STATE CELL-BASED MEAT LEGISLATION

LEGISLATIVE SESSIONS 2018 AND 2019
‘Clean Meat,’ ‘Cell-based meat,’ ‘cell-cultured meat,’ or ‘lab-grown meat’ refers to artificially grown muscle or organ cells of animals.

Limit the term ‘beef’ and ‘meat’ to products from ‘cattle born, raised and harvested in the traditional manner.’
FEAR OF THE RISE OF CELL-BASED MEAT

- Two substitutes for animal-based meats: plant-based meats and cell-cultured meat.
  - Impossible Burger, Tofurky, Soy Burgers are all examples of plant-based meats
  - Cell-cultured meat refers to meat grown in a lab vs. from harvesting an animal
- Plant-based meats still have not replicated the taste/look/feel of animal-based meats
- Cell-cultured meats would be identical to animal-based meat, without the environmental impacts from animals
  - It could be ‘designed’ to be healthier, leaner, more expensive cuts
  - Less environmental impact, fewer emissions, less impact on groundwater, fewer CAFOs
- Complete disruption of the current agricultural system
  - Less demand for animal-based meats; less cattle operations, less soy and corn needed for animals
Demand for meat is growing, with the developing world gaining an appetite for developed world tastes.

The European Union is now considering requiring products like veggie burgers to become “veggie discs” or seitan steaks to become “seitan slabs.”

China is demanding more meats; chicken and fish are no longer acceptable as only meat options.

- Smithfield Foods (Pork) bought by China
- Shanghai’s most popular restaurant is KFC
- McDonald’s sells in India
Missouri enacted legislation in 2018
Mo. Rev. Stat. §265.494(7)
MO SB 627 and SB 925 (2018)
The statute criminalizes truthful speech by prohibiting ‘misrepresenting’ a product as ‘meat’ if that product is ‘not derived from harvested production livestock or poultry.’
LABELING OF MEAT FOOD PRODUCTS

- 44 Bills relating Cell-Based Meats in 26 States; 17 enacted in 14 states

- AL, AR, AZ, CO, GA, HI, IA, IL, IN, KY, LA, ME, MS, MT, ND, NE, NM, NY, OK, SC, SD, TN, TX, VA, VT, WA, WY
"Far too long the issue has gone unchecked," Senator Francis Thompson said when ushering the bill through the Senate on SB 152 "Broccoli is not rice. Cell cultures are not meat. And certainly tofu burgers are not meat."
ENACTED PLANT-BASED & CELL-BASED MEAT LABELING LAWS

- AL H 518 (Chap. 310)
- AR H 1407 (Chap. 501); AR H 1430 (Chap. 315)
- CO HR 1005
- KY H 311 (Chap. 42); KY HR 105
- LA S 152 (Chap. 273)
- MS S 2922
- MT H 327 (Chap. 186)
- ND H 1400 (Chap. 67); ND HCR 3024 (Chap. 549)
- NE LR 13
- OK S 392 (Chap. 180)
- SC H 4245 (Chap. 79)
- SD S 68 (Chap. 181)
- WY S 68 (Chap. 100)
The purpose of this subchapter is to protect consumers from being misled or confused by false or misleading labeling of agricultural products that are edible by humans.

(6) Representing the agricultural product as meat or a meat product when the agricultural product is not derived from harvested livestock, poultry, or cervids;

(7) Representing the agricultural product as rice when the agricultural product is not rice;

(8) Representing the agricultural product as beef or a beef product when the agricultural product is not derived from a domesticated bovine;

(9) Representing the agricultural product as pork or a pork product when the agricultural product is not derived from a domesticated swine;

(10) Utilizing a term that is the same as or similar to a term that has been used or defined historically in reference to a specific agricultural product; or

(11) Affixing a label that uses a variation of rice in the name of the agricultural product when the agricultural product is not rice or derived from rice.
MS SB 2922 Food Labeling

Provides that a food product that contains cultured animal tissue produced from animal cell cultures outside of the organism from which it is derived shall not be labeled as meat or a meat food product; provides that a plant based or insect based food product shall not be labeled as a meat or meat food product.

KY H 311 (Chap. 42) Cultured Animal Tissue

Includes any food product that purports to be or is represented as meat or a meat product that contains any cultured animal tissue produced from in vitro animal cell cultures outside of the organism from which it is derived under provisions relating to misbranding.
MT H 327 (Chap. 186)

(4) "Cell-cultured edible product" means the concept of meat, including but not limited to muscle cells, fat cells, connective tissue, blood, and other components produced via cell culture, rather than from a whole slaughtered animal. A cell-cultured edible product derived from meat muscle cells, fat cells, connective tissue, blood, or other meat components must contain labeling indicating it is derived from those cells, tissues, blood, or components.
OK S 392 Chap. 180

- 7. Misrepresenting the cut, grade, brand or trade name, or weight or measure of any product, or misrepresenting a product as meat that is not derived from harvested production livestock or poultry; **provided product packaging for plant-based items shall not be considered to be in violation of the provisions of this paragraph so long as the packaging displays that the product is derived from plant-based sources**;

SD S 68

- A food product shall be deemed to be misbranded if the product is labeled or branded in a false, deceptive, or misleading manner that intentionally misrepresents the product as a meat food product as defined in § 39-5-6, a meat by-product as defined in § 39-5-6, or as poultry.
- For the purposes of this title, the term, poultry, includes anything containing meat intended for or capable of use for human consumption, that is derived, in whole or in part, from any domesticated bird intended for human consumption.
- For the purposes of this section, an intentional violation occurs when the party committing the violation knew or should have known that the conduct was a violation of this section.
BASIC QUESTIONS REGARDING CELL-BASED MEATS

Consumer Demands
- When will it be available?
- How much will it cost?
- Will it be healthier than conventional meat?
- Will it be as nutritious? Less calories?

Sustainability Demands
- Will it have a smaller environmental footprint?
- Will it require special chemicals or additives?
- Will production meet market demand?
- Can it be sold to global markets or local markets?
- Can a system be developed that would effectively replace the animal-based agricultural system?
Doug Farquhar, JD
Program Director for Environmental Health
National Conference of State Legislatures
Denver, CO

Doug.farquhar@ncsl.org
303.856.1397