

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Ellen Story

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the labeling of seed.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Peter v. Kocot	1st Hampshire
Ellen Story	3rd Hampshire
Denise Provost	27th Middlesex
John W. Scibak	2nd Hampshire
Tom Sannicandro	7th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 874 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE LABELING OF SEED.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 84 of Chapter 128 of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by inserting after the definition of “Flower seeds” the following
3 definitions:-

4 “Genetically engineered seed” shall mean any agricultural, flower, tree and shrub, vegetable
5 or weed seed produced using a variety of methods, as identified by the national organic
6 program of the U.S. department of agriculture, used to modify genetically organisms or
7 influence their growth and development by means that are not possible under natural
8 conditions or processes. Such methods include cell fusion, microencapsulation and
9 macroencapsulation, and recombinant DNA technology (including gene deletion, gene
10 doubling, introducing a foreign gene, and changing the positions of genes when achieved by
11 recombinant DNA technology). Such methods do not include the use of traditional breeding,
12 conjugation, fermentation, hybridization, in vitro fertilization, or tissue culture.

13 “Genetically engineered plant part” shall mean a whole plant or plant part, including scions
14 intended for planting, which contains material derived from a genetically engineered seed or
15 is itself produced using the methods described in the definition of genetically engineered
16 seed.

17 SECTION 2. Said Chapter 128 is hereby amended by adding after section 89 the following new
18 section:-

19 Section 89A. Genetically engineered seeds; labeling or tagging containers

20 Each container of genetically engineered seed distributed, offered for sale or exposed for
21 sale within the commonwealth shall bear the identity of such seed, relevant traits or
22 characteristics of the seed that cause it to be defined as genetically engineered, plus any
23 legal requirements or recommended precautions for their safe handling, storage, transport,
24 and use, the contact point for further information and, as appropriate, the name and
25 address of the manufacturer, distributor, or supplier of such seed.

26 The commissioner shall promulgate regulations requiring the annual reporting by
27 manufacturers or processors of all genetically engineered seed and genetically engineered
28 plant parts distributed, sold or exposed for sale within the commonwealth, as to the nature
29 of sales of genetically engineered seed and genetically engineered plant products during the
30 previous calendar year.

31 SECTION 3. Section 93 of Said Chapter 128 is hereby amended in line 3 by striking out the
32 words "flower or tree and shrub", and inserting in place thereof the following words:-

33 "flower, tree and shrub or genetically engineered"

34 SECTION 4. Said Section 93 is hereby further amended in line 11 by striking out the words
35 "flower and tree and shrub", and inserting in place thereof the following words:-

36 "flower, tree and shrub and genetically engineered"

37 SECTION 5. This act shall take effect July 1, 2009.