

**HOUSE . . . . . No. 00261**

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The Commonwealth of Massachusetts

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PRESENTED BY:

*Ellen Story*

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the labeling of seed

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PETITION OF:

NAME:

*Ellen Story*

DISTRICT/ADDRESS:

*3rd Hampshire*

# HOUSE . . . . . No. 00261

By Ms. Ellen Story of Amherst, petition (accompanied by bill, House, No. 00261) of Ellen Story relative to the labeling of plant seeds. Joint Committee on Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ HOUSE  
□ , NO. 842 OF 2009-2010.]

## The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act relative to the labeling of seed

□.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

- 1 SECTION 1. Section 84 of Chapter 128 of the General Laws, as appearing in the 2010 Official
- 2 Edition, is hereby amended by inserting after the definition of “Flower seeds” the following
- 3 definitions:-
- 4 “Genetically engineered seed” shall mean any agricultural, flower, tree and shrub, vegetable or
- 5 weed seed produced using a variety of methods, as identified by the national organic program of
- 6 the U.S. department of agriculture, used to modify genetically organisms or influence their
- 7 growth and development by means that are not possible under natural conditions or processes.
- 8 Such methods include cell fusion, microencapsulation and macroencapsulation, and recombinant

9 DNA technology (including gene deletion, gene doubling, introducing a foreign gene, and  
10 changing the positions of genes when achieved by recombinant DNA technology). Such  
11 methods do not include the use of traditional breeding, conjugation, fermentation, hybridization,  
12 in vitro fertilization, or tissue culture.

13 “Genetically engineered plant part” shall mean a whole plant or plant part, including scions  
14 intended for planting, which contains material derived from a genetically engineered seed or is  
15 itself produced using the methods described in the definition of genetically engineered seed.

16 SECTION 2. Said Chapter 128 is hereby amended by adding after section 89 the following new  
17 section:-

18 Section 89A. Genetically engineered seeds; labeling or tagging containers

19 Each container of genetically engineered seed distributed, offered for sale or exposed for sale  
20 within the commonwealth shall bear the identity of such seed, relevant traits or characteristics of  
21 the seed that cause it to be defined as genetically engineered, plus any legal requirements or  
22 recommended precautions for their safe handling, storage, transport, and use, the contact point  
23 for further information and, as appropriate, the name and address of the manufacturer,  
24 distributor, or supplier of such seed.

25 The commissioner shall promulgate regulations requiring the annual reporting by manufacturers  
26 or processors of all genetically engineered seed and genetically engineered plant parts  
27 distributed, sold or exposed for sale within the commonwealth, as to the nature of sales of  
28 genetically engineered seed and genetically engineered plant products during the previous  
29 calendar year.

30 SECTION 3. Section 93 of Said Chapter 128 is hereby amended in line 3 by striking out the  
31 words “flower or tree and shrub”, and inserting in place thereof the following words:-

32 “flower, tree and shrub or genetically engineered”

33 SECTION 4. Said Section 93 is hereby further amended in line 11 by striking out the words  
34 “flower and tree or shrub”, and inserting in place thereof the following words:-

35 “flower, tree and shrub or genetically engineered”

36 SECTION 5. This act shall take effect July 1, 2013.