

ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025
COMMITTEE STATEMENT
LB658

Hearing Date: Tuesday February 18, 2025
Committee On: Agriculture
Introducer: Andersen
One Liner: Provide labeling and advertising requirements for manufactured-protein food products

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators DeKay, Hansen, Holdcroft, Ibach, Kauth, McKeon,
Raybould, Storm

Nay:

Absent:

Present Not Voting:

Testimony:

Proponents:

Senator Bob Andersen
Craig Uden
Wesley Wilmot
Kathy Wilmot
Rusty Kemp

Representing:

Opening Presenter
Nebraska Cattlemen
Self
Nebraska Eagle Forum
Self

Opponents:

Josephine Litwinowicz

Representing:

Higher Power Church

Neutral:

Ansley Fellers
Daniel Gertner

Representing:

Nebraska Grocery Industry Association
The Good Food Institute

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 658 amends the Nebraska Pure Food Act to establish labeling and advertising requirements for manufactured protein foods which are derived from cell-cultured proteins or from plant-based and insect-sourced meat analogue food items

Section-by-section summary:

Sec. 1: Amends sec. 81-2,239 to incorporate new sections 3-9, 11, and 12 of the bill within the Nebraska Pure Food Act.



Sec. 2: Amends sec. 81-2,240 to incorporate the definitions contained in sections 3-9 of the bill as defined terms for purposes of the Nebraska Pure Food Act.

Secs. 3 – 9: Adds new sections with defined terms for “agricultural food animal”, “cultivated-protein food product”, “identifying meat term”, “insect-protein food product”, “manufactured-protein food product”, “plant-protein food product”, and “qualifying term”.

Sec. 10: Amends sec. 81-2,283 which prohibits the misbranding of food and declares misbranding to include food labeling that lacks an identifier of the product, the net quantity of the product, and the name and address of the manufacturer or distributor, or labeling that is in any manner false or misleading. LB 658 inserts new provisions describing acts that are deemed to be misbranding for purposes of this section as follows:

- For any manufactured-protein product, labeling the product by an identifying meat term unless the meat term is accompanied by a conspicuous and prominent qualifying term in close proximity to the identifying meat term; and
- For any manufactured-protein product offered for sale in a food establishment, if the product is labeled with an identifying meat term but such labeling does not clearly and distinctly distinguish the item from meat that is derived from animal tissue.

Sec. 11: Adds a new section declaring a manufactured-protein food product as falsely advertised if:

- The advertising utilizes an identifying meat term without a conspicuous and prominent qualifying term in close proximity to the identifying meat term; and
- Such product is offered for sale at a food establishment and is not stored separately from meat that is derived from animal tissue and does not use shelf tags or other posted representations that identify and distinguish such product from meat that is derived from animal tissue.

Sec. 12: Adds a new section authorizing the Department of Agriculture to investigate all credible complaints of food product misbranding or false advertising notwithstanding another state agency or local jurisdiction acting as the regulatory authority for food establishment inspections.

Sec. 13: Repealer

Explanation of amendments:

The committee amendment (AM568) makes the following changes:

- Strikes and replaces original section 4 which defines the term “cultivated-protein food product”. The revision omits a reference to “nonanimal sources” of cellular materials utilized in the process to avoid an interpretation that the definition could include plant-based products.
- Strikes and replaces original section 7 which defines “manufactured-protein food product”. The revision omits a qualification that defines plant-protein food product as containing more than a trace amount of plant-protein. This qualification is no longer necessary with the clarification to the term plant-protein food product.
- Strikes and replaces section 8 which defines “plant-protein food product”. The revision provides that a plant-protein food product is substantially derived from manufacturing plant parts and does not include any part of a slaughtered animal.

The amendment also makes a change in section 11 of LB 658 that requires manufactured-protein food products to be “stored” in a manner as prescribed in this section. The amendment changes that such products be “displayed” in



such prescribed manner.

Barry DeKay, Chairperson

