

ASSEMBLY, No. 1811

STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Assemblywoman CAROLINE CASAGRANDE

District 12 (Mercer and Monmouth)

SYNOPSIS

Requires labeling of foods produced from cloned animals.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



A1811 CASAGRANDE

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1 AN ACT concerning labeling of foods produced from cloned
2 animals and supplementing Title 4 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. A person who sells, manufactures, or produces food or drink
8 to be used for human consumption in this State that contains any
9 product from a cloned animal or its progeny shall label the food or
10 drink on the outer packaging as such. This information shall be
11 displayed in a manner that is clear, conspicuous, and easily readable
12 for consumers.

13 As used in this act, a “cloned animal” means an animal that
14 arises directly from a somatic cell nuclear transfer event, and
15 “progeny” means an animal derived from the sexual reproduction of
16 a cloned animal with another cloned animal or an animal that is not
17 cloned.

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19 2. A person who violates this act, or an order or regulation of
20 the Department of Agriculture issued or adopted pursuant thereto,
21 shall be liable to a penalty of not less than \$500 nor more than
22 \$1,000 for each violation or failure to comply, to be sued for and
23 recovered by and in the name of the Secretary of Agriculture in a
24 summary proceeding pursuant to the “Penalty Enforcement Law of
25 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.).

26 If the violation is of a continuing nature, each day during which
27 it continues constitutes an additional, separate, and distinct offense.

28 Any penalty monies collected pursuant to this act shall be
29 deposited into an account in the General Fund and credited and
30 appropriated to the Department of Agriculture for the purposes of
31 supporting “Jersey Fresh,” “Jersey Grown,” and other programs
32 supporting agricultural food products and commodities grown or
33 raised in New Jersey, with the exception of products or
34 commodities that are derived from cloned animals.

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36 3. The Department of Agriculture, in accordance with the
37 “Administrative Procedure Act,” P.L.1968, c.410, (C.52:14B-1 et
38 seq.), may adopt rules and regulations as may be necessary to
39 administer and implement this act.

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41 4. The Department of Agriculture, in consultation with the
42 Department of Health and Senior Services, shall conduct a study to
43 identify any reported or otherwise known adverse reactions to food
44 and drink used for human consumption containing any product from
45 a cloned animal or its progeny.

46 The Department of Agriculture shall, within one year after the
47 date of enactment of this act, prepare and submit a report to the

1 Governor and Legislature, pursuant to section 2 of P.L.1991, c.164
2 (C.52:14-19.1), on its findings, and include in the report any
3 recommendations for legislative or administrative action deemed
4 necessary to effectuate the purposes of this act. The report shall be
5 made available on the Internet websites of the Department of
6 Agriculture and the Department of Health and Senior Services.

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8 5. This act shall take effect immediately, except that sections 1
9 and 2 shall take effect one year after the date of enactment.

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STATEMENT

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14 This bill would require a manufacturer or producer of food for
15 human consumption in this State that contains any product from a
16 cloned animal or its progeny to label the food to indicate that fact.

17 This bill would additionally require the Department of
18 Agriculture, in consultation with the Department of Health and
19 Senior Services, to conduct a study to identify any reported or
20 otherwise known adverse reactions to food or drink products that
21 contain a cloned animal or its progeny. The Department of
22 Agriculture would report its findings to the Governor and
23 Legislature within one year after the date of enactment of this bill
24 into law, and make any legislative or administrative
25 recommendations deemed necessary to carry out the purposes of
26 this bill. The report would be available on the websites of the
27 Department of Agriculture and the Department of Health and Senior
28 Services.

29 Under this bill, the penalty for a violation would be of fine of
30 between \$500 and \$1,000. If the violation is of a continuing nature,
31 each day during which it continues would constitute an additional,
32 separate, and distinct offense.

33 Any penalty monies collected under this bill would be credited
34 and appropriated to the Department of Agriculture for the purposes
35 of supporting "Jersey Fresh," "Jersey Grown," and other programs
36 supporting agricultural food products and commodities grown or
37 raised in New Jersey, with the exception of products or
38 commodities that are derived from cloned animals.