

HOUSE BILL 1499

J1, I3

8lr3308

By: **Delegates Boteler, Aumann, Frank, Impallaria, Kach, Niemann, Shewell, Stein, and Weir**

Introduced and read first time: February 19, 2008

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Food Containing a Product of Cloned Animals – Labeling**

3 FOR the purpose of requiring persons that manufacture, process, or prepare certain
4 foods that contain any product of a cloned animal or the progeny of a cloned
5 animal to make a certain statement on the label or packaging of certain foods or
6 a sign near foods that are not packaged; requiring the lettering of a certain
7 statement on a certain label, package, or sign to be a certain size or be
8 conspicuous and easily legible to consumers; requiring certain persons that sell
9 or offer for sale certain foods to maintain certain records that include certain
10 information for a certain period of time and make certain records available to
11 the Department of Health and Mental Hygiene for inspection on request of the
12 Department; defining certain terms; and generally relating to labeling foods
13 that contain a product of a cloned animal.

14 BY adding to

15 Article – Health – General

16 Section 21–214

17 Annotated Code of Maryland

18 (2005 Replacement Volume and 2007 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Health – General**

22 **21–214.**

23 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
24 MEANINGS INDICATED.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) **“CLONED ANIMAL” MEANS AN ANIMAL THAT IS CREATED**
2 **FROM A SOMATIC CELL NUCLEAR TRANSFER EVENT.**

3 (3) **“PROGENY OF A CLONED ANIMAL” MEANS AN ANIMAL**
4 **DERIVED FROM THE SEXUAL REPRODUCTION OF A CLONED ANIMAL WITH**
5 **ANOTHER CLONED ANIMAL OR AN ANIMAL THAT IS NOT CLONED.**

6 (B) **A PERSON THAT MANUFACTURES, PROCESSES, OR PREPARES FOOD**
7 **INTENDED FOR HUMAN CONSUMPTION IN THIS STATE THAT CONTAINS ANY**
8 **PRODUCT FROM A CLONED ANIMAL OR THE PROGENY OF A CLONED ANIMAL**
9 **SHALL STATE ON THE LABEL OR PACKAGING ON THE FOOD, OR BY A SIGN IF THE**
10 **FOOD IS NOT PACKAGED, THAT THE FOOD CONTAINS PRODUCT FROM A CLONED**
11 **ANIMAL OR THE PROGENY OF A CLONED ANIMAL.**

12 (C) **THE LETTERING OF THE STATEMENT ON THE LABEL, PACKAGING,**
13 **OR SIGN REQUIRED UNDER SUBSECTION (B) OF THIS SECTION SHALL:**

14 (1) **BE, AT MINIMUM, THE SAME SIZE AS THE LETTERING ON THE**
15 **LABEL, PACKAGING, OR SIGN THAT INDICATES WHETHER THE FOOD IS “FRESH”**
16 **OR “FROZEN”; OR**

17 (2) **BE CONSPICUOUS AND EASILY LEGIBLE TO CONSUMERS.**

18 (D) (1) **ANY PERSON THAT SELLS OR OFFERS FOR SALE A FOOD THAT**
19 **MEETS THE REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION SHALL**
20 **MAINTAIN A RECORD OF EACH PURCHASE FROM A PRODUCER, DISTRIBUTOR,**
21 **MANUFACTURER, PROCESSOR, OR PACKER.**

22 (2) **THE RECORD REQUIRED UNDER PARAGRAPH (1) OF THIS**
23 **SUBSECTION SHALL:**

24 (I) **INCLUDE A BILL OF SALE AND ANY DOCUMENTS**
25 **REGARDING THE ORIGIN OF THE FOOD THAT CONTAINS PRODUCT FROM A**
26 **CLONED ANIMAL OR THE PROGENY OF A CLONED ANIMAL;**

27 (II) **BE KEPT FOR A PERIOD OF 2 YEARS AFTER THE DATE**
28 **OF SALE OF THE FOOD; AND**

29 (III) **BE AVAILABLE TO THE DEPARTMENT FOR INSPECTION**
30 **ON REQUEST OF THE DEPARTMENT.**

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2008.