

SECOND REGULAR SESSION

HOUSE BILL NO. 1415

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SHOEMYER.

Read 1st time February 5, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4406L.011

AN ACT

To amend chapter 266, RSMo, by adding thereto one new section relating to the genetically engineered plants and seeds.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 266, RSMo, is amended by adding thereto one new section, to be
2 known as section 266.145, to read as follows:

266.145. 1. As used in this section, the following terms mean:

2 **(1) "Cross contamination", the unintentional transfer and incorporation of genetic**
3 **material between a genetically engineered crop, by cross pollination or other means, and**
4 **a nongenetically engineered crop or a wild plant population;**

5 **(2) "Genetically engineered", altered by human manipulation at the molecular or**
6 **cellular level by processes, including recombinant deoxyribonucleic acid and ribonucleic**
7 **acid techniques, cell fusion, microencapsulation, macroencapsulation, and introduction of**
8 **foreign genes. Genetically engineered does not include products altered exclusively by**
9 **breeding, conjugation, fermentation, hybridization, in vitro fertilization, or tissue culture;**

10 **(3) "Seed dealer", a person who cleans, processes, sells, or offers for sale seeds in**
11 **this state.**

12 **2. Any manufacturer of genetically engineered plants, planting stock or seeds that**
13 **present a risk of cross contamination and are sold or distributed in this state shall be**
14 **subject to the provisions of this section.**

15 **3. The manufacturer or seed dealer of genetically engineered plants, plant parts,**
16 **or seeds shall provide written instructions to all growers on how to plant the plant parts,**
17 **seeds, or plants and how to grow and harvest the crop to minimize potential cross**
18 **contamination. Such instructions shall be at least as inclusive as the guidelines issued by**

19 the United States Department of Agriculture relative to the establishment of buffer zones
20 between genetically engineered plants and wild or cultivated plants subject to the risk of
21 cross contamination. The manufacturer or seed dealer shall file a copy of such instructions
22 with the director of the Missouri department of agriculture at least twenty days in advance
23 of any sale of the genetically engineered plants, plant parts, or seeds in this state.

24 4. The manufacturer or seed dealer shall identify and maintain for at least two
25 years after the date of sale a list of the names and addresses of all growers of its genetically
26 engineered plants, plant parts, or seeds in this state. Such list shall not be deemed a public
27 record. A manufacturer or seed dealer shall permit the director of the Missouri
28 department of agriculture to inspect the list when requested to facilitate an investigation
29 into a claim of cross contamination. A manufacturer or seed dealer shall not be required
30 to keep records on seeds sold at retail in packets weighing less than one pound. A
31 manufacturer of genetically engineered seeds shall not be required to keep records under
32 this subsection when the required records are being kept by a seed dealer.