

**ASSEMBLY BILL**

**No. 88**

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**Introduced by Assembly Member Huffman**

January 6, 2011

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An act relating to food labeling.

LEGISLATIVE COUNSEL'S DIGEST

AB 88, as introduced, Huffman. Food labeling: genetically engineered food.

The Sherman Food, Drug, and Cosmetic Law makes it unlawful to manufacture, sell, deliver, hold, or offer for sale, any food that is misbranded. Food is misbranded if its labeling does not conform to specified federal labeling requirements regarding nutrition, nutrient content or health claims, and food allergens. Violation of this law is a misdemeanor.

This bill would state the intent of the Legislature to enact legislation to require the labeling of all genetically engineered salmon entering and sold within the state.

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

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

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Wild Pacific salmon are a critical natural and cultural
- 4 resource of California, and are under increasing environmental
- 5 stress. More than 106 major salmon runs in northern California
- 6 and the Pacific Northwest are extinct and another 214 runs of wild

1 salmon are at risk of extinction. An escaped genetically engineered  
2 fish could pose additional environmental risk to California's  
3 already stressed wild salmon populations and coastal ecosystems.

4 (b) The west coast salmon fishing industry, including both  
5 commercial and recreational components, has lost an estimated  
6 72,000 jobs over the last 20 years. In the face of market confusion,  
7 seafood consumers may avoid purchasing salmon altogether to  
8 avoid genetically engineered salmon which would further  
9 negatively impact California's wild salmon fishermen.

10 (c) The Legislature, in recognizing the potential risk to wild  
11 fish populations posed by the farming of genetically engineered  
12 fish, banned these practices in the waters of the state in 2004.

13 (d) The United States Food and Drug Administration is currently  
14 weighing approval of the first genetically engineered salmon for  
15 human consumption and determining whether labeling of  
16 genetically engineered salmon in the marketplace is warranted.

17 (e) The United States Food and Drug Administration's current  
18 review of genetically engineered salmon does not adequately  
19 consider the potential environmental effects and health effects  
20 associated with genetically engineered salmon, including, but not  
21 limited to, risks to native salmon populations and other freshwater  
22 and marine species.

23 (f) Public opinion polls indicate that 95 percent of the public  
24 want labeling of genetically modified foods and that nearly 50  
25 percent of the public would not eat seafood that has been  
26 genetically engineered.

27 (g) Concerns about genetically altered salmon include, but are  
28 not limited to, the following:

29 (1) Human health risks, including, but not limited to, potential  
30 allergenicity.

31 (2) Negative environmental impacts to our wildlife and  
32 ecosystems including, but not limited to, negative impacts on  
33 freshwater and marine habitats.

34 (3) Religious-, ethical-, and cultural-based dietary restrictions.

35 (h) Accurate and truthful labeling to describe whether or not  
36 salmon is genetically engineered is the easiest and most protective  
37 practice to provide additional transparency in the state's seafood  
38 supply chain so that individuals may protect their health and  
39 California's environment.

1     SEC. 2. It is the intent of the Legislature to enact legislation  
2 to require the labeling of all genetically engineered salmon entering  
3 and sold within the state.

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