

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PINGREE OF MAINE OR HER DESIGNEE, DEBATABLE FOR 20 MINUTES

AMENDMENT TO RULES COMMITTEE PRINT 114-

24

OFFERED BY MS. PINGREE OF MAINE

[Showing the text of the bill as ordered reported by the
Committee on Agriculture.]

Page 1, strike line 1 and all that follows through the end of the bill, and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Non-GMO Disclosure
3 Act of 2015”.

4 **SEC. 2. NON-GMO FOOD CERTIFICATION PROGRAM.**

5 The Agricultural Marketing Act of 1946 (7 U.S.C.
6 1621 et seq.) is amended by adding at the end the fol-
7 lowing new subtitle:

8 **“Subtitle E—Non-GMO Food**
9 **Certification Program**

10 **“SEC. 291. CERTIFICATION OF NON-GMO FOODS.**

11 “(a) IN GENERAL.—The Secretary shall establish a
12 voluntary certification program for food produced without
13 the use of genetic engineering to be known as the Non-
14 GMO Food Certification Program.

1 “(b) CONSULTATION.—The Secretary shall consult
2 with other relevant parties to develop the Non-GMO Food
3 Certification Program.

4 “(c) CERTIFICATION.—The Secretary shall imple-
5 ment the Non-GMO Food Certification Program through
6 certifying agents. Certifying agents may certify that prod-
7 ucts were not produced with the use of genetic engineering
8 or a genetically engineered plant, in accordance with this
9 subtitle.

10 “(d) SEAL.—The Secretary shall establish a seal to
11 identify products that were not produced with the use of
12 genetic engineering or a genetically engineered plant in
13 interstate commerce using terminology the Secretary con-
14 siders appropriate, including terminology commonly used
15 in interstate commerce or established by the Secretary in
16 regulations.

17 **“SEC. 292. DEFINITIONS.**

18 “In this subtitle:

19 “(1) GENETICALLY ENGINEERED.—The term
20 ‘genetically engineered’, used with respect to a food,
21 means a material intended for human consumption
22 that is—

23 “(A) an organism that is produced through
24 the intentional use of genetic engineering; or

1 “(B) the progeny of intended sexual or
2 asexual reproduction (or both) of 1 or more or-
3 ganisms that is the product of genetic engineer-
4 ing.

5 “(2) GENETIC ENGINEERING.—The term ‘ge-
6 netic engineering’ means a process—

7 “(A) involving the application of in vitro
8 nucleic acid techniques, including recombinant
9 deoxyribonucleic acid (DNA) and direct injec-
10 tion of nucleic acid into cells or organelles;

11 “(B) involving the application of fusion of
12 cells beyond the taxonomic family; or

13 “(C) that overcomes natural physiological,
14 reproductive, or recombinant barriers and that
15 is not a process used in traditional breeding
16 and selection.”.

17 **SEC. 3. REGULATIONS.**

18 Not later than 1 year after the date of the enactment
19 of this Act, the Secretary shall promulgate regulations to
20 implement the Non-GMO Food Certification Program in
21 accordance with section 291 of the Agricultural Marketing
22 Act of 1946 (7 U.S.C. 1621 et seq.), as added by section
23 2.

1 **SEC. 4. SAVINGS CLAUSE.**

2 Nothing in this Act (or the amendments made by this
3 Act) is intended to alter or affect the authorities or regu-
4 latory programs, policies, and procedures otherwise avail-
5 able to, or the definitions used by, the Food and Drug
6 Administration under the Federal Food, Drug, and Cos-
7 metic Act (21 U.S.C. 301 et seq.) or the Animal and Plant
8 Health Inspection Service under the Plant Protection Act
9 (7 U.S.C. 7701 et seq.).

