerns about potential environmental
13 risks associated with the genetic engineering of crops, and
14 religiously and ethically based dietary restrictions.

15 (2) Consumers have a right to know whether the food
16 they purchase contains or was produced with genetically
17 engineered material.

18 (3) Labels voluntarily placed on foods are
19 insufficient to provide consumers with adequate
20 information concerning whether or not all of the food they
21 purchase contains or was produced with genetically
22 engineered material.

23 (4) Mandatory labeling provides a critical scientific

1 method necessary for the continual post market
2 surveillance to study long-term health impacts and
3 enforcement of food safety laws preventing adulterated
4 foods from reaching consumers.

5 Section 10. Definitions. In this Act:

6 "Food" includes an animal grown to become food for human
7 consumption, a food product, a food ingredient, a dietary
8 supplement, or a beverage. "Food" does not include a raw
9 agricultural commodity.

10 "Genetically engineered material" means material derived
11 from any part of a genetically engineered organism, without
12 regard to whether the altered molecular or cellular
13 characteristics of the organism are detectable in the material.

14 "Genetically engineered organism" means:

15 (1) an organism that has been altered at the molecular
16 or cellular level by means that are not possible under
17 natural conditions or processes, including, but not
18 limited to, recombinant DNA and RNA techniques, cell
19 fusion, microencapsulation, macroencapsulation, gene
20 deletion and doubling, introducing a foreign gene, and
21 changing the positions of genes, other than a means
22 consisting exclusively of breeding, conjugation,
23 fermentation, hybridization, in vitro fertilization,
24 tissue culture, or mutagenesis; and

25 (2) an organism made through sexual or asexual

1 reproduction or both involving an organism described in
2 paragraph (1) of this Section if it possesses any of the
3 altered molecular or cellular characteristics of the
4 organism.

5 "Label" means a display of written, printed, or graphic
6 matter upon an article or the immediate container, not
7 including a package liner, of an article.

8 Section 15. Label required.

9 (a) All foods containing genetically engineered material
10 or produced with genetically engineered material must be
11 clearly marked with a label placed in a conspicuous place that
12 indicates that the food contains genetically engineered
13 material or was produced with a genetically engineered
14 material. The label must contain the following language:

15 "This product contains a genetically engineered material
16 or was produced with a genetically engineered material."

17 (b) For purposes of this Section, a food is considered to
18 have been produced with a genetically engineered material if:

19 (1) the organism from which the food is derived has
20 been injected or otherwise treated with a genetically
21 engineered material, except that the use of manure as
22 fertilizer for raw agricultural commodities may not be
23 construed to mean that such commodities are produced with a
24 genetically engineered material;

25 (2) the animal from which the food is derived has been

1 fed genetically engineered material; or
2 (3) the food contains an ingredient that has been
3 subjected to treatment described in paragraph (1) or (2) of
4 subsection (b) of this Section.

5 Section 20. Rules. The Department of Public Health may
6 adopt rules necessary for the implementation of this Act.