

HOUSE No. 3242

The Commonwealth of Massachusetts

PRESENTED BY:

Ellen Story and Todd M. Smola

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 adoption of the accompanying bill:

An Act establishing the genetic engineering transparency food and seed labeling act.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Ellen Story</i>	<i>3rd Hampshire</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Michael J. Moran</i>	<i>18th Suffolk</i>
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Byron Rushing</i>	<i>9th Suffolk</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Brian R. Mannal</i>	<i>2nd Barnstable</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>

<i>Kathleen O'Connor Ives</i>	<i>First Essex</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>
<i>Gloria L. Fox</i>	<i>7th Suffolk</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>Kate D. Campanale</i>	<i>17th Worcester</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>
<i>Leah Cole</i>	<i>12th Essex</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>
<i>Cynthia S. Creem</i>	<i>First Middlesex and Norfolk</i>
<i>Brendan P. Crighton</i>	<i>11th Essex</i>
<i>Claire D. Cronin</i>	<i>11th Plymouth</i>
<i>Daniel Cullinane</i>	<i>12th Suffolk</i>
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>
<i>Viriato M. deMacedo</i>	<i>Plymouth and Barnstable</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>
<i>Benjamin B. Downing</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Peter J. Durant</i>	<i>6th Worcester</i>

<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>John V. Fernandes</i>	<i>10th Worcester</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>Michael J. Finn</i>	<i>6th Hampden</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Thomas A. Golden, Jr.</i>	<i>16th Middlesex</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Robert L. Hedlund</i>	<i>Plymouth and Norfolk</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Bradford R. Hill</i>	<i>4th Essex</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol and Plymouth</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>
<i>James M. Kelcourse</i>	<i>1st Essex</i>
<i>Thomas P. Kennedy</i>	<i>Second Plymouth and Bristol</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Robert M. Koczera</i>	<i>11th Bristol</i>

<i>Stephen Kulik</i>	<i>1st Franklin</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Barbara L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Marc T. Lombardo</i>	<i>22nd Middlesex</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>
<i>Christopher M. Markey</i>	<i>9th Bristol</i>
<i>Thomas M. McGee</i>	<i>Third Essex</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>
<i>Aaron Michlewitz</i>	<i>3rd Suffolk</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>
<i>Rady Mom</i>	<i>18th Middlesex</i>
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>
<i>David K. Muradian, Jr.</i>	<i>9th Worcester</i>
<i>Mathew Muratore</i>	<i>1st Plymouth</i>
<i>David M. Nangle</i>	<i>17th Middlesex</i>
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Thomas M. Petrolati</i>	<i>7th Hampden</i>
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>
<i>Dennis A. Rosa</i>	<i>4th Worcester</i>

<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Theodore C. Speliotis</i>	<i>13th Essex</i>
<i>Karen E. Spilka</i>	<i>Second Middlesex and Norfolk</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>
<i>Paul Tucker</i>	<i>7th Essex</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>John C. Velis</i>	<i>4th Hampden</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>James T. Welch</i>	<i>Hampden</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>
<i>Susannah M. Whipps Lee</i>	<i>2nd Franklin</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>
<i>Jonathan D. Zlotnik</i>	<i>2nd Worcester</i>

HOUSE No. 3242

By Representatives Story of Amherst and Smola of Warren, a petition (accompanied by bill, House, No. 3242) of Ellen Story and others relative to the labeling of genetically engineered food. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3996 OF 2013-2014.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**
—————

An Act establishing the genetic engineering transparency food and seed labeling act.

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. (1) This act shall be known as the Genetic Engineering Transparency Food
2 and Seed Labeling Act.

3 (2) The Genetic Engineering Transparency Food and Seed Labeling Act results in a
4 consistent and enforceable standard for labeling foods and seeds produced using genetic
5 engineering, and thus provides the residents of the commonwealth with necessary factual
6 knowledge of how their food is produced. This knowledge is necessary for the following
7 reasons:

8 (a) Public health. Promote public health by allowing the food protection program to
9 inform consumers regarding genetically engineered foods, and serve as a risk management tool

10 enabling consumers, physicians, and scientists to identify unintended health effects resulting
11 from consumption of genetically engineered foods.

12

13 (b) Environmental impacts. Assist consumers who are concerned about the potential
14 effects of genetic engineering on the environment to make informed purchasing decisions.

15 (c) Consumer protection. Reduce and prevent consumer confusion and deception and
16 promote the disclosure of factual information on food and seed labels to allow consumers to
17 make informed decisions.

18 (d) Economic development. Create and protect non-genetically engineered crop markets
19 and enable consumers to make informed purchasing decisions.

20 (e) Religious and cultural freedom. Provide consumers with data from which they may
21 make informed decisions for personal, religious, moral, cultural, or ethical reasons.

22 (3) This act shall be liberally construed to fulfill these purposes.

23 SECTION 2. Section 1 of Chapter 94 of the General Laws is hereby amended by
24 inserting after line 54 the following:-

25 “Genetically engineered” means produced from an organism or organisms in which the
26 genetic material has been changed through the application of:

27 (a) In vitro nucleic acid techniques which include, but are not limited to, recombinant
28 deoxyribonucleic acid or ribonucleic acid techniques that use vector systems, and techniques
29 involving the direct introduction into the organisms of hereditary materials prepared outside the

30 organisms such as biolistics, microinjection, macro-injection, chemoporation, electroporation,
31 microencapsulation, and liposome fusion as well as direct injection of nucleic acid into cells or
32 organelles, encapsulation, gene deletion, and doubling; or

33 (b) Methods of fusing cells beyond the taxonomic family that overcome natural
34 physiological, reproductive, or recombination barriers, and that are not techniques used in
35 traditional breeding and selection such as conjugation, transduction, and hybridization.

36 SECTION 3. Said Chapter 94 is hereby further amended by inserting at the end thereof
37 the following new section:-

38 Section 330. The Genetic Engineering Transparency Food and Seed Labeling Act.

39 (1) For the purposes of this section, the following words shall have the following
40 definitions:-

41 “Food” shall have the same meaning given to it in section 1 of this chapter, with the
42 following exceptions:-

43 (a) food products and seeds consumed by animals;

44 (b) any alcoholic beverages as defined by Section 1 of Chapter 138 of the General Laws;

45 (c) any food or beverage that meets the definition of “medical food” in paragraph 3 of
46 subsection (b) of Section 360ee of Title 21 of the United States Code, the Federal Food, Drug,
47 and Cosmetic Act, or any successor statute;

48 (d) food not packaged for retail sale that is either:

49 (i) prepared and intended for immediate human consumption, or

50 (ii) served, sold or otherwise provided in any restaurant or other food service
51 establishment that is primarily engaged in the sale of food prepared or intended for immediate
52 human consumption

53 “Packaged food” means any food exposed for retail sale in Massachusetts, other than raw
54 food and food served, sold, or provided ready to eat in any bake sale, commissary or food service
55 establishment

56 “Raw agricultural commodity” and “Raw food product” shall mean any product derived
57 from the science, art or practice of cultivating the soil, producing crops or raising livestock or
58 fish, and, in varying degrees, including the preparation and marketing of the resulting products,
59 but prior to their processing or combination into a food product.

60 (2) Any food product that is entirely or partially produced with genetic engineering shall
61 be labeled in accordance with the provisions of this section.

62 (3) In the case of a genetically engineered raw food product packaged for retail sale, the
63 manufacturer shall include the words “Genetically Engineered” or “Produced with Genetic
64 Engineering” clearly and conspicuously on the front or back of the package of such commodity.
65 In the case of raw agricultural commodities that are not separately packaged or labeled, the
66 retailer shall place a clear and conspicuous label bearing those words on the retail store shelf or
67 bin in which such commodity is displayed for sale.

68 (4) To make clear who is responsible for compliance with the requirements of this
69 section, in the case of a raw food product, the retailer is responsible only for point of purchase
70 shelf labeling. The supplier must label each container used for packaging, holding, and/or

71 transporting any raw food product produced with genetic engineering that is delivered directly to
72 Massachusetts retailers.

73 (5) In the case of any packaged food product containing some products of genetic
74 engineering, the manufacturer must label the product in clear and conspicuous language on the
75 front or back of the package of such food product with the words “Produced with Genetic
76 Engineering” or “Partially Produced with Genetic Engineering.”

77 (6) This law does not require either the listing or identification of any ingredient or
78 ingredients that were genetically engineered or that the term “genetically engineered” be placed
79 immediately preceding any common name or primary product descriptor of a food product.

80 (7) An animal that has not itself been genetically engineered, regardless of whether such
81 animal has been fed or injected with any food or any drug that has been produced through means
82 of genetic engineering shall not be considered “genetically engineered” for purposes of this
83 section.

84 (8) Commencing January 1, 2017 a food product produced entirely or in part from
85 genetic engineering shall not be labeled on the product, in signage, or in advertising as “natural,”
86 “naturally made,” “naturally grown,” “all natural,” or any words of similar import.

87 (9) The food protection program of the department of public health shall promulgate
88 regulations and guidelines necessary to implement this section. The food protection program
89 shall not exempt any food products not expressly exempted by this section, but may authorize
90 reasonable accommodations for products that due to peculiar size, packaging or storage
91 requirements, are able to demonstrate a hardship in complying with the labeling called for by this
92 act.

93 (10) The provisions of this section shall be enforced by the department and by local
94 boards of health acting under the supervision of the department. Should the department deem
95 necessary, the attorney general shall issue a corrective action notice to any manufacturer or
96 retailer, describing a possible violation and how to remedy it. Such corrective action notice shall
97 also explain what documentation under subsection 13 may satisfy this section. Upon request of
98 the attorney general, the respondent manufacturer or retailer shall provide records and evidence
99 demonstrating compliance with this section up to 3 years prior to the alleged violation. If, after
100 30 days from the issuance of said corrective action notice the attorney general believes the
101 violation has not been remedied, the attorney general may bring an action to enjoin a violation of
102 this section in any court of competent jurisdiction. A violation of this section shall be punishable
103 by a civil penalty of not more than \$1000 per day, per product; provided, that said penalty shall
104 accrue and be assessed per each uniquely named, designated, or marketed product, and shall not
105 be made or multiplied by the number of individual packages exposed for retail sale.

106 (11) Any injured citizen of Massachusetts may, after giving notice of the alleged
107 violation to the food protection program and the alleged violator and waiting 60 days, bring an
108 action to enjoin a violation of this section by a manufacturer or retailer in any court of competent
109 jurisdiction. The court may, in such an action, award to a citizen who is a prevailing plaintiff
110 reasonable attorneys' fees and costs incurred in investigating and prosecuting the action, but the
111 court may not award any further monetary damages.

112 (12) No person may be subject to an injunction or responsible for payment of prevailing
113 party attorneys' fees for failure to label any food if:

114 (a) in the case of packaged food, the materials produced through genetic engineering do
115 not account for more than nine tenths of one percent of the total weight of the packaged food; or

116 (b) the food has not been produced with the knowing or intentional use of genetic
117 engineering; or

118 (c) the food protection program and court of jurisdiction are satisfied that the food
119 product has been duly labeled, upon conclusion of an investigation and proceeding under Section
120 189A.

121 (13) For purposes of this section, food will be considered not to have been produced with
122 the knowing or intentional use of genetic engineering if:

123 (a) such food is lawfully certified to be labeled, marketed, and offered for sale as
124 “organic” pursuant to the section 6501 of Title 7 of the United States Code, the Organic Foods
125 Production Act, or any successor statute, which already prohibits genetic engineering;

126 (b) in the case of a manufacturer or retailer obligated to label any food under this act, if
127 such entity has obtained from whomever sold that food to them a statement signed under pains
128 and penalty of perjury that the food has not been knowingly or intentionally genetically
129 engineered and has been segregated from, and not knowingly or intentionally commingled with,
130 foods that may have been genetically engineered at any time. In providing such statement, a
131 manufacturer or retailer may rely on such statement from a supplier that contains such an
132 affirmation signed under pains and penalty of perjury; or

133 (c) the food protection program or an independent organization has determined that the
134 food has not been knowingly or intentionally genetically engineered and has been segregated

135 from, and not knowingly or intentionally commingled with, foods that may have been genetically
136 engineered at any time, if such a determination has been made pursuant to a sampling and testing
137 procedure (i) consistent with sampling and testing principles recommended by internationally
138 recognized standards organizations and (ii) which does not rely on testing processed foods in
139 which no DNA is detectable.

140 (14) It shall be a violation of this section for any retailer, wholesaler or distributor to
141 knowingly and willfully remove, alter or obscure any label affixed under this section, or to
142 knowingly and willfully fail to provide point of purchase labeling for unpackaged raw
143 agricultural commodities. In any action in which it is alleged that a retailer has violated the
144 provisions of this section, it shall be an affirmative defense that such retailer reasonably relied
145 on:

146 (a) any disclosure whether a food was produced through genetic engineering contained in
147 the bill of sale or invoice provided by the wholesaler or distributor; or

148 (b) a lack of such disclosure.

149 (15) No action may be brought against any farmer for any violation of any provision of
150 this section unless such farmer is also a retailer or manufacturer, but any farmer submitting a
151 false sworn statement under paragraph (b) of subsection (13) of this section shall be subject to
152 section 1A of chapter 268 of the General Laws.

153 SECTION 4. Section 187 of said chapter 94 is hereby amended by inserting after the
154 words “misleading labeling.” in line 137 the following paragraph:-

155 “Fifteenth, if it is intended for human consumption and genetically engineered, as defined
156 in section 1 of this chapter, and does not bear labeling in accordance with section 330 of this
157 chapter.

158 SECTION 5. Section 84 of Chapter 128 of the General Laws is hereby amended by
159 inserting after the definition of “Flower seeds” the following definitions:-

160 “Genetically engineered seed” shall mean any agricultural, flower, tree and shrub,
161 vegetable or weed seed produced from an organism or organisms in which the genetic material
162 has been changed through the application of:

163 (a) In vitro nucleic acid techniques which include, but are not limited to, recombinant
164 deoxyribonucleic acid or ribonucleic acid, direct injection of nucleic acid into cells or organelles,
165 encapsulation, gene deletion, and doubling, recombinant deoxyribonucleic acid or ribonucleic
166 acid techniques that use vector systems, and techniques involving the direct introduction into the
167 organisms of hereditary materials prepared outside the organisms such as biolistics,
168 microinjection, macro-injection, chemoporation, electroporation, microencapsulation, and
169 liposome fusion; or

170 (b) Methods of fusing cells beyond the taxonomic family that overcome natural
171 physiological, reproductive, or recombination barriers, and that are not techniques used in
172 traditional breeding and selection such as conjugation, transduction, and hybridization.

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

176 SECTION 6. Said Chapter 128 is hereby amended by adding after section 89 the
177 following new section:-

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

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

185 The commissioner shall promulgate regulations requiring the annual reporting by
186 manufacturers or processors of all genetically engineered seed and genetically engineered plant
187 parts distributed, sold or exposed for sale within the commonwealth, as to the nature of sales of
188 genetically engineered seed and genetically engineered plant products during the previous
189 calendar year.

190 SECTION 7. Section 93 of said Chapter 128 is hereby amended in line 3 by striking out
191 the words “flower or tree and shrub”, and inserting in place thereof the following words:-

192 “flower, tree and shrub or genetically engineered”

193 SECTION 8. Said Section 93 is hereby further amended in line 11 by striking out the
194 words “flower and tree or shrub”, and inserting in place thereof the following words:-

195 “flower, tree and shrub or genetically engineered”

196 SECTION 9. This act shall take effect January 1, 2017.