



General Assembly

**Substitute Bill No. 6798**

January Session, 2015



**AN ACT REQUIRING LABELING OF BABY FOOD AND INFANT FORMULA CONTAINING GENETICALLY ENGINEERED ORGANISMS.**

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

1 Section 1. (NEW) (*Effective October 1, 2015*) (a) For purposes of this  
2 section, "baby food" means a prepared solid food consisting of a soft  
3 paste or an easily chewed food that is intended for consumption by  
4 children two years of age or younger and is commercially available;  
5 and "infant formula" means a milk-based or soy-based powder,  
6 concentrated liquid or ready-to-feed substitute for human breast milk  
7 that is intended for infant consumption and is commercially available.

8 (b) Notwithstanding the provisions of section 21a-92c of the general  
9 statutes, on and after July 1, 2017, any infant formula or baby food that  
10 is partially or entirely produced with genetic engineering, as defined in  
11 section 21a-92b of the general statutes, and is offered or intended for  
12 retail sale in the state shall include labeling that states in a clear and  
13 conspicuous manner, "produced with genetic engineering". Such  
14 labeling shall be displayed in the same size and font as the ingredients  
15 in the nutritional facts panel on the food label.

16 (c) Infant formula or baby food that is produced partially or entirely  
17 with genetically engineered materials that does not display "produced  
18 with genetic engineering" in a clear and conspicuous manner on its  
19 labeling as provided in subsection (b) of this section shall be deemed  
20 misbranded pursuant to section 21a-102 of the general statutes, except

21 that such infant formula or baby food shall not be considered  
22 misbranded if it (1) is produced by a person who (A) was without  
23 knowledge that such infant formula or baby food was created with  
24 materials that were partially or entirely produced with genetic  
25 engineering, and (B) obtains a sworn statement from the party that  
26 sold such materials to such person that such materials have not been  
27 knowingly genetically engineered and have not been knowingly  
28 commingled with any genetically engineered materials; and (2) prior  
29 to July 1, 2021, is subject to the labeling requirement of subsection (b)  
30 of this section solely because it includes one or more materials  
31 produced with genetic engineering that, in the aggregate, accounts for  
32 nine-tenths of one per cent or less of the total weight of the infant  
33 formula or baby food.

34 (d) The Department of Consumer Protection, in consultation with  
35 the Departments of Agriculture, Energy and Environmental Protection  
36 and Public Health, shall adopt regulations, in accordance with chapter  
37 54 of the general statutes, necessary for the implementation and  
38 enforcement of this section.

39 (e) A distributor or retailer that sells or advertises infant formula or  
40 baby food that fails to conform to the labeling requirements in  
41 subsection (b) of this section shall not be found liable or negligent in  
42 any civil proceeding brought to enforce the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	New section

**Statement of Legislative Commissioners:**

In Section 1(b), "Notwithstanding the provisions of section 21a-92c of the general statutes," was added for clarity and statutory consistency.

**KID**      *Joint Favorable Subst. -LCO*