S T A T E O F N E W Y O R K

9308

I N A S S E M B L Y

April 8, 2014

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

AN ACT to amend the public health law, in relation to the labeling of vaccines containing genetically modified organisms

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The public health law is amended by adding a new section 2113 to read as follows:

S 2113. GENETICALLY MODIFIED VACCINES; REQUIRED LABELING AND NOTICE. 1. AS USED IN THIS SECTION, THE TERM:

(A) "GENETICALLY MODIFIED," "GENETIC MODIFICATION," "GENETICALLY ENGINEERED," OR "GENETIC ENGINEERING" AS APPLIED TO ANY VACCINE, MEANS PRODUCED FROM OR WITH AN ORGANISM OR ORGANISMS WITH GENETICS ALTERED MATERIALLY THROUGH THE APPLICATION OF:

(I) IN VITRO NUCLEIC ACID TECHNIQUES, INCLUDING BUT NOT LIMITED TO RECOMBINANT DEOXYRIBONUCLEIC ACID (DNA) TECHNIQUES AND THE DIRECT INJECTION OF NUCLEIC ACID INTO CELLS OR ORGANELLES, OR

(II) FUSION OF CELLS BEYOND THE TAXONOMIC FAMILY THAT OVERCOME NATURAL PHYSIOLOGICAL REPRODUCTIVE OR RECOMBINANT BARRIERS AND THAT ARE NOT TECHNIQUES USED IN TRADITIONAL BREEDING AND SELECTION.

(B) "MANUFACTURER" MEANS A PERSON OR BUSINESS THAT MAKES, PROCESSES, COMBINES OR PACKAGES A VACCINE.

2. ANY VACCINE OFFERED IN NEW YORK IS MISBRANDED IF IT CONTAINS GENETICALLY MODIFIED ORGANISMS PARTIALLY OR IN ITS ENTIRETY AND THAT FACT IS NOT DISCLOSED.

3. IN THE CASE OF A GENETICALLY MODIFIED VACCINE, THE WORDS "GENETICALLY MODIFIED" SHALL BE PLACED ON THE CONTAINER USED FOR PACKAGING, HOLDING AND/OR TRANSPORT IN A CLEAR AND CONSPICUOUS MANNER BY THE MANUFACTURER.

4. THIS SECTION SHALL NOT BE CONSTRUED TO REQUIRE EITHER THE LISTING OR IDENTIFICATION OF ANY INGREDIENT OR INGREDIENTS THAT WERE GENETICALLY MODIFIED, NOR THAT THE TERM "GENETICALLY MODIFIED" BE PLACED IMMEDIATELY PRECEDING ANY COMMON NAME OR PRIMARY PRODUCT DESCRIPTOR OF A VACCINE.

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

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5. IN THE CASE OF A GENETICALLY MODIFIED VACCINE, THE DOCTOR OR OTHER INDIVIDUAL ADMINISTERING THE VACCINE SHALL NOTIFY THE RECIPIENT OF THE GENETICALLY MODIFIED VACCINE PRIOR TO ADMINISTERING SAID VACCINE.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.