

By: Rogers

H.B. No. 2277

A BILL TO BE ENTITLED

AN ACT

relating to marketing and labeling requirements for certain food products, including imitation meat food products.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

Sec. 18.050. DEFINITIONS. In this subchapter:

(1) "Egg" has the meaning assigned by Section 4(g), Egg Products Inspection Act (21 U.S.C. Section 1033(g)).

(2) "Egg product" has the meaning assigned by Section 4(f), Egg Products Inspection Act (21 U.S.C. Section 1033(f)).

(3) "Fish" has the meaning assigned by Section 403, Federal Food, Drug, and Cosmetic Act (21 U.S.C. Section 343(g)(4)(E)).

(4) "Meat food product" has the meaning assigned by Section 1(j), Federal Meat Inspection Act (21 U.S.C. Section 601(j)).

(5) "Poultry" has the meaning assigned by Section 4(e), Poultry Products Inspection Act (21 U.S.C. Section 453(e)).

(6) "Poultry product" has the meaning assigned by Section 4(f), Poultry Products Inspection Act (21 U.S.C. Section 453(f)).

(7) "Standard of identity" means a standard of

1 identity prescribed by the United States Department of Agriculture
2 for the labeling of eggs, egg products, fish, meat, meat food
3 products, poultry, or poultry products or products derived from one
4 of those items.

5 Sec. 18.0521. MISLABELING OF FOOD PRODUCTS. A person
6 violates this subchapter if, in order to directly or indirectly
7 induce the purchase of a food product, the person labels,
8 misbrands, or misrepresents the food product with:

9 (1) a term that has a standard of identity, if the food
10 product does not meet the standard of identity;

11 (2) an image, depiction, or graphic of a livestock
12 animal, if the food product does not contain a product derived from
13 a livestock animal, unless the food product's label bears, in
14 prominent type of uniform size, as applicable:

15 (A) the word "imitation" immediately followed by
16 the name of the product imitated;

17 (B) "This product does not contain animal
18 protein";

19 (C) the word "meatless";

20 (D) the words "meat free"; or

21 (E) the words "egg free"; or

22 (3) a claim that the food product is nutritionally
23 similar or superior to a food product with a standard of identity
24 unless the food product's label contains a factual comparison of
25 the food products' nutritional values.

26 Sec. 18.0522. ENFORCEMENT. The department shall:

27 (1) enforce the proper use of standards of identity on

1 food product labels to prevent consumer confusion and ensure the
2 orderly and efficient marketing of agricultural and livestock
3 products; and

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

9 SECTION 2. This Act takes effect September 1, 2021.