

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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HOUSE DRH11106-MD-51 (02/28)

Short Title: Labeling Requirements/GMOs & rBGH in Food.

(Public)

Sponsors: Representative Bradley.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE LABELING OF FOOD AND MILK PRODUCTS SOLD IN THIS  
3 STATE THAT ARE OR THAT CONTAIN GENETICALLY MODIFIED FOOD AND  
4 OR MILK AND MILK PRODUCTS FROM ANIMALS THAT HAVE RECEIVED  
5 RECOMBINANT BOVINE GROWTH HORMONE (rBGH).

6 Whereas, there is insufficient longitudinal data about the long-term consequences to  
7 human and animal health of ingesting genetically modified food; and

8 Whereas, there is insufficient longitudinal data about the long-term consequences to  
9 human and animal health of ingesting milk or milk products from animals that have received  
10 recombinant bovine growth hormone (rBGH), despite the fact that the FDA has determined that  
11 there is no significant difference between milk from cows treated with recombinant bovine  
12 growth hormone (rBGH) and milk from cows that have not been so treated; and

13 Whereas, a federal government agency's conclusion regarding a product's safety,  
14 reached after limited study, is not a guarantee of that safety and does not invalidate public  
15 concern for unknown side effects; and

16 Whereas, the General Assembly and citizens of North Carolina have legitimate  
17 concerns about the long-term health consequences of ingesting food that has been manipulated  
18 through genetic engineering; and

19 Whereas, the General Assembly and citizens of North Carolina have legitimate  
20 concerns about the impact on human and animal health of genetically modified food and milk  
21 and milk products from animals that have received recombinant bovine growth hormone  
22 (rBGH); and

23 Whereas, these concerns give rise to a substantial governmental interest in requiring  
24 the labeling of food and milk sold in this State that are or that contain genetically modified food  
25 and of milk or milk products sold in this State from animals that have received recombinant  
26 bovine growth hormone (rBGH); Now, therefore,

27 The General Assembly of North Carolina enacts:

28 **SECTION 1.** G.S. 106-121 is amended by adding a new subdivision to read:

29 "(8b) The term 'genetically modified food' means food the genetic structure of  
30 which has been modified by direct human manipulation in a manner that  
31 does not occur under natural conditions, including through any of the  
32 following genetic engineering methods: recombinant DNA and RNA  
33 techniques, cell fusion, gene deletion or doubling, introduction of exogenous  
34 genetic material, alteration of the position of a gene, or similar procedure.



1                    The term also includes food that is, or is from, the progeny or genetic line of  
2                    an animal or plant described in the preceding sentence."

3                    **SECTION 2.** G.S. 106-130 is amended by adding a new subdivision to read:

4                    **"§ 106-130. Foods deemed misbranded.**

5                    A food shall be deemed to be misbranded:

6                    ...  
7                    (16) If it is a genetically modified food, unless the food bears a conspicuous label  
8                    identifying it as a genetically modified food in a font at least as large as the  
9                    font of a label required by subdivision (9) of this section."

10                   **SECTION 3.** G.S. 106-268(c) is amended by adding a new subdivision to read:

11                   "(c) The term "misbranded" means:

12                   ...  
13                   (4) If it contains milk from an animal that has been injected with, or otherwise  
14                   received, recombinant bovine growth hormone (rBGH), unless it bears a  
15                   prominent label containing a statement that the product contains milk from  
16                   an animal that received recombinant bovine growth hormone (rBGH)."

17                   **SECTION 4.** This act becomes effective October 1, 2011.