

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 446

Short Title: Labeling Requirements/GMFs & rBGH in Food. (Public)

Sponsors: Representative Bradley (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Agriculture.

March 24, 2011

A BILL TO BE ENTITLED

AN ACT TO REQUIRE LABELING OF FOOD AND MILK PRODUCTS SOLD IN THIS STATE THAT ARE OR THAT CONTAIN GENETICALLY MODIFIED FOOD AND OR MILK AND MILK PRODUCTS FROM ANIMALS THAT HAVE RECEIVED RECOMBINANT BOVINE GROWTH HORMONE (rBGH).

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

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

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

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

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

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

The General Assembly of North Carolina enacts:

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

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