

# HB0985



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB0985

Introduced 2/10/2009, 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.

LRB096 06347 RPM 16431 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 create rules necessary for the implementation of this Act.