

Legislative History for Connecticut Act

PA15-13

HB6886

House	871-881	10
Senate	1105-1106, 1157-1158	4
General Law	1196	1
		15

Transcripts from the Joint Standing Committee Public
Hearing(s) and/or Senate and House of Representatives
Proceedings

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2015**

**VOL.58
PART 3
695 - 1034**

pat/gbr
HOUSE OF REPRESENTATIVES

57
April 14, 2015

On Page 20, Calendar Number 206, Favorable Report of the Joint Standing Committee on General Law, House Bill 6886 AN ACT CONCERNING THE APPLICABILITY OF GENETICALLY ENGINEERED FOOD LABELING REQUIREMENTS TO NON ALCOHOLIC MALT BEVERAGES.

DEPUTY SPEAKER ORANGE:

Representative David Baram, you have the floor, sir.

REP. BARAM (15th):

Good afternoon, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Good afternoon, sir.

REP. BARAM (15th):

Good to see you.

DEPUTY SPEAKER ORANGE:

It's always good to see you.

REP. BARAM (15th):

Same here. I move for acceptance of the Joint Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER ORANGE:

The question before us is acceptance of the Joint Committee's Favorable Report and passage of the bill. Will you remark, Representative Baram?

REP. BARAM (15th):

pat/gbr
HOUSE OF REPRESENTATIVES

58
April 14, 2015

Thank you, Madam Speaker. In 2013 the GMO Bill exempted alcoholic beverages. This bill is a technical correction to clarify that non-alcoholic malt beverages will be included in that definition.

Actually, non-alcoholic malt beverages have up to .5 percent alcohol and undergo the same brewing process that regular beer undergoes. Otherwise, there are absolutely no changes in the bill.

There was no opposition in testimony. This is effective July 1, 2015. There is no fiscal note. I urge passage of the bill.

DEPUTY SPEAKER ORANGE:

Will you care to remark further on the bill before us? Will you care to remark? Representative Dan Carter, you have the floor, sir. Good afternoon.

REP. CARTER (2nd):

Thank you very much. It's good to see you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

You as well.

REP. CARTER (2nd):

A few questions through you, to the proponent of the bill, please.

DEPUTY SPEAKER ORANGE:

pat/gbr
HOUSE OF REPRESENTATIVES

59
April 14, 2015

Please proceed, sir.

REP. CARTER (2nd):

Through you, Madam Speaker, you know, as we look at the laws that are supposed to take effect, when is this law supposed to take effect that's going to actually ban GMO products in the first place?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Baram

REP. BARAM (15th):

Through you, Madam Speaker, as I remember the GMO Bill indicated that there have to be four states in the New England region with a combined population of 20 million and one bordering state of Connecticut. So until that threshold is reached, the bill does not take effect and it's not implemented.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

Thank you. And through you, Madam Speaker, as this bill is written, I know there are other beverages on the market now that are called malt beverages. Does this in any way affect other malt beverages except beer? Through you, Madam Speaker.

pat/gbr
HOUSE OF REPRESENTATIVES

60
April 14, 2015

DEPUTY SPEAKER ORANGE:

Representative Baram.

REP. BARAM (15th):

Through you, Madam Speaker, basically they would have to have to have up to 5 percent alcohol in them, which is how a non-alcoholic malt beverage is defined.

DEPUTY SPEAKER ORANGE:

Representative Baram. Representative Carter, excuse me.

REP. CARTER (2nd):

Thank you, Madam Speaker. And now through you, Madam Speaker, I know this is going to sound like a little bit of a stretch, but you know, something that we do get that's a malt beverage, if you go to any soda shop or an ice cream place, they do sell malt milkshakes, things like that, and in those instances, they're non-alcoholic.

So through you, Madam Speaker, would those be affected in any way by this law?

DEPUTY SPEAKER ORANGE:

Representative Baram.

REP. BARAM (15th):

pat/gbr
HOUSE OF REPRESENTATIVES

61
April 14, 2015

Through you, Madam Speaker, I do not believe so. This is really just intended to govern beverages that have alcohol in them.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

Thank you, Madam Speaker. So basically, this is only going to affect malt beverages that have a little bit of alcohol. Is that the way I understand it?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Baram.

REP. BARAM (15th):

Through you, Madam Speaker, that's correct.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

Thank you very much, Madam Speaker. Through you, Madam Speaker, unfortunately, I don't remember the testimony with respect to how these products are marketed, but are malt liquor beverages marketed toward adults or children?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

pat/gbr
HOUSE OF REPRESENTATIVES

62
April 14, 2015

Representative Baram.

REP. BARAM (15th):

Thank you, Madam Speaker. As I understand it, non-alcoholic malt beverages are marketed in the same way as a beer product would be marketed, except that they call it non-alcoholic because if it's under .5 percent, it does not have the same regulation under DCP that anything over .5 percent would have.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

Thank you. And through you, Madam Speaker, I remember the one part testimony, the word generally was used, that generally speaking, malt liquor beverages that are considered non-alcoholic have less than a half a percent of alcohol.

So my question through you, Madam Speaker would be, is this a hard and fast rule established somewhere in statute, the half percent and the definition of a non-alcoholic beverage?

DEPUTY SPEAKER ORANGE:

Representative Baram.

REP. BARAM (15th):

pat/gbr
HOUSE OF REPRESENTATIVES

63
April 14, 2015

Through you, Madam Speaker, the proposed bill that's before us actually has in it the definition of not more than one half of one percent by volume, so it is in the definition of the bill.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

Thank you very much. And Madam Speaker, through you, I also notice in the bill that it speaks to a specific fermentation process.

Through you, Madam Speaker, does the Department Consumer Protection in any way monitor this to make sure that these beers actually have less than a half percent, or are actually made through this process?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Baram.

REP. BARAM (15th):

Through you, Madam Speaker, I believe that they do. My understanding is that non-alcoholic malt beverages are made in the same equipment as regular beer, so they undergo regular inspection by DCP.

DEPUTY SPEAKER ORANGE:

Representative Carter.

pat/gbr
HOUSE OF REPRESENTATIVES

64
April 14, 2015

REP. CARTER (2nd):

I apologize, Madam Speaker. I was interrupted for a moment. Would the good gentleman, the Chair of the Committee be willing to repeat his answer?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Are you both able to hear?

REP. BARAM (15th):

Yes. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Baram.

REP. BARAM (15th):

I believe that it is inspected. It goes through the same equipment that beer is brewed in and it's, the alcohol is extracted at the end of the process, so that equipment and the brewing process is inspected by DCP.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

Thank you very much, Madam Speaker. Madam Speaker, you know, as I look at this bill, you know, it does make sense. It makes sense what we're doing.

pat/gbr
HOUSE OF REPRESENTATIVES

65
April 14, 2015

The way I remember in 2013, you know, we had gone out and we had, you know, came up with some really great legislation. In fact, I would say landmark legislation to look at GMO products and what we should be doing and how we should be protecting our constituents.

During that process we did find certain elements that we wanted to I'd say carve out, and one of those was alcoholic beverages and wine and such, and it kind of made a lot of sense.

As the good Chair of the Committee mentions, these products that are non-alcoholic beverages, specifically non-alcoholic beer or malt beverages, they are in fact marketed to adult populations. In fact, that's the consumer who's most likely be out buying non-alcoholic beer.

With that in mind, it also still has a little bit of alcohol in it. The way I understand it from the good Chairman's remarks, is that when they brew the beer, they brew it just like any other beer and then what they'll do is, they'll come along and remove some of that alcohol from it.

I guess it's my understanding they can't get all of it out, so some remains, which is probably why we

pat/gbr
HOUSE OF REPRESENTATIVES

66
April 14, 2015

still market it only to adults. It makes sense.

We're not trying to get, you know, a whole bunch of kids drinking beer.

With that in mind, though, it still makes sense to the brewing industry that we keep this carved out as something that's very difficult to put a GMO label on when we get to that point, and I think we put a lot of time and energy into that GMO legislation, making sure that it did what we need it to do for our constituents in the state.

And I think people do have a right to look at GMO labeling and know what's in it, but for the malt liquor beverage, that might be a little hard to do, which is exactly why we carved it out for beer in the first place.

So you know, I support it. I'm looking forward to hearing more comments on it as we move forward.

Thank you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you care to remark further on the bill before us? Will you care to remark further on the bill before us? Will you care to remark further on the bill before us?

pat/gbr
HOUSE OF REPRESENTATIVES

67
April 14, 2015

If not, staff and guests please come to the Well of the House. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll.

The House of Representatives is voting by Roll.

Will members please report to the Chamber immediately.

DEPUTY SPEAKER ORANGE:

Have all members voted? Have all members voted?
If all the members have voted, please check the board to determine if your vote has been properly cast.

The machine will be locked and the Clerk will take a tally. And will the Clerk please announce the tally.

THE CLERK:

Madam Speaker, House Bill 6886.

Total number voting	145
Necessary for Passage	73
Those voting Yea	125
Those voting Nay	20
Those absent and not voting	6

DEPUTY SPEAKER ORANGE:

The bill passes.

S - 682

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2015**

**VOL. 58
PART 4
1014 - 1339**

/dd
SENATE

95
May 14, 2015

I will accept the yield. Thank you, Madam President. I'd like to move this item - or refer this item to the Finance Committee.

THE CHAIR:

So ordered, sir. Mr. Clerk.

CLERK:

On page 17, Calendar 386, House Bill No. 6886, AN ACT CONCERNING THE APPLICABILITY OF THE GENETICALLY-ENGINEERED FOOD LABELING REQUIREMENTS TO NONALCOHOLIC MALT BEVERAGES, Favorable Report of the Committee on General Law.

THE CHAIR:

Senator Leone.

SENATOR LEONE:

Thank you, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

Motion's on acceptance and passage. Will you remark, sir?

SENATOR LEONE:

Yes, Madam President. This bill is a - sort of a correction to last year or the year's before bill when we did genetic - genetically-engineered food labeling requirements. And in summary, what this bill does it exempts the non-alcoholic malt beverages from the law's genetically-engineered food labeling requirements. And these beverages include those with up to .5 percent alcohol by volume obtained by alcohol fermentation of an infusion or a concoction of water, hops, barley, malt, or cereal grains.

What that basically means is the residue in the tanks when made by these materials was not exempt in the

/dd
SENATE

96
May 14, 2015

last - in the previous legislation and has since caused a problem within the industry. This would actually exempt the - this type of material from that and put it into conforming laws.

So there was an issue with some of the folks that thought this was gonna open up the whole GMO debate. That is not the case. This is really just a fix to allow this as an oversight from the original bill and this is a correction for that. So I would urge its support. Through you, Madam President.

THE CHAIR:

Thank you. Will you remark on the bill? Will you remark - oh, sorry. Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President. I stand and concur with the remarks of the good Chairman of the General Law Committee. And I'll just add the comment that the - a non-alcoholic beer is brewed in the same manufacturing process as regular beer, which is exempt under our GMO labeling requirements. So rather than segregate out this, it's all treated the same. And it should pass in the Chamber. I stand in support. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not, Senator Leone.

SENATOR LEONE:

Yes, Madam President. If there's no objection, I would move to place this item on Consent.

THE CHAIR:

Seeing no objection, so ordered, sir. Mr. Clerk.

CLERK:

On page 19, Calendar 410, Substitute for Senate Bill No. 967, AN ACT CONCERNING REVISIONS TO THE

/dd
SENATE

147
May 14, 2015

Mr. Clerk. The Majority Leader, I apologize, is standing. Senator Duff.

SENATOR DUFF:

Thank you, Madam President. And we'll get to that item in a second. If I can ask for the Clerk to please read and then call the items on the Consent Calendar, we'll take a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk.

CLERK:

On page 3, Calendar 103, Senate Bill 893; also on page 3, Calendar 117, Senate Bill No. 868; on page 5, Calendar 190, Senate Bill 417; and page 9, Calendar 256, Senate Bill No. 631; on page 12, Calendar 315, Senate Bill 1062; and on page 12, Calendar 309, Senate Bill 936; on page 13, Calendar 332, Senate Bill 973; page 17, Calendar 386, House Bill 6886; page 27, Calendar 478, House Bill 5525; also on page 27, Calendar 479, House Bill 5913; page 27, Calendar 475, House Bill 6961; and on page 28, Calendar 484, House Bill 6807; page 32, Calendar 107, Senate Bill 906.

THE CHAIR:

At this time, I'd ask you to call for a roll call vote and the machine will be opened on the first Consent Calendar of the day.

CLERK:

Immediate roll call has been ordered in the Senate.
Immediate roll call on Consent Calendar No. 1 has been ordered in the Senate.

[pause]

THE CHAIR:

/dd
SENATE

148
May 14, 2015

All members have voted? If all members have voted,
the machine will be closed. Mr. Clerk, will you
please call the tally.

CLERK:

On first Consent Calendar of the day.

Total Number Voting	33
Necessary for Adoption	17
Those voting Yea	33
Those voting Nay	0
Absent/not voting	3

THE CHAIR:

Consent Calendar passes. [gavel] Hold on a moment.

[pause]

THE CHAIR:

We'll go back to the regular Calendar. Mr. Clerk,
will you call the next bill.

CLERK:

On page 36, Calendar 181, Senate Bill No. 940, AN ACT
CONCERNING THE SUSTAINABILITY OF THE NITROGEN CREDIT
EXCHANGE PROGRAM, Favorable Report of the Committee on
Environment.

THE CHAIR:

Senator Kennedy. Good afternoon, sir.

SENATOR KENNEDY:

Good afternoon, Madam President. I move acceptance of
the Joint Committee's Favorable Report and passage of
the bill.

THE CHAIR:

Motion's on acceptance and passage. Will you remark,
sir?

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GENERAL
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PART 3
861 – 1203**

2015



440 First Street, NW, Suite 350
Washington, DC 20001

Phone 202.737.2337
Fax 202.737.7004

BeerInstitute.org

Connecticut HB 6886

AN ACT CONCERNING THE APPLICABILITY OF GENETICALLY-ENGINEERED FOOD LABELING REQUIREMENTS TO NON-ALCOHOLIC MALT BEVERAGES

The Beer Institute, the national trade association for U.S. brewers and beer importers and industry suppliers, large and small, writes in support of HB 6886 to clarify that non-alcoholic malt beverages would not be subject to the GMO labeling requirements.

Under Connecticut law passed in 2013 (Public Act 13-183), wine, spirits and beer are exempt from GMO labeling requirements. We believe that for purposes of the labeling requirement, non-alcoholic (NA) malt beverages (beer) should be exempt. NA beer is an adult beverage. As with regular beer, brewers and importers market NA beer to consumers of legal drinking age.

The process for brewing NA beer is also essentially the same as the process for brewing regular beer. The only difference is that at the end of the brewing process, the brewer extracts most, but not all, of the alcohol from the NA beer. NA beer is not completely alcohol-free. It still contains a small amount of alcohol, generally one-half of one percent or less.

The 2013 law requires the labeling of food products with ingredients that contain genetically modified organisms (GMO) but does not apply to certain food products, such as (1) food not packaged for retail sale that is intended for immediate consumption, (2) certain farm products and (3) alcohol, which includes wine, spirits and most beers. According to Connecticut statute (section 30-1(3)), "non-alcoholic beer", despite the fact that it contains a small amount of alcohol, does not fall under the definition of "alcohol" and consequently, would not be exempt from the labeling requirement.

The Beer Institute urges the General Law Committee to support HB 6886 and appreciates the consideration of this matter.