

2019 HOUSE AGRICULTURE

HCR 3024

2019 HOUSE STANDING COMMITTEE MINUTES

Agriculture Committee
Peace Garden Room, State Capitol

HCR 3024
1/31/2019
Job #31921

- Subcommittee
 Conference Committee

Committee Clerk Signature ReMae Kuehn

Explanation or reason for introduction of bill/resolution:

A resolution urging Congress to amend federal law, policies, and regulations relating to food safety and labeling to allow for standards and criteria to differentiate food products derived from animal products from those derived from laboratory-produced, cell-cultured meat products.

Minutes:

Attachment #1

Julie Ellingson, North Dakota Stockmen's Association: (Attachment #1)

Chairman Dennis Johnson: Any thoughts on amendments?

Julie Ellingson: We support nomenclature for conventionally raised beef to be preserved for traditional products. This resolution talks about the inspection component of cell-cultured protein. Plant based products would not fall under the jurisdiction of FSIS (Food Safety Inspection Service) due to different federal agency oversight.

Larry Kinev, Independent Beef Association of North Dakota: We agree with Julie's testimony. I would support an amendment and add plant based in. I can carry this resolution to Washington in June. It will help me when I visit the inspection agencies. We have to start looking at production practices in these alternative protein sources. The cell-cultured is in one area and plant-based in another. In plant-based we have companies claiming to make beef from plants. That is not truthful advertising.

Mary Graner, Ranch south of Mandan: Would support an amendment. They are also introducing a product derived from cells of insects. Now they are using crickets in order to produce meat. We need truth in labeling. We want to protect our industry.

Kayla Pulvermacher, North Dakota Farmers Union: In support of resolution.

Robert Ferebee, North Dakota Grain Growers: We have come a long way in the meat industry. We are humane in the way we raise our animals. This resolution is necessary

Emmery Mehlhoff, North Dakota Farm Bureau: We also support this resolution. Consumers have a right to know.

Opposition: None

Chairman Dennis Johnson: Closed the hearing.

2019 HOUSE STANDING COMMITTEE MINUTES

Agriculture Committee
Peace Garden Room, State Capitol

HCR 3024—Committee Work
1/31/2019
Job #31955

- Subcommittee
 Conference Committee

Committee Clerk: ReMae Kuehn

Explanation or reason for introduction of bill/resolution:

A resolution urging Congress to amend federal law, policies, and regulations relating to food safety and labeling to allow for standards and criteria to differentiate food products derived from animal products from those derived from laboratory-produced, cell-cultured meat products.

Minutes:

Representative McWilliams: Moved Do Pass and place on the consent calendar.

Representative Satrom: Seconded the motion

A Roll Call vote was taken: Yes 11, No 0, Absent 3.

Do Pass carries.

Representative Satrom will carry the bill.

REPORT OF STANDING COMMITTEE

HCR 3024: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HCR 3024 was placed on the Tenth order on the calendar.

2019 SENATE AGRICULTURE

HCR 3024

2019 SENATE STANDING COMMITTEE MINUTES

Agriculture Committee
Roosevelt Park Room, State Capitol

HCR 3024
3/1/2019
JOB # 33053

- Subcommittee
 Conference Committee

Committee Clerk: Florence Mayer

Explanation or reason for introduction of bill/resolution:

A concurrent resolution urging Congress to amend federal law, policies, and regulations relating to food safety and labeling to allow for standards and criteria to differentiate food products derived from animal products from those derived from laboratory-produced, cell-cultured meat products.

Minutes:

Attachments # 1 - 2

Chairman Luick: Called the committee to order on HCR 3024. All members were present except Senator Osland. Senator Heckaman sat in for Senator Hogan. We will start with a video about lab grown meat, it is 10 minutes long.

Independent Beef Association: Provided Attachment # 1 by email, a video on lab created meat.

<https://www.wsj.com/articles/tasting-the-worlds-first-test-tube-steak-11544524201>

(10:30) Senator Klein: In January on Fox news, Pete and the weather guy are testing a real burger and a lab burger. Pete picked the one that was real, but the other guy was positive it was his. It is that close. The company thought that by this fall, they would be marketing that burger. You add enough condiments, and even iguanas taste good.

Representative Bernie Satrom, District 12: Introduced the bill. This is a companion bill to HB 1400, that deals with self-cultured protein or fake meat. That bill focuses on the state regulatory framework for the emerging products. This resolution on the other hand deals with the federal frame work, being established now. This resolution calls on Congress to be sure that food products derived from actual animals and those from lab produced self-cultured processes are differentiated in the marketplace. Terms like "Beef, pork, poultry" are reserved for products derived from actual animals and that there are robust safety standards in place to protect consumer and ensure an even playing field. This is an important message to send to Washington.

Chairman Luick: Are we leaving the gate open on this? When it's something that is produced from an actual animal. They are taking cells from an actual animal and recreating this.

Representative Satrom: I would defer that to Julie. This is a free county, you can grow and produce anything you want to. I don't think it is appropriate to tag onto an industry that has been a part of our country forever. They are welcome to create anything they want, just don't call it anything resembling the real thing. That is my personal opinion there.

Julie Ellingson, ND Stockman's Association: Testified in favor of HCR 3024 and presented Attachment # 2.

Mary Graner, Independent Beef Association of ND: We support HCR 3024.

Mary Jensen, ND Farmer's Union: We support HCR 3024.

Emmery Mehlhoff, ND Farm Bureau: Just want to echo that, we stand in support of HCR 3024. We think consumers have a right to know if they're eating from the real deal or if they're eating something grown in a lab.

Gary Knudson, ND Agriculture Association: We produce corn, soybeans, and a lot of feed for the livestock industry. It is important the livestock industry be on a level playing field with these other products. For the life of me I can't understand how they will have different grades of marbling in this texturized product, or juice or flavor.

Scott Rising, ND Soybean Growers Association: Same here. It's our feed in quality and quantity that grow these critters strong and healthy and we want to keep it that way.

Senator Larsen: As we were watching that video, the tiny piece of steak was \$50. People say a year from now this will hit the markets. Is there a cost analysis of what this will be?

Representative Satrom: I don't have the answer, but the first computer that was created cost hundreds of thousands of dollars, now through mass production you can buy one for much cheaper. The same dynamic of progress will occur here. Prices will come down. They think this is going to work.

Senator Larsen: Are they doing data on the cholesterol or things like that? Are they testing the health side of things?

Representative Satrom: I don't know.

Chairman Luick: Closed the hearing on HCR 3024

Vice Chair Myrdal: Moved a Do Pass on HCR 3024.

Senator Klein: Seconded.

Senator Klein: Side note, When we think about the dollar influence with lab grown meat. It will be difficult going forward, we need to stay ahead of this thing.

Vice Chair Myrdal: Likely some of the same people in favor of this nationwide, are likely those complaining about GMOs and lab things destroying lives. This apparently is the healthiest thing on earth. GMOs never did do anything destructive to the human body that we have scientifically proven.

Senator Larsen: When I was thinking about this bill, what comes to mind is SPAM, tofu, and liverwurst. They don't call those things meat products or vegetables, this is a niche' market. It would be very bad if they called this the "new hamburger".

Chairman Luick: 3 years ago I was watching TED talks on this topic. They said it would be the most wonderful thing ever. I'm sure it will evolve, but as long as they stay in their court and we are in ours.

A Roll Call Vote Was Taken: 4 yeas, 0 nays, 2 absent.

Motion Carried.

Senator Larsen will carry the bill.

Chairman Luick: Committee will be at ease.

Date: 3/1/19
Roll Call Vote #: 1

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HR 3024

Senate Agriculture Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
Other Actions: Reconsider _____

Motion Made By Myrdal Seconded By Klein

Senators	Yes	No	Senators	Yes	No
Chairman Luick	✓		Senator Hogan (Heckaman)		
Vice Chair Myrdal	✓				
Senator Klein	✓				
Senator Larsen	✓				
Senator Osland <u>Absent</u>					

Total (Yes) 4 No 0

Absent 2

Floor Assignment ~~Myrdal~~ Larsen

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HCR 3024: Agriculture Committee (Sen. Luick, Chairman) recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3024 was placed on the Fourteenth order on the calendar.

2019 TESTIMONY

HCR 3024

#1

North Dakota Stockmen's Association
Testimony to the House Agriculture Committee on HCR 3024

Jan. 31, 2019

Good morning, Chairman Johnson and members of the House Agriculture Committee. For the record, my name is Julie Ellingson and I represent the North Dakota Stockmen's Association, an 89-year-old beef cattle trade organization representing 3,000 cattle-ranching families.

Thank you for the opportunity to comment on HCR 3024.

Last week, I described to you the Stockmen's Association's policy on lab-grown protein, which calls for educational efforts to inform consumers about the differences between meat and alternative products and truth-in-labeling rules that clarify those differences.

As I also described, there will be a state and federal interplay to regulate these new cell-cultured proteins.

HB 1400 deals with the state component, whereas HCR 3024 addresses the federal component, calling for standards of identity to preserve our nomenclature, proper labeling of lab-grown products and, equally important, food safety standards that protect our consumers and ensure a level playing field for conventionally raised products.

Late last year, the federal government indicated that the Food and Drug Administration and USDA's Food Safety Inspection Service would share jurisdiction over cell-cultured protein, but the details of the arrangement are still being fleshed through. It is critically important, in our view, that FSIS plays the major role in this effort.

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#1
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That's because FSIS possesses the technical expertise and regulatory infrastructure to ensure perishable food products are safe for U.S. consumers. They have a daily inspection presence, and can help ensure that lab-grown protein complies with the same stringent food safety inspection standards as conventionally raised meat.

Another marked advantage of FSIS being involved is that it is able to provide greater protection against false and misleading marketing claims. Unlike the FDA, FSIS requires pre-approval of all labels before products hit the marketplace. This will ensure consistent labeling practices across all products, and prevent misleading labels such as "clean meat." By contrast, FDA does not require pre-approval for product labels and has a history of failing to enforce fair and accurate labeling for products under its jurisdiction, most notably, there was an 18-year delay in responding to complaints against misleading almond milk labels.

HCR 3024 will help us prevent this from happening with cell-cultured protein and carry this message to Washington.

We ask for your favorable consideration of this resolution.

North Dakota Stockmen's Association
Testimony to the Senate Agriculture Committee on HCR 3024
March 1, 2019

Good morning, Chairman Luick and members of the Senate Agriculture Committee. My name is Julie Ellingson and I represent the North Dakota Stockmen's Association, an 89-year-old beef cattle trade organization representing 3,000 cattle-ranching families.

Thank you for the opportunity to comment on HCR 3024.

In 2017, our members identified lab-grown, or cell-cultured, protein as a priority issue of concern and developed policy calling for educational efforts to inform consumers about the differences between meat and alternative products and truth-in-labeling rules to clarify the differences. With "fake meat," as it is sometimes called, prepared to hit the commercial marketplace as early as sometime this year, the resolution before you becomes increasingly important.

Cell-cultured meat is meat produced by in vitro cultivation of animal cells, instead of from slaughtered animals. It is produced using many of the same tissue-engineering techniques traditionally used in regenerative medicine.

My members produce beef, and are used to competition. We compete with other meats and proteins for the center of the plate every day. Unrivaled for taste and nutrient-denseness, we think that conventionally raised beef can hold its own – but it must have a level playing field to so, and the development of an appropriate state and federal regulatory framework for cell-cultured protein is critical to ensure that fairness.

That framework is currently under construction.

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In a little while, we will talk about HB 1400, which deals with the framework's state component. HCR 3024 addresses the federal component and calls for standards of identity to preserve our nomenclature, proper labeling of lab-grown products and food safety standards that protect consumers and create a level playing field amongst food products.

Late last year, the federal government indicated that the Food and Drug Administration and USDA's Food Safety Inspection Service would share jurisdiction over cell-cultured protein, but the details of the arrangement are still being fleshed through. It is very important, in our view, that FSIS plays the major role in this effort.

That's because FSIS possesses the technical expertise and regulatory infrastructure to ensure perishable food products are safe for U.S. consumers. They have a daily inspection presence and can help ensure that lab-grown protein complies with the same stringent food safety inspection standards as conventionally raised meat must.

Another marked advantage of FSIS being involved is that it is able to provide greater protection against false and misleading marketing claims. Unlike the FDA, FSIS requires pre-approval of all labels before products hit the marketplace. This will ensure consistent labeling practices across all products and prevent misleading labels such as "clean meat." By contrast, FDA does not require pre-approval for product labels and has a history of failing to enforce fair and accurate labeling for products under its jurisdiction. Case in point: its 18-year delay in responding to complaints against misleading almond milk labels which has been detrimental to our dairy industry.

HCR 3024 will help us prevent this from happening with cell-cultured protein and carry this message to Washington, D.C., as the federal framework is constructed.

We ask for your favorable consideration of this resolution.