
Agriculture & Natural Resources
Committee

HB 2351

Brief Description: Providing consumer notice regarding cinnamon sources that naturally contain high levels of coumarin.

Sponsors: Representatives Stanford, Ryu, Peterson, Hudgins and Jinkins.

Brief Summary of Bill

- Requires all packages labeled as whole cinnamon bark or ground cinnamon that is not wholly derived from the Ceylon, or true, cinnamon plant to have conspicuous labeling that indicates that the contents of the package contain cassia cinnamon.

Hearing Date: 1/19/16

Staff: Jason Callahan (786-7117).

Background:

Food Labeling Requirements.

One of the responsibilities of the Washington State Department of Agriculture (WSDA) is to oversee the intrastate commerce of food, drugs, and cosmetics. This includes both general food labeling and branding rules and product-specific labeling rules, such as with the regulation of food color additives [RCW 69.04.025], out-of-state poultry marketed with the outline of Washington on its packaging [RCW 69.04.245], allowable bacon packaging [RCW 69.04.205], and movie theatre popcorn signage [RCW 69.04.331].

Food is generally considered to be misbranded if its label is false or misleading, it is labeled under a company that is not providing the product, or if it is an imitation of another food and the word "imitation" is not clearly present on the package [RCW 69.04.250]. Food can also be found to be misbranded if the name of the provider is not included on the package [RCW

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

69.04.260], the weight listed on the package is inaccurate [RCW 69.04.260], all required label words are not prominent [RCW 69.04.270], the contents of the package does not match the generally accepted definition of the label's description [RCW 69.04.280], and if the label pronounces the food to be suitable for special dietary purposes but does not provide the additional nutritional information necessary to substantiate the claim [RCW 69.04.320].

The WSDA has the lead role in the enforcement of food labeling requirements. The WSDA may impose a civil fine of up to \$1,000 per violation of food labeling laws per day [RCW 69.04.880]. A criminal misdemeanor prosecution can also be brought against a person found guilty of violating the food labeling laws. Finally, the WSDA can also seek injunctive relief from the Thurston County Superior Court against a person violating the food labeling laws.

Coumarin.

Coumarin is an organic chemical compound that, according to the United States Food and Drug Administration (FDA), is found naturally in tonka beans and other natural sources such as vanilla grass, sweet grass, cassia cinnamon, and sweet clover. Coumarin can also be synthesized for medical, industrial, and culinary uses.

Coumarin was banned as a food additive by the FDA in 1954 [21 CFR 189.130].

Cinnamon.

Cinnamon can be sourced from various plants. According to the Journal of Agricultural and Food Chemistry, there is a distinction between Ceylon, or true, cinnamon and cinnamons from other plants. These other plants are often referred to collectively as cassia cinnamon.

Summary of Bill:

All packages labeled as whole cinnamon bark or ground cinnamon that is not wholly derived from the Ceylon, or true, cinnamon plant must have conspicuous labeling that indicates that the contents of the package contain cassia cinnamon. This requirement must be satisfied by including the word "cassia" in the same font and size as the word "cinnamon" appears on the label. A violation of this requirement is considered a violation of the overall food labeling requirements.

The labeling requirement only applies to cinnamon sold as a stand-alone product. It does not apply to products that have cinnamon listed as an ingredient.

Appropriation: None.

Fiscal Note: Not requested.

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