

Introduced by Senator MigdenJanuary 16, 2007

An act to add Section 110806 to the Health and Safety Code, relating to food labeling.

LEGISLATIVE COUNSEL'S DIGEST

SB 63, as introduced, Migden. Food labeling.

Existing law provides that food is misbranded if, among other things, it does not bear a label containing specified information. Under existing law, a violation of the provisions relating to the labeling of food products is a crime.

This bill would require a manufacturer or producer of food for human consumption that contains any product from a cloned animal or its progeny to label the food to indicate that the food includes the product of a cloned animal or its progeny, as specified. By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares its intent to
- 2 enable consumers in the state to make knowledgeable decisions

1 about food consumption based upon the disclosure of information
2 regarding the makeup of the food.

3 SEC. 2. Section 110806 is added to the Health and Safety Code,
4 to read:

5 110806. (a) A manufacturer or producer of food for human
6 consumption that contains any product from a cloned animal or
7 its progeny shall label the food to indicate that the food includes
8 the product of a cloned animal or its progeny. This information
9 shall be displayed in a conspicuous and easily legible boldface
10 print or type that is in clear contrast to other matter on the package.
11 The label shall comply with the type size specifications in Section
12 101.105(i) of Title 21 of the Code of Federal Regulations.

13 (b) For purposes of this section, a cloned animal means an
14 animal that arises directly from a somatic cell nuclear transfer
15 event. Progeny of a cloned animal means an animal derived from
16 the sexual reproduction of a cloned animal with another cloned
17 animal or an animal that is not cloned.

18 SEC. 3. No reimbursement is required by this act pursuant to
19 Section 6 of Article XIII B of the California Constitution because
20 the only costs that may be incurred by a local agency or school
21 district will be incurred because this act creates a new crime or
22 infraction, eliminates a crime or infraction, or changes the penalty
23 for a crime or infraction, within the meaning of Section 17556 of
24 the Government Code, or changes the definition of a crime within
25 the meaning of Section 6 of Article XIII B of the California
26 Constitution.