

## **BILL ANALYSIS**

C.S.H.B. 1431  
By: Gerdes  
Public Health  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The bill author has informed the committee that research studies demonstrate that cell-cultured protein will pose safety risks for Texas consumers and that the process of creating cell-cultured protein involves the direct interaction between cells and microplastics, which can lead to physical disruptions in the human cell membrane. Additionally, the bill author has further informed the committee that questions exist regarding how these lab-grown products which may be genetically engineered will interact with cells within the human body. C.S.H.B. 1431 seeks to ban the production of cell-cultured protein for human consumption and maintain the integrity of traditionally raised proteins, while still allowing for research.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 8 of this bill.

### **ANALYSIS**

C.S.H.B. 1431 amends the Health and Safety Code to prohibit and make unlawful under the Texas Food, Drug, and Cosmetic Act the offering for sale or selling of cell-cultured protein, defined by the bill as a food product derived from harvesting animal cells and artificially replicating those cells in a growth medium to produce tissue, for human consumption in Texas. The bill authorizes a violation of such a prohibition to be enforced in the same manner as a violation of a prohibited act under the Texas Food, Drug, and Cosmetic Act. The bill requires a food to be deemed as adulterated if it contains, in whole or in part, cell-cultured protein. These provisions expire September 1, 2027.

C.S.H.B. 1431 also prohibits a person from offering for sale or selling cell-cultured protein for human consumption under the Texas Meat and Poultry Inspection Act. The bill establishes that, to the extent of a conflict between that prohibition and another state law, the bill's provisions control. These provisions expire September 1, 2027.

C.S.H.B. 1431 repeals a provision defining "cell-cultured product" as a food product derived by harvesting animal cells and artificially replicating those cells in a growth medium in a laboratory to produce tissue. The bill replaces references to "cell-cultured product" with references to "cell-cultured protein" under the Texas Food, Drug, and Cosmetic Act and the Texas Meat and Poultry Inspection Act, including references in the definitions of "egg," "egg product," "fish," "meat," "meat food product," "poultry," and "poultry product" under the Texas Food, Drug, and

Cosmetic Act and for purposes of labeling such a protein under the Texas Meat and Poultry Inspection Act.

C.S.H.B. 1431 requires the executive commissioner of the Health and Human Services Commission to adopt any rules necessary to implement the bill.

C.S.H.B. 1431 repeals Section 431.0805(2), Health and Safety Code.

### **EFFECTIVE DATE**

September 1, 2025.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 1431 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced prohibited under the Texas Food, Drug, and Cosmetic Act the acts of, or causing the acts of, manufacturing, processing, possessing, distributing, offering for sale, or selling cell-cultured protein within Texas, the substitute prohibits under that act the acts of offering for sale or selling cell-cultured protein for human consumption within Texas. The substitute includes the following provisions not in the introduced with respect to such prohibition:

- an authorization that a violation of such a prohibition is to be enforced in the same manner as a violation of a prohibited act under the Texas Food, Drug, and Cosmetic Act; and
- a provision establishing the expiration of those provisions on September 1, 2027.

Both the introduced and substitute require a food to be deemed as adulterated if it contains, in whole or in part, cell-cultured protein. The substitute makes this provision a temporary provision which expires September 1, 2027.

Whereas the introduced prohibited a person from offering for sale, or selling cell-cultured protein under the Texas Meat and Poultry Inspection Act, the substitute specifies that this prohibition applies only to a cell-cultured protein for human consumption. The substitute removes the prohibition against a person manufacturing, processing, possessing, or distributing such a protein under the act included in the introduced. The substitute also includes a provision not in the introduced establishing the expiration of those provisions on September 1, 2027.

The substitute includes a provision not in the introduced repealing the definition of "cell-cultured product" under the Texas Food, Drug, and Cosmetic Act. The substitute also includes provisions not in the introduced replacing references to "cell-cultured product" with references to "cell-cultured protein" under that act and the Texas Meat and Poultry Inspection Act. The substitute accordingly revises the definitions of "egg," "egg product," "fish," "meat," "meat food product," "poultry," and "poultry product" under the Texas Food, Drug, and Cosmetic Act and for purposes of labeling such a protein under the Texas Meat and Poultry Inspection Act.