



Imitation Meat Products

Issue

Several states have passed legislation mandating the way food products which imitate traditional agriculture products are labeled. These labeling laws have been supported by some in the agricultural community. Most the legislation focuses on meat imitation products, but have included use of the names like rice, sugar, and certain types of shellfish. There was legislation drafted in Tennessee pertaining to the use of term "meat" on products that are plant based or produced in a lab but no action was taken. At the 2018 Tennessee Farm Bureau convention language to the issue was added to the policy in *Food Safety* which says: "Foods manufactured to imitate conventional agricultural products should meet the same safety standards and have separate label requirements that signify the difference of the imitation food." For many years the *Food Safety* policy states, "Food labeling requirements should remain a function of the federal government. We oppose separate state level labeling requirements of foods sold through interstate commerce."

Background

Tennessee Farm Bureau's position on opposing food labeling by separate state level labeling requirements goes back to many states looking at and passing legislation requiring that products containing ingredients that were produced with genetically modified crops. Ultimately the federal government did pass legislation in 2016 dealing with this issue, but it was not without effort by those in agriculture to push off state level initiatives, including in Tennessee.

During the policy development discussions in 2018, the issue of what to do with the new lab grown meat product was thoroughly discussed. Ultimately, at the 2018 Tennessee Farm Bureau Annual Meeting the language in *Food Safety* added which says, "Foods manufactured to imitate conventional agricultural products should meet the same safety standards and have separate label requirements that signify the difference of the imitation food." The Resolutions Committee added this language and maintained the opposed position on state labeling requirements. This was approved by the House of Delegates at the 2018 Tennessee Farm Bureau Annual Meeting in December.

The discussions around this topic were highlight by the belief there needs to be language supporting labeling requirements so that consumers can tell the difference between conventional agricultural products and the new imitation foods. Membership believed it was important to maintain a consistent voice from agriculture in keeping our policy opposed to state level food labeling requirements and that it is a function of the federal government. At the time of discussion, the state of Missouri had passed legislation in 2018 which was immediately challenged in court.

Another perspective discussed in 2018 was concern over who would have regulatory authority over labeling requirements for lab grown meat products at the federal level. The Food and Drug Administration (FDA) regulates all foods and food ingredients introduced into or offered for sale in interstate commerce except for meat, poultry, and certain processed egg products which are regulated by the U.S. Department of Agriculture (USDA). In a March 2019 announcement, the USDA and FDA released a statement expressing how the lab grown meat product would be regulated. The agreement lays out three phases. First, any processes in which a living animal is involved USDA is the regulatory agency. Second, once cells are in lab setting FDA is the regulatory agency. Third, USDA will be the regulatory agency over the labeling of the product. Many in the agriculture industry believe that this was major win, particularly the third step.

Since that time, many in agriculture have not only been looking at how lab grown meat product would be labelled but also plant based products which imitate traditional meat products. A growing concern are plant-based burgers from companies like Beyond Meats Inc. and Impossible Foods Inc. These two companies have seen significant sales growth and valuation. Beyond Meats Inc. valuation is \$11.8 billion and Impossible Foods Inc. is at \$2 Billion. Many fast food companies are looking to add these types of products to their menus. Burger King plans

on having their plant based Impossible Whopper in its more than 7000 locations across the country this year following success in test markets. Dunkin Brands Group has added a Beyond Meat Inc. sausage to its menu in test markets. Carl's Jr. offers the Beyond Meats Inc. burger at its location and plans on testing the plant-based burger and sausage patties in its Hardee's branded stores soon.

Following Missouri in 2018, many states have passed legislation pertaining to the labeling of plant-based and lab grown meat products to prevent them from being labeled "meat." States that have passed this type of legislation are Arkansas, Kentucky, Mississippi, Missouri, Montana, North Dakota, Oklahoma, South Carolina, and South Dakota. Many of these state's laws have been taken to court. Other states like Georgia, Tennessee, and Texas have legislation that has been filed.

Questions

1. Is labeling food products that enter interstate commerce a function of the federal or state government?
2. Should the state of Tennessee have separate food labelling requirements for plant-based and lab grown meat products?
3. How should Tennessee Farm Bureau Policy be changed to address this issue?

Farm Bureau Policy

Food Safety (Partial)

The United States food supply is the safest, highest quality, most abundant and most affordable in the world. Farmers recognize a safe food supply is important to the integrity of the agricultural industry but most importantly to the well-being and health of the consumer.

With changing technology, the process of maintaining a safe product from the field to the table can always be improved. Policies and procedures that build trust and reliability in agriculture should reflect the latest in technology and research. Regulatory oversight should not impede the farmers' ability to produce. The risks versus the benefits should be considered in any food safety legislation or regulatory proposals. On-farm authority of government agencies should not be expanded. A trace back system should only be used to find and address the point of contamination, rather than simply be a punishment for producers and add costs. Quality assurance programs, research from agricultural colleges and education of food handlers throughout the food supply chain should take priority over expansion of the regulatory process. Increased costs to producers from on-farm inspections and standards should be a last resort of any legislative or regulatory initiative to improve food safety.

We oppose the legalized retail sale of raw milk of any kind in Tennessee.

Imported agricultural food products should meet the same sanitary and quality standards as domestic products and should be labeled by country of origin.

We are opposed to granting mandatory recall authority over meats to the USDA. USDA's current authority is quite sufficient to safeguard the wholesomeness of our meat supply. In the event of a produce recall by FDA, all efforts should be made to identify the source before any media release. Thresholds should be established to minimize negative impacts on producers.

Integrity in food labeling is a vital element in maintaining food safety. Food labeling requirements should remain a function of the federal government. We oppose separate state level labeling requirements of foods sold through interstate commerce. We support consumer friendly, science based labeling of agricultural products providing consumers with useful information concerning the ingredients, nutritional value and country of origin. Labels should not be required to contain information on production practices not affecting nutrition or safety of the product. Agricultural products produced using approved biotechnology such as GMO, GE, etc. should not be required to designate individual inputs or specific technologies on the product label. We oppose misleading labeling statements such as "bST Free Milk" implying food produced using certain production practices is superior and safer than food using other approved production practices. Foods manufactured to imitate conventional agricultural products should meet the same safety standards and have separate label requirements that signify the difference of the imitation food.