

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1151

Introduced by

Representatives Schatz, Hauck, Holle, Kempenich, Monson, Dressler

Senators Boehm, Magrum, Paulson, Wanzek

1 A BILL ~~for an Act to amend and reenact sections 4.1-31-05.1 and 19-02.1-12.1 of the North~~
2 ~~Dakota Century Code, relating to the labeling and misbranding of cell-cultured protein.~~for an Act
3 to provide for a legislative management study regarding the regulation of cell-cultured protein.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 ~~SECTION 1. AMENDMENT. Section 4.1-31-05.1 of the North Dakota Century Code is~~
6 ~~amended and reenacted as follows:~~

7 ~~4.1-31-05.1. Misrepresentation~~**Misbranding of cell-cultured protein as meat food**
8 **product prohibited.**

9 ~~1. A person may not advertise, offer for sale, sell, or misrepresent~~misbrand ~~cell-cultured~~
10 ~~protein as a meat food product. A cell-cultured protein product:~~

11 ~~a. May not be packaged in the same, or deceptively similar, packaging as a meat~~
12 ~~food product; and~~

13 ~~b. Must be labeled as a cell-cultured protein food product in compliance with the~~
14 ~~labeling requirements of the United States department of agriculture food safety~~
15 ~~and inspection service.~~

16 ~~2. For purposes of this section, "deceptively:~~

17 ~~a. "Cell-cultured protein" means a food product developed in a laboratory and grown~~
18 ~~from a sample of animal cells from a species regulated under the Federal Meat~~
19 ~~Inspection Act [21 U.S.C. 601 et seq.], or the Poultry Products Inspection Act~~
20 ~~[21 U.S.C. 451 et seq.].~~

1 ~~b. "Deceptively similar" means packaging that could mislead a reasonable person to~~
2 ~~believe the product is a meat food product.~~

3 ~~SECTION 2. AMENDMENT. Section 19-02.1-12.1 of the North Dakota Century Code is~~
4 ~~amended and reenacted as follows:~~

5 ~~19-02.1-12.1. Misrepresentation~~**Misbranding of cell-cultured protein as meat food**
6 **product prohibited.**

7 ~~1. A person may not advertise, offer for sale, sell, or misrepresent~~misbrand ~~cell-cultured~~
8 ~~protein as a meat food product. A cell-cultured food~~protein ~~product:~~

9 ~~a. May not be packaged in the same, or deceptively similar, packaging as a meat~~
10 ~~food product; and~~

11 ~~b. Must be labeled as a cell-cultured food product~~in compliance with the Fair-
12 Packaging and Labeling Act [Pub. L. 89-755; 15 U.S.C. 1451 et seq.] and the
13 labeling requirements of the food and drug administration.

14 ~~2. For purposes of this section, "deceptively similar" means packaging that could mislead~~
15 ~~a reasonable person to believe the product is a meat food product;~~

16 ~~a. "Cell-cultured protein" means a food product developed in a laboratory and grown~~
17 ~~from a sample of animal cells from a species other than those species regulated~~
18 ~~under the Federal Meat Inspection Act [21 U.S.C. 601 et. Seq.] or the Poultry~~
19 ~~Products Inspection Act [21 U.S.C. 451 et seq.], including all seafood other than~~
20 ~~siluriformes, fish, and game meat.~~

21 ~~b. "Deceptively similar" means packaging that could mislead a reasonable person to~~
22 ~~believe the product is a meat food product.~~

23 ~~c. "Meat food product" means a food product derived from an agricultural~~
24 ~~food animal, agricultural animal food product, or a harvested animal, which does~~
25 ~~not include cell-cultured protein.~~

26 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - REGULATION OF**
27 **CELL-CULTURED PROTEIN.** During the 2025-26 interim, the legislative management shall
28 consider studying cell-cultured protein and the status of litigation in federal and state courts to
29 prohibit cell-cultured protein. The study must include the outcome of litigation in other states and
30 an analysis of the regulatory landscape, stakeholder impact, and feasibility of adopting a
31 prohibition on cell-cultured protein in the state. The legislative management shall report its

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- 1 findings and recommendations, together with any legislation required to implement the
- 2 recommendations, to the seventieth legislative assembly.