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# A BILL FOR AN ACT

RELATING TO FOOD.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The purpose of this Act is to authorize the  
2 labeling of food sold at retail as "not genetically engineered"  
3 or "does not include a genetically engineered ingredient".

4           The legislature intends that this Act shall be subject to  
5 enforcement under the Hawaii Food, Drugs, and Cosmetics Act,  
6 codified as chapter 328, Hawaii Revised Statutes.

7           SECTION 2. Chapter 328, Hawaii Revised Statutes, is  
8 amended by adding a new section to be appropriately designated  
9 and to read as follows:

10           "§328-    "Not genetically engineered" or "does not include  
11 a genetically engineered ingredient" food; permitted labeling.

12           (a) Food offered for retail sale may have a label stating that  
13 the food is "not genetically engineered" or "does not include a  
14 genetically engineered ingredient", provided that the statement  
15 is true.

16           Any such label on food shall be displayed in accordance  
17 with section 328-8.



1        (b) Food offered for retail sale with a label falsely  
2 stating that the food is "not genetically engineered" or "does  
3 not include a genetically engineered ingredient" shall be deemed  
4 misbranded under section 328-10(1). The offering for sale of  
5 such misbranded food is prohibited in accordance with section  
6 328-6(1)."

7        SECTION 3. Section 328-1, Hawaii Revised Statute, is  
8 amended by adding a new definition to be appropriately inserted  
9 and to read as follows:

10        "Genetically engineered" means food or an ingredient  
11 produced from an organism in which the genetic material has been  
12 changed through the application of:

13        (1) In vitro nucleic acid techniques, including  
14 recombinant deoxyribonucleic acid or ribonucleic acid  
15 techniques that use vector systems; techniques  
16 involving the direct introduction into the organism of  
17 hereditary materials prepared outside the organisms,  
18 such as micro-injection, macro-injection,  
19 chemoporation, electroporation, micro-encapsulation,  
20 and liposome fusion; and the direct injection of  
21 nucleic acid into cells or organelles; or



1        (2) Cell fusion, including protoplast fusion, or  
 2        hybridization techniques that overcome natural  
 3        physiological, reproductive, or recombination  
 4        barriers, where the donor cells or protoplasts do not  
 5        fall within the same taxonomic family, in a way that  
 6        does not occur by natural multiplication or natural  
 7        recombination.

8        For the purpose of this definition, "organism" means any  
 9        biological entity capable of replication, reproduction, or  
 10       transferring genetic material."

11       SECTION 4. New statutory material is underscored.

12       SECTION 5. This Act shall take effect on July 1, 2013.

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INTRODUCED BY:

*[Handwritten signatures and names of legislators]*

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# H.B. NO. 627

**Report Title:**

Food Labeling; "Not Genetically Engineered", "Does Not Include a Genetically Engineered Ingredient"

**Description:**

Allows food offered for retail sale to have displayed on the food a label stating "not genetically engineered" or "does not include a genetically engineered ingredient" if the statement is true.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

