

1-1 By: Perry S.B. No. 1145
 1-2 (In the Senate - Filed March 8, 2021; March 18, 2021, read
 1-3 first time and referred to Committee on Business & Commerce;
 1-4 April 8, 2021, reported favorably by the following vote: Yeas 7,
 1-5 Nays 2; April 8, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12		X		
1-13	X			
1-14	X			
1-15	X			
1-16		X		

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to marketing and labeling requirements for certain food
 1-20 products, including imitation meat and egg food products.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter B, Chapter 18, Agriculture Code, is
 1-23 amended by adding Sections 18.050, 18.0521, and 18.0522 to read as
 1-24 follows:

1-25 Sec. 18.050. DEFINITIONS. In this subchapter:

1-26 (1) "Egg" has the meaning assigned by Section 4(g),
 1-27 Egg Products Inspection Act (21 U.S.C. Section 1033(g)), and does
 1-28 not include synthetic or cell cultured products.

1-29 (2) "Egg product" has the meaning assigned by Section
 1-30 4(f), Egg Products Inspection Act (21 U.S.C. Section 1033(f)), and
 1-31 does not include synthetic or cell cultured products.

1-32 (3) "Fish" has the meaning assigned by Section 403,
 1-33 Federal Food, Drug, and Cosmetic Act (21 U.S.C. Section
 1-34 343(g)(4)(E)), and does not include synthetic or cell cultured
 1-35 products.

1-36 (4) "Meat food product" has the meaning assigned by
 1-37 Section 1(j), Federal Meat Inspection Act (21 U.S.C. Section
 1-38 601(j)), and does not include synthetic or cell cultured products.

1-39 (5) "Poultry" has the meaning assigned by Section
 1-40 4(e), Poultry Products Inspection Act (21 U.S.C. Section 453(e)),
 1-41 and does not include synthetic or cell cultured products.

1-42 (6) "Poultry product" has the meaning assigned by
 1-43 Section 4(f), Poultry Products Inspection Act (21 U.S.C. Section
 1-44 453(f)), and does not include synthetic or cell cultured products.

1-45 (7) "Standard of identity" means a standard of
 1-46 identity prescribed by the United States Department of Agriculture
 1-47 for the labeling of eggs, egg products, fish, meat, meat food
 1-48 products, poultry, or poultry products or products derived from one
 1-49 of those items.

1-50 Sec. 18.0521. MISLABELING OF FOOD PRODUCTS. A person
 1-51 violates this subchapter if, in order to directly or indirectly
 1-52 induce the purchase of a food product, the person labels,
 1-53 misbrands, or misrepresents the food product with:

1-54 (1) a term that has a standard of identity, if the food
 1-55 product does not meet the standard of identity;

1-56 (2) an image, depiction, or graphic of a livestock
 1-57 animal, if the food product does not contain a product derived from
 1-58 a livestock animal, unless the food product's label bears, in
 1-59 prominent type of uniform size, as applicable:

1-60 (A) the word "imitation" immediately followed by
 1-61 the name of the product imitated;

2-1 (B) "This product does not contain animal
2-2 protein";

2-3 (C) the word "meatless";

2-4 (D) the words "meat free";

2-5 (E) the words "plant based"; or

2-6 (F) the words "egg free".

2-7 Sec. 18.0522. ENFORCEMENT. The department shall:

2-8 (1) enforce the proper use of standards of identity on
2-9 food product labels to prevent consumer confusion and ensure the
2-10 orderly and efficient marketing of agricultural and livestock
2-11 products; and

2-12 (2) to the extent practical and cost-effective, enter
2-13 into a memorandum of understanding or interagency contract with the
2-14 Department of State Health Services or another state agency to
2-15 execute the department's responsibilities under this subchapter
2-16 with respect to this section and Section 18.0521.

2-17 SECTION 2. This Act takes effect September 1, 2021.

2-18 * * * * *