

STATE OF NEW YORK

3594

2017-2018 Regular Sessions

IN ASSEMBLY

January 27, 2017

Introduced by M. of A. ROSENTHAL, ABINANTI -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to the labeling requirements for seeds which are or include genetically engineered organisms

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 136 of the agriculture and markets law is amended
2 by adding two new subdivisions 22 and 23 to read as follows:

3 22. The term "modern biotechnology" means:

4 (a) In vitro nucleic acid techniques, including recombinant deoxyribo-
5 nucleic acid (DNA) and direct injection of nucleic acid into cells or
6 organelles that overcome natural physiological reproductive or recombi-
7 nant barriers and that are not techniques used in traditional breeding
8 and selection. Such techniques shall also include, but not be limited
9 to, recombinant deoxyribonucleic acid techniques that use vector systems
10 and techniques involving the direct introduction into the organism of
11 hereditary materials prepared outside the organism such as micro-injec-
12 tion, macro-injection, chemoporation, micro-encapsulation and liposome
13 fusion.

14 (b) Fusion of cells beyond the taxonomic family, including protoplast
15 fusion or hybridization techniques, that overcome natural physiological
16 reproductive or recombinant barriers where the donor cells or proto-
17 plasts do not fall within the same taxonomic family and that are not
18 techniques used in traditional breeding and selection.

19 23. The term "genetically engineered organism" means an organism in
20 which the genetic material has been changed through modern biotechnology
21 in a way that does not occur naturally by multiplication and/or natural
22 recombination.

23 § 2. Section 137 of the agriculture and markets law is amended by
24 adding a new subdivision I to read as follows:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD05349-01-7

1 I. For all seeds which are or include genetically engineered organ-
2 isms. The following in not less than ten point type:

3 1. The words "These are genetically engineered seeds".

4 2. The identity of the relevant traits or characteristics introduced
5 into such seed using modern biotechnology.

6 3. Any requirements for the safe handling, storage, transport and use
7 of the seed.

8 4. The name, address and telephone number of the manufacturer of the
9 seed.

10 5. The name and address of the person who labeled said seed or who
11 sells, offers for sale or exposes said seed for sale within this state.

12 § 3. The opening paragraph of section 139 of the agriculture and
13 markets law, as added by chapter 631 of the laws of 1955, is amended to
14 read as follows:

15 The provisions of this article [~~do~~], with the exception of subdivision
16 I of section one hundred thirty-seven of this article, shall not apply
17 to the following:

18 § 4. The three undesignated paragraphs of section 142 of the agricul-
19 ture and markets law are designated subdivisions 1, 2 and 3, and a new
20 subdivision 4 is added to read as follows:

21 4. The commissioner shall promulgate such rules and regulations as
22 shall be necessary to implement the provisions of subdivision I of
23 section one hundred thirty-seven of this article in relation to the
24 labeling of seeds which are or include genetically engineered organisms,
25 taking into consideration: the origins of the seed, the presence of weed
26 seeds, mixtures, hermetically sealed containers, coated seeds, crop
27 seeds, genetically engineered material, genetically engineered plant
28 parts, hybrids, germination medium and pre-planted containers.

29 § 5. This act shall take effect on the sixtieth day after it shall
30 have become a law.