

ASSEMBLY BILL

No. 2962

Introduced by Assembly Member Strom-Martin

February 25, 2002

An act to add Section 110373 to the Health and Safety Code, relating to food packaging.

LEGISLATIVE COUNSEL'S DIGEST

AB 2962, as introduced, Strom-Martin. Transgenic seafood.

Existing law, the Sherman Food, Drug, and Cosmetic Laws, establishes various requirements for the identification and branding of food, and provides for the administration of those requirements by the Bureau of Food and Drug of the State Department of Health Services, and, upon request of local agencies, for the administration of certain requirements by local health officers. Violations of this law are a crime.

This bill would require that any package or display of unpackaged seafood that is to be offered for retail sale, other than by a restaurateur, that contains any transgenic fish or transgenic shellfish, including, but not limited to, any species of salmon, shall be labeled in a manner that clearly discloses that fact to the consumer and would define transgenic for that purpose.

This bill would create a new crime thereby imposing 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. Section 110373 is added to the Health and
2 Safety Code, to read:

3 110373. (a) Any package containing seafood and any display
4 of unpackaged seafood that is to be offered for retail sale, other
5 than by a restaurateur, that contains any transgenic fish or
6 transgenic shellfish, including, but not limited to, any species of
7 salmon, shall be labeled in a manner that clearly discloses that fact
8 to the consumer.

9 (b) For purposes of this section, “transgenic” means any
10 organism into which genetic material from another organism has
11 been transferred in order that the host organism acquires the
12 genetic traits of the transferred genes.

13 SEC. 2. No reimbursement is required by this act pursuant to
14 Section 6 of Article XIII B of the California Constitution because
15 the only costs that may be incurred by a local agency or school
16 district will be incurred because this act creates a new crime or
17 infraction, eliminates a crime or infraction, or changes the penalty
18 for a crime or infraction, within the meaning of Section 17556 of
19 the Government Code, or changes the definition of a crime within
20 the meaning of Section 6 of Article XIII B of the California
21 Constitution.

