

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 658

Introduced by Andersen, 49; Holdcroft, 36; Sanders, 45; Sorrentino, 39;
Storer, 43.

Read first time January 22, 2025

Committee: Agriculture

1 A BILL FOR AN ACT relating to the Nebraska Pure Food Act; to amend
2 sections 81-2,239, 81-2,240, and 81-2,283, Reissue Revised Statutes
3 of Nebraska; to define terms; to provide labeling and advertising
4 requirements for manufactured-protein food products; to provide
5 powers and duties to the Department of Agriculture; and to repeal
6 the original sections.

7 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 81-2,239, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 81-2,239 Sections 81-2,239 to 81-2,292 and sections 3 to 9, 11, and
4 12 of this act and the provisions of the Food Code and the Current Good
5 Manufacturing Practice In Manufacturing, Packing, or Holding Human Food
6 adopted by reference in sections 81-2,257.01 and 81-2,259, shall be known
7 and may be cited as the Nebraska Pure Food Act.

8 **Sec. 2.** Section 81-2,240, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 81-2,240 For purposes of the Nebraska Pure Food Act, unless the
11 context otherwise requires, the definitions found in sections 81-2,241 to
12 81-2,254 and sections 3 to 9 of this act shall be used. In addition, the
13 definitions found in the code and practice adopted by reference in
14 sections 81-2,257.01 and 81-2,259 shall be used.

15 **Sec. 3.** Agricultural food animal means:

16 (1) Any domesticated animal belonging to the bovine, caprine, ovine,
17 or porcine species; or

18 (2) Any domesticated chicken or turkey.

19 **Sec. 4.** Cultivated-protein food product means a food product having
20 one or more sensory attributes that resemble a type of tissue originating
21 from an agricultural food animal but that, in lieu of being derived from
22 meat processing, is derived from manufacturing cells or nonanimal
23 sources, including processes in which one or more stem cells are
24 initially isolated from an agricultural food animal, are grown in vitro,
25 and may be manipulated, as part of a manufacturing operation.

26 **Sec. 5.** Identifying meat term means any word or phrase that states,
27 indicates, suggests, or describes a meat product and includes any:

28 (1) Common name for the species of the agricultural food animal
29 subject to slaughter and processing, including calf, chicken, cow, goat,
30 hog, kid, lamb, pig, poultry, sheep, or turkey;

31 (2) Any characteristic of a species of the agricultural food animal

1 subject to slaughter and processing, including beef, broiler, cabrito,
2 chevon, fryer, lamb, mutton, pork, poulet, veal, or yearling; and

3 (3) Common name used to describe a major cut of a meat of an
4 agricultural food animal slaughtered and processed, including a major
5 meat cut or any other common name that a reasonable purchaser would
6 immediately and exclusively associate with a meat product prepared for
7 sale in normal commercial channels, including bacon, baloney, bologna,
8 bone, brat, bratwurst, brisket, burger, butt, chop, chuck, cold cut,
9 cutlet, filet, flat iron, frank, frankfurter, ham, hamburger, hock, hot
10 dog, jerky, liverwurst, loin, London broil, lunch meat, New York strip,
11 pepperoni, porterhouse, rib, ribeye, roast, salami, sausage, shank,
12 sirloin, sparerib, tenderloin, or any comparable word or phrase.

13 **Sec. 6.** Insect-protein food product means a food product having one
14 or more sensory attributes that resemble a type of tissue originating
15 from an agricultural food animal but that, in lieu of being derived from
16 meat processing, is derived from manufacturing insect parts.

17 **Sec. 7.** Manufactured-protein food product means a cultivated-
18 protein food product, insect-protein food product, or plant-protein food
19 product containing more than a trace amount of plant-protein food
20 products.

21 **Sec. 8.** Plant-protein food product means a food product having one
22 or more sensory attributes that resemble a type of tissue found in a
23 species of agricultural food animal but that, in lieu of being derived
24 from meat processing, is derived from manufacturing plant parts.

25 **Sec. 9.** Qualifying term means a word, compound word, or phrase that
26 would clearly disclose to a reasonable purchaser of meat products that a
27 food product is not a meat product including cell-cultivated, cell-
28 cultured, fake, grown in a lab, imitation, insect, insect-based, insect-
29 protein, lab-created, lab-grown, meat free, meatless, plant, plant-based,
30 vegan, vegetable, vegetarian, veggie, or any comparable word or phrase.

31 **Sec. 10.** Section 81-2,283, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 81-2,283 (1) ~~No It shall be unlawful for any person shall to~~
3 misbrand any food or distribute, offer for sale, or sell any misbranded
4 food.

5 (2) A food shall be deemed to be misbranded if:

6 (a) It does not bear labeling clearly stating (i) the identity of
7 the food in terms likely to be easily and accurately understood by the
8 consumer, (ii) the net quantity of contents of the food in terms
9 authorized under the Weights and Measures Act, and (iii) the name and
10 address of the manufacturer, distributor, or seller of the food; ~~or~~

11 (b) Its labeling is false or misleading in any manner; ~~or~~

12 (c) For any manufactured-protein food product that is labeled with
13 an identifying meat term, such manufactured-protein food product is not
14 labeled with a conspicuous and prominent qualifying term in close
15 proximity to the identifying meat term; or

16 (d) For any manufactured-protein food product that is labeled with
17 an identifying meat term and offered for sale at a food establishment,
18 such manufactured-protein food product is not labeled in a manner that is
19 clearly and distinctly separate from any product that is made from tissue
20 originating from any agricultural food animal.

21 **Sec. 11.** A manufactured-protein food product is falsely advertised
22 if:

23 (1) All advertising for such manufactured-protein food product that
24 lists an identifying meat term does not include a conspicuous and
25 prominent qualifying term in close proximity to the identifying meat
26 term; or

27 (2) For any manufactured-protein food product that is offered for
28 sale at a food establishment, such manufactured-protein food product is
29 not stored in a manner that:

30 (a) Keeps such product separate from tissue originating from
31 agricultural food animals; and

1 (b) Uses distinctive shelf tags or other posted representations to
2 identify and distinguish such manufactured-protein food product from
3 tissue originating from agricultural food animals.

4 **Sec. 12.** The department may investigate all credible complaints
5 that food products are misbranded or being falsely advertised as meat
6 products regardless of whether or not a political subdivision or other
7 state agency acts as the regulatory authority for food establishment
8 inspections.

9 **Sec. 13.** Original sections 81-2,239, 81-2,240, and 81-2,283,
10 Reissue Revised Statutes of Nebraska, are repealed.