

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 25-1203

BY REPRESENTATIVE(S) Winter T. and McCormick, Bacon, Brooks, Brown, Caldwell, Duran, English, Garcia Sander, Gonzalez R., Hartsook, Johnson, Joseph, Keltie, Lieder, Lukens, Martinez, Richardson, Smith, Soper, Stewart K., Taggart, Titone, Weinberg, Woog, Zokaie, McCluskie; also SENATOR(S) Pelton R. and Mullica, Carson, Catlin, Exum, Lundeen, Pelton B., Roberts, Simpson, Coleman.

CONCERNING CELL-CULTIVATED MEAT, AND, IN CONNECTION THEREWITH, PROHIBITING THE MISBRANDING OF CELL-CULTIVATED MEAT AS A MEAT PRODUCT AND REQUIRING CELL-CULTIVATED MEAT TO BE CLEARLY LABELED AS CELL-CULTIVATED MEAT.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly finds that:

(a) For generations, Colorado stock growers have raised high-quality meat products that feed families across the state and the nation;

(b) Livestock production is not just an industry in Colorado; it is a proud tradition woven into the very fabric of the state's history; and

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(c) Agriculture remains the lifeblood of rural Colorado, driving local economies while preserving a rich heritage that rural Coloradans embrace with pride.

(2) Now, therefore, the general assembly declares that a labeling requirement on the sale or distribution of cell-cultivated meat in the state is necessary to eliminate any potential for deceptive trade practices and preserve the free market choice that all Colorado consumers deserve when it comes to their protein options.

SECTION 2. In Colorado Revised Statutes, 25-5-411, **amend** (1) introductory portion; and **add** (1)(q) and (1)(r) as follows:

25-5-411. Definitions of "misbranding". (1) A food ~~shall be~~ IS deemed to be misbranded:

(q) IF THE FOOD IS CELL-CULTIVATED MEAT OR CONTAINS CELL-CULTIVATED MEAT AND IS MISBRANDED AS A MEAT PRODUCT IN VIOLATION OF SECTION 25-5-428; OR

(r) IF THE FOOD IS CELL-CULTIVATED MEAT OR CONTAINS CELL-CULTIVATED MEAT AND IS NOT CLEARLY LABELED AS CELL-CULTIVATED MEAT IN VIOLATION OF SECTION 25-5-428.

SECTION 3. In Colorado Revised Statutes, **add** 25-5-428 as follows:

25-5-428. Misbranding of cell-cultivated meat as meat product prohibited - labeling of cell-cultivated meat required - definitions - inspections - stop orders - embargo orders - enforcement - rules. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "AGRICULTURAL FOOD ANIMAL" MEANS:

(I) A DOMESTICATED ANIMAL BELONGING TO THE BOVINE, CAPRINE, OVINE, OR PORCINE SPECIES; OR

(II) A LIVE DOMESTIC CHICKEN OR TURKEY.

(b) "CELL-CULTIVATED MEAT" MEANS FOOD HAVING ONE OR MORE SENSORY ATTRIBUTES THAT RESEMBLES A TYPE OF TISSUE ORIGINATING FROM AN AGRICULTURAL FOOD ANIMAL BUT THAT, IN LIEU OF BEING DERIVED FROM MEAT PROCESSING, IS DERIVED FROM MANUFACTURING CELLS, IN WHICH ONE OR MORE STEM CELLS ARE INITIALLY ISOLATED FROM AN AGRICULTURAL FOOD ANIMAL, ARE GROWN IN VITRO, AND MAY BE MANIPULATED AS PART OF A MANUFACTURING OPERATION.

(c) "FOOD PROCESSING PLANT" MEANS A COMMERCIAL OPERATION THAT MANUFACTURES, PACKAGES, LABELS, OR STORES FOOD FOR HUMAN CONSUMPTION AND DOES NOT PROVIDE FOOD DIRECTLY TO A CONSUMER.

(d) "IDENTIFYING MEAT TERM" MEANS ANY WORD OR PHRASE THAT STATES, INDICATES, SUGGESTS, OR DESCRIBES A MEAT PRODUCT, REGARDLESS OF WHETHER THE WORD OR PHRASE IS USED INDIVIDUALLY, AS A PORTMANTEAU, OR AS A COMPOUND WORD. "IDENTIFYING MEAT TERM" INCLUDES:

(I) A COMMON NAME FOR THE SPECIES OF THE AGRICULTURAL FOOD ANIMAL SUBJECT TO SLAUGHTER AND PROCESSING, INCLUDING A CALF OR COW, CHICKEN, GOAT OR KID, HOG OR PIG, POULTRY, LAMB OR SHEEP, OR TURKEY;

(II) A COMMON NAME FOR A CHARACTERISTIC OF A SPECIES OF THE AGRICULTURAL FOOD ANIMAL SUBJECT TO SLAUGHTER AND PROCESSING BASED ON AGE, BREED, OR SEX;

(III) BEEF OR VEAL; BROILER, FRYER, POULET, OR YEARLING; CABRITO OR CHEVON; LAMB OR MUTTON; OR PORK;

(IV) A COMMON NAME USED TO DESCRIBE A MAJOR CUT OF THE MEAT OF AN AGRICULTURAL FOOD ANIMAL SLAUGHTERED AND PROCESSED, INCLUDING A MAJOR MEAT CUT SPECIFIED IN 9 CFR 317.344;

(V) A POULTRY PRODUCT SUCH AS BREAST, DRUMSTICK, GIBLET, THIGH, OR WING;

(VI) THE COMMON NAME OF AN ORGAN OR OFFAL, INCLUDING GIZZARD, HEART, LIVER, KIDNEY, OR TONGUE; AND

(VII) ANY OTHER COMMON NAME THAT A REASONABLE PURCHASER WOULD IMMEDIATELY AND EXCLUSIVELY ASSOCIATE WITH A MEAT PRODUCT PREPARED FOR SALE IN NORMAL COMMERCIAL CHANNELS, SUCH AS BACON, BALONEY, BOLOGNA, BONE, BRAT OR BRATWURST, BRISKET, BURGER OR HAMBURGER, BUTT, CHOP, CHUCK, COLD CUT, CUTLET, FILET, FLAT IRON, FRANK OR FRANKFURTER, HAM, HOCK, HOT DOG, JERKY, LIVERWURST, LOIN, LONDON BROIL, LUNCHMEAT, NEW YORK STRIP, PEPPERONI, PORTERHOUSE, RIBEYE, ROAST, RIB OR SPARERIB, SALAMI, SAUSAGE, SHANK, SIRLOIN, TENDERLOIN, OR A COMPARABLE WORD OR PHRASE THE DEPARTMENT ADOPTS BY RULE.

(e) "MEAT PROCESSING" MEANS THE HANDLING, PREPARATION, AND SLAUGHTER OF AN AGRICULTURAL FOOD ANIMAL; THE DRESSING OF ITS CARCASS; OR THE CUTTING, STORAGE, AND PACKAGING OF ITS TISSUE OR OTHER PARTS AS FOOD.

(f) "MEAT PRODUCT" MEANS FOOD DERIVED FROM MEAT PROCESSING.

(g) (I) "MISBRANDED AS A MEAT PRODUCT" MEANS THAT CELL-CULTIVATED MEAT OR A FOOD CONTAINING CELL-CULTIVATED MEAT:

(A) IS SOLD OR OFFERED FOR SALE BY A FOOD PROCESSING PLANT; AND

(B) BEARS A LABEL THAT INCLUDES AN IDENTIFYING MEAT TERM.

(II) NOTWITHSTANDING SUBSECTION (1)(g)(I) OF THIS SECTION, CELL-CULTIVATED MEAT OR A FOOD CONTAINING CELL-CULTIVATED MEAT IS NOT MISBRANDED AS A MEAT PRODUCT IF:

(A) THE LABEL INCLUDES A CONSPICUOUS AND PROMINENT QUALIFYING TERM IN CLOSE PROXIMITY TO THE IDENTIFYING MEAT TERM; OR

(B) THE PRODUCT CONTAINS NO MORE THAN A TRACE AMOUNT OF CELL-CULTIVATED MEAT, AS DETERMINED BY THE DEPARTMENT.

(h) "QUALIFYING TERM" MEANS A WORD, COMPOUND WORD, OR PHRASE THAT WOULD CLEARLY DISCLOSE TO A REASONABLE PURCHASER OF MEAT PRODUCTS FROM A FOOD PROCESSING PLANT THAT A FOOD IS NOT A

MEAT PRODUCT. "QUALIFYING TERM" INCLUDES "CELL-CULTIVATED", "CELL-CULTURED", "GROWN IN A LAB", "IMITATION", "LAB-CREATED", "LAB-GROWN", "MEAT FREE", "MEATLESS", AND A COMPARABLE WORD OR PHRASE ADOPTED BY THE DEPARTMENT BY RULE.

(2) A FOOD PROCESSING PLANT SHALL NOT SELL OR OFFER FOR SALE CELL-CULTIVATED MEAT THAT IS MISBRANDED AS A MEAT PRODUCT.

(3) A FOOD PROCESSING PLANT THAT SELLS OR OFFERS FOR SALE CELL-CULTIVATED MEAT SHALL ENSURE THAT EACH UNIT OF THE CELL-CULTIVATED MEAT BEARS A LABEL THAT DESCRIBES THE PRODUCT AS "CELL-CULTIVATED MEAT" IN CLEAR, LEGIBLE TYPE.

(4) THE DEPARTMENT SHALL INSPECT AN INVENTORY OF FOOD OFFERED FOR SALE OR SOLD AT A FOOD PROCESSING PLANT PURSUANT TO SECTION 25-5-421 IF THE DEPARTMENT HAS REASONABLE CAUSE TO BELIEVE THAT:

(a) CELL-CULTIVATED MEAT SOLD OR OFFERED FOR SALE BY THE FOOD PROCESSING PLANT IS MISBRANDED AS A MEAT PRODUCT; OR

(b) THE FOOD PROCESSING PLANT IS FAILING TO LABEL CELL-CULTIVATED MEAT AS REQUIRED BY SUBSECTION (3) OF THIS SECTION.

(5)(a) IF, AFTER AN INSPECTION, THE DEPARTMENT HAS REASONABLE CAUSE TO BELIEVE THAT A FOOD PROCESSING PLANT IS SELLING OR OFFERING FOR SALE CELL-CULTIVATED MEAT THAT IS MISBRANDED AS A MEAT PRODUCT, OR IS FAILING TO LABEL CELL-CULTIVATED MEAT AS CELL-CULTIVATED MEAT, THE DEPARTMENT MAY ISSUE A STOP ORDER. AFTER RECEIVING THE STOP ORDER, THE FOOD PROCESSING PLANT SHALL NOT SELL THE PRODUCT OR OFFER IT FOR SALE UNTIL THE DEPARTMENT DETERMINES WHETHER THE FOOD IS MISBRANDED AS A MEAT PRODUCT OR IMPROPERLY UNLABELED. THE DEPARTMENT MAY REQUIRE THE FOOD PROCESSING PLANT TO HOLD THE PRODUCT AND SECURE IT FROM PURCHASE.

(b) IF THE DEPARTMENT DETERMINES THAT CELL-CULTIVATED MEAT SOLD OR OFFERED FOR SALE BY A FOOD PROCESSING PLANT IS MISBRANDED AS A MEAT PRODUCT, OR THAT A FOOD PROCESSING PLANT HAS FAILED TO LABEL CELL-CULTIVATED MEAT AS REQUIRED BY SUBSECTION (3) OF THIS SECTION, THE DEPARTMENT MAY ISSUE AN EMBARGO ORDER REQUIRING THE

FOOD PROCESSING PLANT TO DISPOSE OF THE CELL-CULTIVATED MEAT BY MEANS OTHER THAN BY SALE TO PURCHASERS IN COLORADO.

(c) THE DEPARTMENT, THE ATTORNEY GENERAL, OR THE DISTRICT ATTORNEY IN THE DISTRICT WHERE CELL-CULTIVATED MEAT IS BEING OFFERED FOR SALE OR SOLD MAY PETITION THE DISTRICT COURT TO ENFORCE A STOP ORDER ISSUED PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION OR AN EMBARGO ORDER ISSUED PURSUANT TO SUBSECTION (5)(b) OF THIS SECTION.

(6) THE DEPARTMENT MAY ADOPT RULES AS NECESSARY TO IMPLEMENT THIS SECTION.

SECTION 4. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to food labeled or packaged on or after the applicable effective date of this act.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO