



# House of Representatives

General Assembly

**File No. 46**

February Session, 2014

House Bill No. 5329

*House of Representatives, March 19, 2014*

The Committee on Public Health reported through REP. JOHNSON of the 49th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT CONCERNING THE DEFINITION OF NATURAL FOOD.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (17) of section 21a-92 of the 2014 supplement  
2 to the general statutes is repealed and the following is substituted in  
3 lieu thereof (*Effective from passage*):

4 (17) "Natural food" means food (A) [which] that has not been treated  
5 with preservatives, antibiotics, synthetic additives, artificial flavoring  
6 or artificial coloring; and (B) [which] that has not been processed in a  
7 manner that makes such food significantly less nutritive; and (C)  
8 [which] on and after the Commissioner of Consumer Protection  
9 recognizes the occurrence of the events described in subdivisions (1)  
10 and (2) of subsection (a) of section 21a-92c, that has not been  
11 genetically-engineered, as defined in section 21a-92b, provided this  
12 subparagraph shall apply only to food that is intended for human  
13 consumption. Processing of food by extracting, purifying, heating,  
14 fermenting, concentrating, dehydrating, cooling or freezing shall not,  
15 of itself, prevent the designation of such food as "natural food";

|   |                     |            |
|---|---------------------|------------|
| This act shall take effect as follows and shall amend the following sections: |                     |            |
| Section 1   | <i>from passage</i> | 21a-92(17) |

**PH**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill results in no fiscal impact as it makes procedural changes to the statutory provisions concerning genetically-engineered food.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****HB 5329****AN ACT CONCERNING THE DEFINITION OF NATURAL FOOD.****SUMMARY:**

This bill allows genetically engineered food to be advertised, distributed, and sold as “natural,” if it meets other existing requirements for natural food, but reinstates the current ban when the consumer protection (DCP) commissioner recognizes the events that trigger the law’s labelling requirement for genetically engineered food (see BACKGROUND).

The bill also allows food for animals to be advertised, distributed, or sold as natural even if genetically engineered, as long as the food meets existing law’s other requirements for natural food. The current exclusion of genetically engineered food from “natural food” applies to food for both humans and animals. The law’s labeling provisions for genetically engineered food only apply to food for human consumption.

By law, foods advertised, distributed, or sold as “natural” without meeting the definition of that term are deemed misbranded. A person who misbrands food or sells misbranded food in Connecticut may be subject to up to six months in prison, a fine of up to \$500, or both for a first violation. Subsequent violations, or violations done with the intent to defraud or mislead, are punishable by up to one year in prison, a fine of up to \$1,000, or both (CGS § 21a-95). In addition, DCP has the authority to place an embargo on and, in some circumstances, seize misbranded food.

EFFECTIVE DATE: Upon passage

**BACKGROUND**

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**Other Existing Requirements for Natural Food**

Existing law prohibits food from being advertised, distributed, or sold as “natural” if it has been (1) treated with preservatives, antibiotics, synthetic additives, or artificial flavoring or coloring or (2) processed in a way that makes it significantly less nutritious. This applies to food for humans or animals.

**Labelling Genetically Engineered Foods**

Under PA 13-183, the labeling requirement for certain genetically engineered food goes into effect on the October 1 following the DCP commissioner’s recognition of the following:

1. four other states, including one bordering Connecticut, have enacted a mandatory labeling law for genetically engineered foods that is consistent with the act’s labeling requirement and
2. the total population of these states located in the northeast region of the country exceeds 20 million, based on 2010 census figures. Under the act, the northeast region includes the other New England states, New Jersey, New York, and Pennsylvania.

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable

Yea 26    Nay 0    (03/10/2014)