

By: Perry, et al. S.B. No. 261  
(Gerdes, Kitzman, VanDeaver, Bell of Kaufman, Dean, et al.)

Substitute the following for S.B. No. 261:

By: VanDeaver C.S.S.B. No. 261

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on the offering for sale and the sale of  
cell-cultured protein for human consumption; providing civil and  
criminal penalties.

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

SECTION 1. Section 431.002, Health and Safety Code, is  
amended by adding Subdivision (5-a) to read as follows:

(5-a) "Cell-cultured protein" means a food product  
derived from harvesting animal cells and artificially replicating  
those cells in a growth medium to produce tissue.

SECTION 2. Subchapter B, Chapter 431, Health and Safety  
Code, is amended by adding Section 431.02105 to read as follows:

Sec. 431.02105. PROHIBITED ACT; TEMPORARY PROVISION. (a)  
The offering for sale or sale of cell-cultured protein for human  
consumption within this state is unlawful and prohibited.

(b) A violation of this section may be enforced in the same  
manner as a violation of Section 431.021 is enforced under  
Subchapter C.

(c) This section expires September 1, 2027.

SECTION 3. Sections 431.0805(4), (5), (6), (7), (8), (9),  
and (10), Health and Safety Code, are amended to read as follows:

(4) "Egg" has the meaning assigned by Section 4(g),  
Egg Products Inspection Act (21 U.S.C. Section 1033(g)). The term  
does not include an analogue product or ~~[a]~~ cell-cultured protein

1 ~~[product]~~.

2 (5) "Egg product" has the meaning assigned by Section  
3 4(f), Egg Products Inspection Act (21 U.S.C. Section 1033(f)). The  
4 term does not include an analogue product or ~~[a]~~ cell-cultured  
5 protein ~~[product]~~.

6 (6) "Fish" has the meaning assigned by Section 403 of  
7 the federal Act (21 U.S.C. Section 343(q)(4)(E)). The term does not  
8 include an analogue product or ~~[a]~~ cell-cultured protein ~~[product]~~.

9 (7) "Meat" has the meaning assigned by 9 C.F.R.  
10 Section 301.2. The term does not include an analogue product or ~~[a]~~  
11 cell-cultured protein ~~[product]~~.

12 (8) "Meat food product" has the meaning assigned by  
13 Section 1(j), Federal Meat Inspection Act (21 U.S.C. Section  
14 601(j)). The term does not include an analogue product or ~~[a]~~  
15 cell-cultured protein ~~[product]~~.

16 (9) "Poultry" has the meaning assigned by Section  
17 4(e), Poultry Products Inspection Act (21 U.S.C. Section 453(e)).  
18 The term does not include an analogue product or ~~[a]~~ cell-cultured  
19 protein ~~[product]~~.

20 (10) "Poultry product" has the meaning assigned by  
21 Section 4(f), Poultry Products Inspection Act (21 U.S.C. Section  
22 453(f)). The term does not include an analogue product or ~~[a]~~  
23 cell-cultured protein ~~[product]~~.

24 SECTION 4. Section 433.0415, Health and Safety Code, is  
25 amended to read as follows:

26 Sec. 433.0415. LABELING CELL-CULTURED PROTEIN ~~[PRODUCT]~~.

27 (a) In this section:

(1) "Cell-cultured protein [~~product~~]" has the meaning assigned by Section 431.002 [~~431.0805~~].

(2) "Close proximity" means:

(A) immediately before or after the name of the product;

(B) in the line of the label immediately before or after the line containing the name of the product; or

(C) within the same phrase or sentence containing the name of the product.

(b) Cell-cultured protein [~~A cell-cultured product~~] must be labeled in prominent type equal to or greater in size than the surrounding type and in close proximity to the name of the protein [~~product~~] using one of the following:

(1) "cell-cultured";

(2) "lab-grown"; or

(3) a similar qualifying term or disclaimer intended to clearly communicate to a consumer the contents of the protein [~~product~~].

(c) The provisions of this subchapter apply to [~~a~~] cell-cultured protein [~~product~~], as applicable.

SECTION 5. Subchapter D, Chapter 433, Health and Safety Code, is amended by adding Section 433.057 to read as follows:

Sec. 433.057. PROHIBITION ON CELL-CULTURED PROTEIN; TEMPORARY PROVISION. (a) In this section, "cell-cultured protein" has the meaning assigned by Section 431.002.

(b) A person may not offer for sale or sell cell-cultured protein for human consumption.

1        (c) To the extent another state law conflicts with this  
2 section, this section controls.

3        (d) This section expires September 1, 2027.

4        SECTION 6. Section 431.0805(2), Health and Safety Code, is  
5 repealed.

6        SECTION 7. As soon as practicable after the effective date  
7 of this Act, the executive commissioner of the Health and Human  
8 Services Commission shall adopt any rules necessary to implement  
9 the changes in law made by this Act.

10       SECTION 8. This Act takes effect September 1, 2025.