

Proposed Amendments to
House Bill 2175

On Page 1 of the printed bill. Line 19 which is Section 2 Paragraph (2), should be replaced with:

(2) A food marketed for retail sale shall be deemed to be misbranded if:

On Page 1 of printed bill. After Section 2, subsection (2)(b), insert:

(c) In the case of any such food marketed for retail sale that is not separately packaged or labeled, the food shall be evaluated with regards to subsections (a) and (b) of this section based on the presence of, or lack of, a clear and conspicuous label appearing on the retail store shelf, bin, or case in which such food is displayed for sale;

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On Page 2 of the printed bill. Lines 40 through 42 which is Section 3 Paragraph (3), should be **DELETED** and subsequently insert:

(3) The laws of the United States.

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On Page 2 of the printed bill. Lines 10 through 20 which is Section 5 Paragraph (b), should be **DELETED** and subsequently replaced with:

(b) Any processed food that would be covered by Section 2 solely because it includes one or more materials produced by genetic engineering is not misbranded provided that the engineered materials in the aggregate do not account for more than nine-tenths of one percent of the total weight of the processed food. If the State Department of Agriculture, or the United States Department of Agriculture identifies a validated method of testing that can detect the presence of genetically engineered material in food that is produced using not more than nine-tenths of one percent genetically engineered material, the State Department of Agriculture may establish a zero tolerance for the material or may exempt foods only produced with a percentage less than can be detected by the validated method of testing.

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On Page 1 of the printed bill. After Section 2 Paragraph (b), insert the following definitions:

(c) "Enzyme" means a protein that catalyzes chemical reactions of other substances without itself being destroyed or altered upon completion of the reactions.

(d) "Processing aid" means:

- (A) A substance that is added to a food during the processing of the food but is removed in some manner from the food before it is packaged in its final form;
- (B) A substance that is added to a food during processing, is converted into constituents normally present in the food, and does not significantly increase the amount of the constituents found in the food; or
- (C) A substance that is added to a food for its technical or functional effects in the processing but is present in the finished food at insignificant levels and does not have any technical or functional effect in that finished food.

On Page 2 of the printed bill. After Section 5 Paragraph (b), insert:

(c) Any processed food that would be subject to section 2 solely because one or more processing aids or enzymes were produced or derived with genetic engineering;