

SECOND REGULAR SESSION

HOUSE BILL NO. 1652

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JORDAN.

3983H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 196.010 and 196.070, RSMo, and to enact in lieu thereof two new sections relating to cultivated meat, with penalty provisions.

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

Section A. Sections 196.010 and 196.070, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 196.010 and 196.070, to read as follows:

196.010. 1. For the purpose of sections 196.010 to 196.120:

2 (1) The term "contaminated with filth" applies to any food, drug, device, or cosmetic
3 not securely protected from dust, dirt, and as far as may be necessary by all reasonable means,
4 from all foreign or injurious contaminations;

5 (2) The term "cosmetic" means articles intended to be rubbed, poured, sprinkled, or
6 sprayed on, introduced into, or otherwise applied to the human body or any part thereof for
7 cleansing, beautifying, promoting attractiveness, or altering the appearance, and articles
8 intended for use as a component of any such articles, except that such term shall not include
9 soap;

10 (3) **The term "cultivated meat" means any meat or food product produced from**
11 **cultured animal cells;**

12 (4) The term "device" except when used in subsection 2 of this section and in sections
13 196.015(10), 196.075(6), 196.100(3) and 196.115(3), means instruments, apparatus, and
14 contrivances, including their components, parts, and accessories, intended for use in the
15 diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; or to
16 affect the structure or any function of the body of man or other animals;

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 ~~[(4)]~~ (5) The term "department" shall be construed to mean the department of health
18 and senior services;

19 ~~[(5)]~~ (6) The term "drug" means (a) articles recognized in the official United States
20 Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official
21 National Formulary, or any supplement to any of them; and (b) articles intended for use in the
22 diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; and
23 (c) articles, other than food, intended to affect the structure or any function of the body of man
24 or other animals; and (d) articles intended for use as a component of any articles specified in
25 clause (a), (b), or (c); but does not include devices or their components, parts or accessories;

26 ~~[(6)]~~ (7) The term "federal act" means the Federal Food, Drug and Cosmetic Act
27 (Title 21 U.S.C. 301 et seq.; 52 Stat. 1040 et seq.);

28 ~~[(7)]~~ (8) The term "food" means articles used for food or drink for man or other
29 animals, chewing gum, and articles used for components of any such article;

30 ~~[(8)]~~ (9) The term "immediate container" does not include package liners;

31 ~~[(9)]~~ (10) The term "label" means a display of written, printed, or graphic matter upon
32 the immediate container of any article; and a requirement made by or under authority of
33 sections 196.010 to 196.120 that any word, statement, or other information appearing on the
34 label shall not be considered to be complied with unless such word, statement, or other
35 information also appears on the outside container or wrapper, if any there be, of the retail
36 package of such article, or is easily legible through the outside container or wrapper;

37 ~~[(10)]~~ (11) The term "labeling" means all labels and other written, printed, or graphic
38 matter upon any article or any of its containers or wrappers, or accompanying such article;

39 ~~[(11)]~~ (12) The term "new drug" means any drug the composition of which is such
40 that such drug is not generally recognized, among experts qualified by scientific training and
41 experience to evaluate the safety of drugs, as safe for use under the conditions prescribed,
42 recommended or suggested in the labeling thereof; or any drug the composition of which is
43 such that such drug, as a result of investigations to determine its safety for use under such
44 conditions, has become so recognized, but which has not, otherwise than in such
45 investigations, been used to a material extent or for a material time under such conditions;

46 ~~[(12)]~~ (13) The term "official compendium" means the official United States
47 Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, official National
48 Formulary, or any supplement to any of them;

49 ~~[(13)]~~ (14) The term "person" includes individual, partnership, corporation, and
50 association.

51 2. If an article is alleged to be misbranded because the labeling is misleading, then in
52 determining whether the labeling is misleading, there shall be taken into account, among
53 other things, not only representations made or suggested by statement, word, design, device,

54 sound, or in any combination thereof, but also the extent to which the labeling fails to reveal
55 facts material in the light of such representations or material with respect to consequences
56 which may result from the use of the article to which the labeling relates under the conditions
57 of use prescribed in the labeling thereof or under such conditions of use as are customary or
58 usual.

59 3. The representation of a drug, in its labeling, as an antiseptic shall be considered to
60 be a representation that it is a germicide, except in the case of a drug purporting to be, or
61 represented as, an antiseptic for inhibitory use as a wet dressing, ointment, dusting powder, or
62 such other use as involves prolonged contact with the body.

63 4. The provisions of sections 196.010 to 196.120 regarding the selling of food, drugs,
64 devices, or cosmetics, shall be considered to include the manufacture, production, processing,
65 packing, exposure, offer, possession, and holding of any such article for sale and the sale,
66 dispensing, and giving of any such article, and the supplying of any such articles in the
67 conduct of any food, drug, or cosmetic establishment.

196.070. 1. A food shall be deemed to be adulterated:

2 (1) If it bears or contains any poisonous or deleterious substance which may render it
3 injurious to health; but in case the substance is not an added substance such food shall not be
4 considered adulterated under this subdivision if the quantity of such substance in such food
5 does not ordinarily render it injurious to health; or

6 (2) If it bears or contains any added poisonous or added deleterious substance which
7 is unsafe within the meaning of section 196.085; or

8 (3) If it consists, in whole or in part, of any diseased, contaminated, filthy, putrid, or
9 decomposed substance, or if it is otherwise unfit for food; or

10 (4) If it has been produced, prepared, packed, or held under insanitary conditions
11 whereby it may have become contaminated with filth or whereby it may have been rendered
12 diseased, unwholesome, or injurious to health; or

13 (5) If it is, in whole or in part, the product of a diseased animal or of an animal which
14 has died otherwise than by slaughter, or that has been fed upon the uncooked offal from a
15 slaughterhouse; or

16 (6) If its container is composed, in whole or in part, of any poisonous or deleterious
17 substance which may render the contents injurious to health; or

18 (7) If any valuable constituent has been in whole or in part omitted or abstracted
19 therefrom; or

20 (8) If any substance has been substituted wholly or in part therefor; or

21 (9) If damage or inferiority has been concealed in any manner; or

22 (10) If any substance has been added thereto or mixed or packed therewith so as to
23 increase its bulk or weight, or reduce its quality or strength or make it appear better or of
24 greater value than it is; or

25 (11) If it is confectionery and it bears or contains any alcohol or nonnutritive article or
26 substance except harmless coloring, harmless flavoring, harmless resinous glaze not in excess
27 of four-tenths of one percent, harmless natural wax not in excess of four-tenths of one percent,
28 harmless natural gum, and pectin; provided, that this subdivision shall not apply to any
29 confectionery, by reason of its containing less than five percent by weight of alcohol, or to
30 any chewing gum by reason of its containing harmless nonnutritive masticatory substances;
31 or

32 (12) If it bears or contains a coal tar color other than one from a batch which has been
33 certified under authority of the federal act; **or**

34 **(13) If it contains any cultivated meat.**

35 2. A food shall not be considered adulterated solely for containing industrial hemp, or
36 an industrial hemp commodity or product.

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