

JAN 31 2001
Agriculture

HOUSE FILE 147
BY KUHN and REYNOLDS

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to genetically modified seeds by providing
2 labeling requirements, providing for penalties, and providing
3 an effective date.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 147

1 Section 1. Section 199.1, Code 2001, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 6A. "Genetically modified" means to alter
4 the genetic characteristics of a plant by modifying the
5 deoxyribonucleic acid of the plant's seed in a manner other
6 than by breeding or pollination.

7 NEW SUBSECTION. 19A. "Seed labeler" means a person
8 required to label seed as provided in section 199.3 or 199.4.

9 Sec. 2. Section 199.3, subsection 1, Code 2001, is amended
10 by adding the following new paragraph:

11 NEW PARAGRAPH. f. The label shall include an
12 identification of genetically modified agricultural or
13 vegetable seed. If the agricultural or vegetable seed is
14 genetically modified, the label shall comply with section
15 199.6A.

16 Sec. 3. Section 199.4, Code 2001, is amended to read as
17 follows:

18 199.4 SALES-FROM BULK SALES.

19 In case agricultural or vegetable seed is offered or
20 exposed for sale in bulk or sold from bulk, the information
21 required under section 199.3 may be supplied by a placard
22 conspicuously displayed with the several required items
23 thereon or a printed or written statement to be furnished to
24 any purchaser of the seed. However, agricultural or vegetable
25 seed which is genetically modified shall not be offered or
26 exposed for sale in bulk or sold from bulk.

27 Sec. 4. NEW SECTION. 199.6A GENETICALLY MODIFIED SEED --
28 NOTICE REQUIREMENTS.

29 1. A seed labeler shall not sell, offer for sale, or
30 transport agricultural or vegetable seed which is genetically
31 modified, unless the container holding the seed is labeled as
32 provided in this section. The label shall provide information
33 as required in this section. The seed labeler may print the
34 information on the label or as a pamphlet attached to the
35 container.

1 2. If the seed labeler prints the information as an
2 accompanying pamphlet, the label required in section 199.3
3 shall state the following:

4 NOTICE

5 GENETICALLY MODIFIED SEED

6 This seed is genetically modified. Please consult a pamphlet
7 required to be attached to this container regarding
8 important information about the production and marketing of a
9 crop grown from this seed.

10 3. The container's label or attached pamphlet shall
11 include information regarding the agricultural or vegetable
12 seed, the plant germinating from the seed, and the crop
13 produced by the plant to the extent that the information is
14 known by the seed labeler. That information, to the extent
15 known, shall include all of the following:

16 a. A brief description of the consequences of the genetic
17 modification, including but not limited to any consequences
18 affecting hardiness, growth rate, yield, resistance,
19 adaptability, appearance, or intrinsic qualities such as oil
20 content.

21 b. Planting and management practices required to minimize
22 the risk of transferring gene characteristics to other
23 varieties of plants.

24 c. A notice, if necessary, regarding any financial risks
25 associated with marketing the crop, including but not limited
26 to restrictions regarding all of the following:

27 (1) The handling and storage of the crop, including
28 segregation requirements.

29 (2) The sale of the crop in domestic and foreign markets,
30 including import restrictions imposed by other nations.

31 (3) The use of the crop, including restrictions regarding
32 human consumption of the crop or products processed using the
33 crop.

34 Sec. 5. Section 199.8, Code 2001, is amended by adding the
35 following new subsection:

1 NEW SUBSECTION. 4. It is unlawful for a person to sell,
2 offer for sale, or expose for sale any genetically modified
3 seed, if the person has represented that that seed is not
4 genetically modified.

5 Sec. 6. Section 199.9, subsection 1, unnumbered paragraph
6 1, Code 2001, is amended to read as follows:

7 Sections 199.3, 199.6A, and 199.8 do not apply to:

8 Sec. 7. Section 199.10, subsection 1, Code 2001, is
9 amended by adding the following new paragraph:

10 NEW PARAGRAPH. d. Genetic modification.

11 Sec. 8. EFFECTIVE DATE. This Act takes effect September
12 1, 2001.

13 EXPLANATION

14 This bill amends Code chapter 199, which regulates the sale
15 of seed, including agricultural and vegetable seeds. The bill
16 provides restrictions upon the sale of genetically modified
17 agricultural or vegetable seed.

18 The bill provides that agricultural or vegetable seed which
19 is genetically modified shall not be offered for sale or sale
20 in bulk.

21 The bill prohibits a seed labeler from selling or offering
22 for sale, or transporting agricultural or vegetable seed which
23 is genetically modified, unless the container holding the seed
24 is labeled. According to the bill, the seed labeler may print
25 the information on the container's label or as a pamphlet
26 attached to the container. If the seed labeler prints the
27 information in pamphlet form, the container's label must
28 provide a notice to the purchaser to consult the pamphlet. In
29 any case, the information must contain, to the extent known to
30 the seed labeler, a brief description of the consequences of
31 the genetic modification, planting and management practices
32 required to minimize the risk of transferring gene
33 characteristics to other varieties of plants, and an
34 explanation of any financial risks associated with marketing
35 the crop, including but not limited to restrictions regarding

1 handling and storage, its sale in domestic and foreign
2 markets, and its use including restrictions regarding human
3 consumption.

4 The bill prohibits a person from selling or offering for
5 sale genetically modified seed, if the person has represented
6 that the seed is not genetically modified.

7 The bill provides for seed testing by requiring that tests
8 include those for genetic modification.

9 A person violating the provisions of the bill is guilty of
10 a simple misdemeanor.

11 The bill becomes effective on September 1, 2001.

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