

## **BILL ANALYSIS**

Senate Research Center  
87R13712 TYPED

S.B. 1145  
By: Perry  
Business & Commerce  
3/26/2021  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The issue to mitigate is the use of meat food product nomenclature/labeling for products that are derived from plant, or potentially, cell-cultured proteins.

This bill helps with transparency for consumers.

The Texas Department of Agriculture would handle the enforcement of this bill.

As proposed, S.B. 1145 amends current law relating to marketing and labeling requirements for certain food products, including imitation meat and egg food products.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 18, Agriculture Code, by adding Sections 18.050, 18.0521, and 18.0522, as follows:

Sec. 18.050. DEFINITIONS. Defines "egg," "egg product," "fish," "meat food product," "poultry," "poultry product," and "standard of identity" for the purposes of Subchapter B (Agricultural Product Standards).

Sec. 18.0521. MISLABELING OF FOOD PRODUCTS. Provides that a person violates this subchapter if, in order to directly or indirectly induce the purchase of a food product, the person labels, misbrands, or misrepresents the food product with:

- (1) a term that has a standard of identity, if the food product does not meet the standard of identity;
- (2) an image, depiction, or graphic of a livestock animal, if the food product does not contain a product derived from a livestock animal, unless the food product's label bears, in prominent type of uniform size, as applicable:
  - (A) the word "imitation" immediately followed by the name of the product imitated;
  - (B) "This product does not contain animal protein";
  - (C) the word "meatless";
  - (D) the words "meat free";
  - (E) the words "plant based"; or
  - (F) the words "egg free."

Sec. 18.0522. ENFORCEMENT. Requires the Texas Department of Agriculture (TDA) to:

(1) enforce the proper use of standards of identity on food product labels to prevent consumer confusion and ensure the orderly and efficient marketing of agricultural and livestock products; and

(2) to the extent practical and cost-effective, enter into a memorandum of understanding or interagency contract with the Department of State Health Services or another state agency to execute TDA's responsibilities under Subchapter B with respect to this section and Section 18.0521.

SECTION 2. Effective date: September 1, 2021.