

HOUSE RESEARCH

Bill Summary

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Subject: Genetically Modified Agricultural Crops

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Overview

House File 150 revises requirements for growing and harvesting genetically modified seed crops. Manufacturers are required to provide specific information to buyers of GMO seed, and the farmer neighbors of a field where GMO crops are to be grown must be notified of the intent and given information on appropriate procedures to prevent cross-pollination or other contamination with non-GMO crops. Manufacturers are held strictly liable for cross-pollination damages to an agricultural grower of non-GMO crops. A mechanism is set up for voluntary labeling of products from crops that have been grown, harvested, stored, transported, and processed under conditions that assure segregation from GMO crops.

Section

- 1 **Purpose.** Expands the first section of the existing statute dealing with genetically modified organisms to include protecting of the rights of growers and consumers who wish not to consume GMOs.
- 2 **Definition; agriculturally related organism.** Expands the definition of "agriculturally related organism" to include produce grown and harvested in a home vegetable garden.
- 3 **Definition; agricultural grower; producer.** Creates a new definition for "agricultural grower or producer."
- 4 **Definition; genetically modified organism.** Expands the existing definition of "genetically engineered organism" by including the terms "genetically modified organism" and "GMO."
- 5 **Definition; GMO-free content.** Creates a new definition for "GMO-free content."
- 6 **Definition; technology use agreement.** Means the license terms and restrictions imposed by the owner of genetically modified technology.
- 7 **Optional labeling of nongenetically modified organisms.** Establishes a procedure of records and certifications suitable for determining that crops and livestock are free of GMOs.

- 8 **Labeling of genetically modified crop seeds; liability.** Requires the manufacturer of genetically modified crop seeds to provide written instructions to the purchaser on how the seeds should be grown and harvested to avoid contamination with nonGMO crops.
- Allows the manufacturer to get pre-approval for the required instructions by submitting a copy to the commissioner of agriculture.
- Provides that a manufacturer who fails to provide the required notification is strictly liable to an agricultural grower who suffers damages from misuse of the GMO crops.
- 9 **Notice to adjoining landowners; complaints to manufacturers.** A purchaser of GMO seeds is required to provide the seller of the seed with the names and addresses of other agricultural growers using land within 1/4 mile of the land where the GMO seeds will be planted. The seller must then forward this information to the manufacturer of the GMO seed. The manufacturer must then provide written notice to each of the neighboring growers, identifying the grower that plans to plant the GMO seeds and repeating information about how to avoid cross-pollination between GMO crops and nonGMO crops.
- The manufacturer of GMO seeds may then instruct the seller of the seed that it is OK to release the seed to the buyer.
- The manufacturer must maintain a log of complaints and telephone calls from neighbors notified by the manufacturer. A summary of the call log must be reported to the commissioner of agriculture quarterly.
- A technology use agreement for GMO seeds must require that the purchaser comply with instructions for avoiding cross-pollination. Likewise, a manufacturer is allowed to sell GMO seeds only through a dealer that has agreed to comply with all obligations of sellers.