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**Select Committee on  
Environmental Health**

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**HB 2167**

**Brief Description:** Mandating additional food labeling requirements.

**Sponsors:** Representatives Chase, Campbell, Hunt, Hudgins, Morrell, Goodman, Springer, Hasegawa and Conway.

**Brief Summary of Bill**

- Requires perishable food products to have the package include a label that discloses the name and location of the company that packed the product and the date on which the packing occurred.
- Requires a label for perishable food products that have been irradiated, genetically engineered, and/or packed in modified atmosphere packaging with carbon monoxide.

**Hearing Date:** 2/21/07

**Staff:** Brad Avy (786-7289).

**Background:**

The U.S. Food and Drug Administration (FDA) is responsible for food labeling for all foods produced within the United States, except meat and poultry that are regulated by the U.S. Department of Agriculture (USDA). Either the USDA or the FDA, depending upon what types of food are involved, regulates imported foods. At the state level, the Washington State Department of Agriculture (WSDA) has primary labeling authority.

**Summary of Bill:**

The Legislature finds that Washington consumers:

- have a right to accurate, accessible information that will assist them in making educated food purchases;

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- have an interest in knowing the benefits and potential risks to their health from the products they consume; and
- value knowing when and where food has been packaged and when technologies such as genetic engineering, irradiation, and modified atmosphere packaging have been applied to the foods that are offered for retail sale.

The bill requires that no person may sell at retail any perishable food product:

- without having the package in which it is sold include a label clearly discernible to a consumer at the point of sale, disclosing the name and location of the company that packed the product and the date on which the packing occurred;
- that has been irradiated without having the package in which it is sold include a label clearly discernible to a consumer at the point of sale disclosing that the product has been treated with radiation;
- that has been genetically engineered without having the package in which it is sold include a label clearly discernible to a consumer at the point of sale disclosing that the product was genetically engineered; and
- that was packed in modified atmosphere packaging with carbon monoxide without having the package in which it is sold include a label clearly discernible to a consumer at the point of sale disclosing carbon monoxide was used.

"Perishable food product" means fruits, vegetables, meats, poultry, or fish intended for human consumption that are packaged other than at the time and point of retail sale, which have a high risk of spoilage within a period of thirty days and are determined by the director of the department of agriculture by rule to be perishable.

For purposes of the bill, "perishable food product" does not include dairy products.

Civil penalties may be imposed for up to \$1000 per violation per day. Imposition of the civil penalty is subject to a hearing under the Administrative Procedure Act.

The director of the Department of Agriculture must, in consultation with the secretary of the Department of Health, establish by rule uniform standards for the perishable food product labeling required under the bill.

**Appropriation:** None.

**Fiscal Note:** Preliminary fiscal note available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.