

HOUSE No. 874

By Ms. Story of Amherst, petition of Ellen Story and others relative to the labeling of plant seeds. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

PETITION OF:

Ellen Story	Denise Provost
Barbara A. L'Italien	Patricia D. Jehlen
Anthony J. Verga	Carl M. Sciortino, Jr.
John W. Scibak	Steven J. D'Amico

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE LABELING OF SEED.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 84 of Chapter 128 of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by
3 inserting after the definition of "Flower seeds" the following defini-
4 tions:—
5 "Genetically engineered seed" shall mean any agricultural,
6 flower, tree and shrub, vegetable or weed seed produced using a
7 variety of methods, as identified by the national organic program of
8 the U.S. department of agriculture, used to modify genetically
9 organisms or influence their growth and development by means that
10 are not possible under natural conditions or processes. Such methods
11 include cell fusion, microencapsulation and macroencapsulation, and
12 recombinant DNA technology (including gene deletion, gene dou-
13 bling, introducing a foreign gene, and changing the positions of
14 genes when achieved by recombinant DNA technology). Such
15 methods do not include the use of traditional breeding, conjugation,
16 fermentation, hybridization, in vitro fertilization, or tissue culture.
17 "Genetically engineered plant part" shall mean a whole plant or
18 plant part, including scions intended for planting, which contains
19 material derived from a genetically engineered seed or is itself

20 produced using the methods described in the definition of geneti-
21 cally engineered seed.

1 SECTION 2. Said Chapter 128 is hereby amended by adding
2 after section 89 the following new section:—

3 Section 89A. Genetically engineered seeds; labeling or tagging
4 containers.

5 Each container of genetically engineered seed distributed, offered
6 for sale or exposed for sale within the Commonwealth shall bear the
7 identity of such seed, relevant traits or characteristics of the seed that
8 cause it to be defined as genetically engineered, plus any legal
9 requirements or recommended precautions for their safe handling,
10 storage, transport, and use, the contact point for further information
11 and, as appropriate, the name and address of the manufacturer, dis-
12 tributor, or supplier of such seed.

13 The commissioner shall promulgate regulations requiring the
14 annual reporting by manufacturers or processors of all genetically
15 engineered seed and genetically engineered plant parts distributed,
16 sold or exposed for sale within the commonwealth, as to the nature
17 of sales of genetically engineered seed and genetically engineered
18 plant products during the previous calendar year.

1 SECTION 3. Section 93 of Said Chapter 128 is hereby amended
2 in line 3 by striking out the words “flower or tree and shrub”, and
3 inserting in place thereof the following words:—

4 “flower, tree and shrub or genetically engineered”

1 SECTION 4. Said Section 93 is hereby further amended in line 11
2 by striking out the words “flower and tree and shrub”, and inserting
3 in place thereof the following words:—

4 “flower, tree and shrub and genetically engineered”

1 SECTION 5. This act shall take effect July 1, 2009.