

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2025

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HOUSE BILL 134
Committee Substitute Favorable 3/11/25

Short Title: Prohibit Misbranding of Certain Food Products.

(Public)

Sponsors:

Referred to:

February 18, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT THE MISBRANDING OF CERTAIN FOOD PRODUCTS.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.(a)** G.S. 106-549.15 reads as rewritten:

5 **"§ 106-549.15. Definitions.**

6 As used in this Article, except as otherwise specified, the following terms shall have the
7 meanings stated below:

8 ...

9 (1a) "Agricultural food animal" means a domesticated animal belonging to the
10 bovine, caprine, ovine, or porcine species.

11 ...

12 (5a) "Cell-cultured food product" means a food product having one or more
13 sensory attributes that resemble a type of tissue originating from an
14 agricultural food animal but that, in lieu of being derived from meat
15 processing, is derived from manufacturing cells, in which one or more stem
16 cells are initially isolated from an agricultural food animal, are grown in vitro,
17 and may be manipulated, as part of a manufacturing operation.

18 (5b) "Close proximity" means any of the following:

- 19 a. Immediately before or after the name of the product.
20 b. In the line of the label immediately before or after the line containing
21 the name of the product.
22 c. Within the same phrase or sentence containing the name of the
23 product.

24 ...

25 (9a) "Identifying meat term" means any word or phrase that states, indicates,
26 suggests, or describes a meat product, regardless of whether the word or
27 phrase is used individually, as a portmanteau, or as a compound word. This
28 term includes all of the following:

- 29 a. A common name for the species of the agricultural food animal subject
30 to slaughter and processing, including a calf or cow, goat or kid, hog
31 or pig, lamb, or sheep.
32 b. A common name for a characteristic of a species of the agricultural
33 food animal subject to slaughter and processing based on age, breed,
34 or sex.
35 c. Meat; beef or veal; cabrito or chevon; lamb or mutton; or pork.



1 d. A common name used to describe a major cut of a meat of an
2 agricultural food animal slaughtered and processed, including a major
3 meat cut specified in 9 C.F.R. § 317.344, or the common name of an
4 organ or offal, including heart, liver, kidney, or tongue.

5 e. Any other common name that a reasonable purchaser would
6 immediately and exclusively associate with a meat product prepared
7 for sale in normal commercial channels such as bacon, baloney,
8 bologna, bone, brat or bratwurst, brisket, burger or hamburger, butt,
9 chop, chuck, cold cut, cutlet, filet, flat iron, frank or frankfurter, ham,
10 hock, hot dog, jerky, liverwurst, loin, London broil, lunch meat, New
11 York strip, pepperoni, porterhouse, ribeye, roast, rib or sparerib,
12 salami, sausage, shank, sirloin, tenderloin, or a comparable word or
13 phrase.

14 ...

15 (14) "Meat food product" means any product capable of use as human food that is
16 made wholly or in part from any meat or other portion of the carcass of any
17 cattle, sheep, swine, goats, bison, fallow deer, or red deer, or any cell-cultured
18 food product made from cells of those animals, excepting products that
19 contain meat or other portions of such carcasses only in a relatively small
20 proportion or historically have not been considered by consumers as products
21 of the meat food industry, and that are exempted from definition as a meat
22 food product by the Board under such conditions as it may prescribe to assure
23 that the meat or other portions of such carcasses contained in such product are
24 not adulterated and that such products are not represented as meat food
25 products. This term as applied to food products of equines shall have a
26 meaning comparable to that provided in this subdivision with respect to cattle,
27 sheep, swine, goats, and bison.

28 (15) "Misbranded" shall apply to any carcass, part thereof, meat or meat food
29 product under one or more of the following circumstances:

30 a. If its labeling is false or misleading in any particular;
31 b. If it is offered for sale under the name of another food;
32 c. If it is imitation of another food, unless its label bears, in type of
33 uniform size and prominence, the word "imitation" and immediately
34 thereafter, the name of the food imitated;

35 ...

36 m. The product is a cell-cultured food product and it is not labeled in
37 accordance with G.S. 106-549.28A.

38 ...

39 (21a) "Qualifying term" means a word, compound word, or phrase that would
40 clearly disclose to a reasonable purchaser of meat food products that a food
41 product is a cell-cultured meat product. This includes the following terms:
42 "cell-cultured," "fake," "lab-grown," or "grown in a lab."

43 (21b) "Ratite" means a bird whose breastbone is smooth so that flight muscles
44 cannot attach, such as an ostrich, an emu, and a rhea. These birds are subject
45 to the provisions of this Article and Article 49C to the same extent as any other
46 meat food product.

47 "

48 **SECTION 1.(b)** Article 49B of Chapter 106 of the General Statutes is amended by
49 adding a new section to read:

50 **"§ 106-549.28A. Labeling of cell-cultured food products.**

1 (a) The label of any cell-cultured food product that contains an identifying meat term
2 shall also contain in at least 20-point font or the size of the surrounding type, whichever is greater,
3 and in close proximity to the name of the product, an appropriate qualifying term.

4 (b) A cell-cultured food product that does not meet the requirements of this section shall
5 be deemed misbranded for purposes of this Article."

6 **SECTION 2.(a)** G.S. 106-549.51 reads as rewritten:

7 **"§ 106-549.51. Definitions.**

8 For purposes of this Article, the following terms shall have the meanings stated below:

9 ...

10 (4a) "Cell-cultured food product" means a food product having one or more
11 sensory attributes that resemble a type of tissue originating from poultry but
12 that, in lieu of being derived from meat processing, is derived from
13 manufacturing cells, in which one or more stem cells are initially isolated from
14 poultry, are grown in vitro, and may be manipulated, as part of a
15 manufacturing operation.

16 (4b) "Close proximity" means any of the following:

- a. Immediately before or after the name of the product.
- b. In the line of the label immediately before or after the line containing
the name of the product.
- c. Within the same phrase or sentence containing the name of the
product.

22 ...

23 (10a) "Identifying poultry term" means any word or phrase that states, indicates,
24 suggests, or describes a poultry product, regardless of whether the word or
25 phrase is used individually, as a portmanteau, or as a compound word. This
26 term includes all of the following:

- a. A common name for the species of the poultry subject to slaughter and
processing, including chicken, poultry, or turkey.
- b. A common name for a characteristic of a species of the poultry subject
to slaughter and processing based on age, breed, or sex.
- c. Meat, broiler, fryer, poulet, or yearling.
- d. A common name used to describe a major cut of poultry slaughtered
and processed, including a poultry product such as breast, drumstick,
giblet, thigh, or wing; or the common name of an organ or offal,
including gizzard, heart, liver, kidney, or tongue.
- e. Any other common name that a reasonable purchaser would
immediately and exclusively associate with a poultry product prepared
for sale in normal commercial channels.

39 ...

40 (17) "Misbranded" shall apply to any poultry product under one or more of the
41 following circumstances:

- a. If its labeling is false or misleading in any particular;
- b. If it is offered for sale under the name of another food;
- c. If it is an imitation of another food, unless its label bears, in type of
uniform size and prominence, the word "imitation" and immediately
thereafter, the name of the food imitated;

47 ...

48 m. If it is a cell-cultured food product and it is not labeled in accordance
with G.S. 106-549.55(e).

49 ...

50 ...

- (26) "Poultry product" means any poultry carcass, or part thereof; or any product which is made wholly or in part from any poultry carcass or part thereof, or any cell-cultured food product made from cells of poultry, excepting products which contain poultry ingredients only in a relatively small proportion or historically have not been considered by consumers as products of the poultry food industry, and which are exempted by the Board from definition as a poultry product under such conditions as the Board may prescribe to assure that the poultry ingredients in such products are not adulterated and that such products are not represented as poultry products.

• • •

- (28a) "Qualifying term" means a word, compound word, or phrase that would clearly disclose to a reasonable purchaser of poultry products that a food product is a cell-cultured food product. This includes the following terms: "cell-cultured," "fake," "lab-grown," or "grown in a lab."

11

SECTION 2.(b) G.S. 106-549.55 reads as rewritten:

"§ 106-549.55. Labeling standards; false and misleading labels.labels; labeling of cell-cultured food products.

•

(e) The label of any cell-cultured food product that contains an identifying poultry term shall also contain in at least 20-point font or the size of the surrounding type, whichever is greater, and in close proximity to the name of the product, an appropriate qualifying term."

8

SECTION 3. This act becomes effective October 1, 2023, and applies to products sold or offered for sale on or after that date.