

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 661**

**Representatives Klopfenstein, Daniels**

**Cosponsors: Representatives Williams, Robb Blasdel, Dean, King, Click, Lear,  
Peterson, Kick, Claggett**

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**A BILL**

To amend sections 3314.03, 3326.11, 3328.24, 1  
3701.132, and 3715.60 and to enact sections 2  
3313.8110, 3345.88, 3715.601, 3715.602, 3  
3715.603, 3715.604, 3715.605, and 5101.548 of 4  
the Revised Code to regulate imitation meat and 5  
egg products. 6

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 3314.03, 3326.11, 3328.24, 7  
3701.132, and 3715.60 be amended and sections 3313.8110, 8  
3345.88, 3715.601, 3715.602, 3715.603, 3715.604, 3715.605, and 9  
5101.548 of the Revised Code be enacted to read as follows: 10

**Sec. 3313.8110.** (A) The board of education of each city, 11  
exempted village, local, and joint vocational school district 12  
shall adopt a policy to prevent the purchase of a food that is 13  
either of the following: 14

(1) Misbranded as a meat product or an egg product as 15  
prohibited in section 3715.602 of the Revised Code; 16

(2) A cultivated-protein food product as defined in 17

section 3715.601 of the Revised Code. 18

(B) The department of education and workforce shall adopt 19  
a policy to prevent the purchase of a food that is either of the 20  
following: 21

(1) Misbranded as a meat product or an egg product as 22  
prohibited in section 3715.602 of the Revised Code; 23

(2) A cultivated-protein food product. 24

**Sec. 3314.03.** A copy of every contract entered into under 25  
this section shall be filed with the director of education and 26  
workforce. The department of education and workforce shall make 27  
available on its web site a copy of every approved, executed 28  
contract filed with the director under this section. 29

(A) Each contract entered into between a sponsor and the 30  
governing authority of a community school shall specify the 31  
following: 32

(1) That the school shall be established as either of the 33  
following: 34

(a) A nonprofit corporation established under Chapter 35  
1702. of the Revised Code, if established prior to April 8, 36  
2003; 37

(b) A public benefit corporation established under Chapter 38  
1702. of the Revised Code, if established after April 8, 2003. 39

(2) The education program of the school, including the 40  
school's mission, the characteristics of the students the school 41  
is expected to attract, the ages and grades of students, and the 42  
focus of the curriculum; 43

(3) The academic goals to be achieved and the method of 44

measurement that will be used to determine progress toward those 45  
goals, which shall include the statewide achievement 46  
assessments; 47

(4) Performance standards, including but not limited to 48  
all applicable report card measures set forth in section 3302.03 49  
or 3314.017 of the Revised Code, by which the success of the 50  
school will be evaluated by the sponsor; 51

(5) The admission standards of section 3314.06 of the 52  
Revised Code and, if applicable, section 3314.061 of the Revised 53  
Code; 54

(6) (a) Dismissal procedures; 55

(b) A requirement that the governing authority adopt an 56  
attendance policy that includes a procedure for automatically 57  
withdrawing a student from the school if the student without a 58  
legitimate excuse fails to participate in seventy-two 59  
consecutive hours of the learning opportunities offered to the 60  
student. 61

(7) The ways by which the school will achieve racial and 62  
ethnic balance reflective of the community it serves; 63

(8) Requirements for financial audits by the auditor of 64  
state. The contract shall require financial records of the 65  
school to be maintained in the same manner as are financial 66  
records of school districts, pursuant to rules of the auditor of 67  
state. Audits shall be conducted in accordance with section 68  
117.10 of the Revised Code. 69

(9) An addendum to the contract outlining the facilities 70  
to be used that contains at least the following information: 71

(a) A detailed description of each facility used for 72

instructional purposes;	73
(b) The annual costs associated with leasing each facility	74
that are paid by or on behalf of the school;	75
(c) The annual mortgage principal and interest payments	76
that are paid by the school;	77
(d) The name of the lender or landlord, identified as	78
such, and the lender's or landlord's relationship to the	79
operator, if any.	80
(10) Qualifications of employees, including both of the	81
following:	82
(a) A requirement that the school's classroom teachers be	83
licensed in accordance with sections 3319.22 to 3319.31 of the	84
Revised Code, except that a community school may engage	85
noncertificated persons to teach up to twelve hours or forty	86
hours per week pursuant to section 3319.301 of the Revised Code;	87
(b) A prohibition against the school employing an	88
individual described in section 3314.104 of the Revised Code in	89
any position.	90
(11) That the school will comply with the following	91
requirements:	92
(a) The school will provide learning opportunities to a	93
minimum of twenty-five students for a minimum of nine hundred	94
twenty hours per school year.	95
(b) The governing authority will purchase liability	96
insurance, or otherwise provide for the potential liability of	97
the school.	98
(c) The school will be nonsectarian in its programs,	99

admission policies, employment practices, and all other 100  
operations, and will not be operated by a sectarian school or 101  
religious institution. 102

(d) The school will comply with sections 9.90, 9.91, 103  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 104  
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 105  
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 106  
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 107  
3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 108  
3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 109  
3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 110  
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 111  
3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 112  
3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 113  
3313.8110, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 114  
3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 115  
3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3319.614, 116  
3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 3321.041, 3321.13, 117  
3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 118  
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 119  
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 120  
4123., 4141., and 4167. of the Revised Code as if it were a 121  
school district and will comply with section 3301.0714 of the 122  
Revised Code in the manner specified in section 3314.17 of the 123  
Revised Code. 124

(e) The school shall comply with Chapter 102. and section 125  
2921.42 of the Revised Code. 126

(f) The school will comply with sections 3313.61, 127  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 128  
Revised Code, except that for students who enter ninth grade for 129

the first time before July 1, 2010, the requirement in sections 130  
3313.61 and 3313.611 of the Revised Code that a person must 131  
successfully complete the curriculum in any high school prior to 132  
receiving a high school diploma may be met by completing the 133  
curriculum adopted by the governing authority of the community 134  
school rather than the curriculum specified in Title XXXIII of 135  
the Revised Code or any rules of the department. Beginning with 136  
students who enter ninth grade for the first time on or after 137  
July 1, 2010, the requirement in sections 3313.61 and 3313.611 138  
of the Revised Code that a person must successfully complete the 139  
curriculum of a high school prior to receiving a high school 140  
diploma shall be met by completing the requirements prescribed 141  
in section 3313.6027 and division (C) of section 3313.603 of the 142  
Revised Code, unless the person qualifies under division (D) or 143  
(F) of that section. Each school shall comply with the plan for 144  
awarding high school credit based on demonstration of subject 145  
area competency, and beginning with the 2017-2018 school year, 146  
with the updated plan that permits students enrolled in seventh 147  
and eighth grade to meet curriculum requirements based on 148  
subject area competency adopted by the department under 149  
divisions (J) (1) and (2) of section 3313.603 of the Revised 150  
Code. Beginning with the 2018-2019 school year, the school shall 151  
comply with the framework for granting units of high school 152  
credit to students who demonstrate subject area competency 153  
through work-based learning experiences, internships, or 154  
cooperative education developed by the department under division 155  
(J) (3) of section 3313.603 of the Revised Code. 156

(g) The school governing authority will submit within four 157  
months after the end of each school year a report of its 158  
activities and progress in meeting the goals and standards of 159  
divisions (A) (3) and (4) of this section and its financial 160

status to the sponsor and the parents of all students enrolled 161  
in the school. 162

(h) The school, unless it is an internet- or computer- 163  
based community school, will comply with section 3313.801 of the 164  
Revised Code as if it were a school district. 165

(i) If the school is the recipient of moneys from a grant 166  
awarded under the federal race to the top program, Division (A), 167  
Title XIV, Sections 14005 and 14006 of the "American Recovery 168  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 169  
the school will pay teachers based upon performance in 170  
accordance with section 3317.141 and will comply with section 171  
3319.111 of the Revised Code as if it were a school district. 172

(j) If the school operates a preschool program that is 173  
licensed by the department under sections 3301.52 to 3301.59 of 174  
the Revised Code, the school shall comply with sections 3301.50 175  
to 3301.59 of the Revised Code and the minimum standards for 176  
preschool programs prescribed in rules adopted by the department 177  
under section 3301.53 of the Revised Code. 178

(k) The school will comply with sections 3313.6021 and 179  
3313.6023 of the Revised Code as if it were a school district 180  
unless it is either of the following: 181

(i) An internet- or computer-based community school; 182

(ii) A community school in which a majority of the 183  
enrolled students are children with disabilities as described in 184  
division (B) (2) of section 3314.35 of the Revised Code. 185

(l) The school will comply with section 3321.191 of the 186  
Revised Code, unless it is an internet- or computer-based 187  
community school that is subject to section 3314.261 of the 188  
Revised Code. 189

(12) Arrangements for providing health and other benefits	190
to employees;	191
(13) The length of the contract, which shall begin at the	192
beginning of an academic year. No contract shall exceed five	193
years unless such contract has been renewed pursuant to division	194
(E) of this section.	195
(14) The governing authority of the school, which shall be	196
responsible for carrying out the provisions of the contract;	197
(15) A financial plan detailing an estimated school budget	198
for each year of the period of the contract and specifying the	199
total estimated per pupil expenditure amount for each such year.	200
(16) Requirements and procedures regarding the disposition	201
of employees of the school in the event the contract is	202
terminated or not renewed pursuant to section 3314.07 of the	203
Revised Code;	204
(17) Whether the school is to be created by converting all	205
or part of an existing public school or educational service	206
center building or is to be a new start-up school, and if it is	207
a converted public school or service center building,	208
specification of any duties or responsibilities of an employer	209
that the board of education or service center governing board	210
that operated the school or building before conversion is	211
delegating to the governing authority of the community school	212
with respect to all or any specified group of employees provided	213
the delegation is not prohibited by a collective bargaining	214
agreement applicable to such employees;	215
(18) Provisions establishing procedures for resolving	216
disputes or differences of opinion between the sponsor and the	217
governing authority of the community school;	218

(19) A provision requiring the governing authority to	219
adopt a policy regarding the admission of students who reside	220
outside the district in which the school is located. That policy	221
shall comply with the admissions procedures specified in	222
sections 3314.06 and 3314.061 of the Revised Code and, at the	223
sole discretion of the authority, shall do one of the following:	224
(a) Prohibit the enrollment of students who reside outside	225
the district in which the school is located;	226
(b) Permit the enrollment of students who reside in	227
districts adjacent to the district in which the school is	228
located;	229
(c) Permit the enrollment of students who reside in any	230
other district in the state.	231
(20) A provision recognizing the authority of the	232
department to take over the sponsorship of the school in	233
accordance with the provisions of division (C) of section	234
3314.015 of the Revised Code;	235
(21) A provision recognizing the sponsor's authority to	236
assume the operation of a school under the conditions specified	237
in division (B) of section 3314.073 of the Revised Code;	238
(22) A provision recognizing both of the following:	239
(a) The authority of public health and safety officials to	240
inspect the facilities of the school and to order the facilities	241
closed if those officials find that the facilities are not in	242
compliance with health and safety laws and regulations;	243
(b) The authority of the department as the community	244
school oversight body to suspend the operation of the school	245
under section 3314.072 of the Revised Code if the department has	246

evidence of conditions or violations of law at the school that 247  
pose an imminent danger to the health and safety of the school's 248  
students and employees and the sponsor refuses to take such 249  
action. 250

(23) A description of the learning opportunities that will 251  
be offered to students including both classroom-based and non- 252  
classroom-based learning opportunities that is in compliance 253  
with criteria for student participation established by the 254  
department under division (H) (2) of section 3314.08 of the 255  
Revised Code; 256

(24) The school will comply with sections 3302.04 and 257  
3302.041 of the Revised Code, except that any action required to 258  
be taken by a school district pursuant to those sections shall 259  
be taken by the sponsor of the school. 260

(25) Beginning in the 2006-2007 school year, the school 261  
will open for operation not later than the thirtieth day of 262  
September each school year, unless the mission of the school as 263  
specified under division (A) (2) of this section is solely to 264  
serve dropouts. In its initial year of operation, if the school 265  
fails to open by the thirtieth day of September, or within one 266  
year after the adoption of the contract pursuant to division (D) 267  
of section 3314.02 of the Revised Code if the mission of the 268  
school is solely to serve dropouts, the contract shall be void. 269

(26) Whether the school's governing authority is planning 270  
to seek designation for the school as a STEM school equivalent 271  
under section 3326.032 of the Revised Code; 272

(27) That the school's attendance and participation 273  
policies will be available for public inspection; 274

(28) That the school's attendance and participation 275

records shall be made available to the department, auditor of 276  
state, and school's sponsor to the extent permitted under and in 277  
accordance with the "Family Educational Rights and Privacy Act 278  
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 279  
regulations promulgated under that act, and section 3319.321 of 280  
the Revised Code; 281

(29) If a school operates using the blended learning 282  
model, as defined in section 3301.079 of the Revised Code, all 283  
of the following information: 284

(a) An indication of what blended learning model or models 285  
will be used; 286

(b) A description of how student instructional needs will 287  
be determined and documented; 288

(c) The method to be used for determining competency, 289  
granting credit, and promoting students to a higher grade level; 290

(d) The school's attendance requirements, including how 291  
the school will document participation in learning 292  
opportunities; 293

(e) A statement describing how student progress will be 294  
monitored; 295

(f) A statement describing how private student data will 296  
be protected; 297

(g) A description of the professional development 298  
activities that will be offered to teachers. 299

(30) A provision requiring that all moneys the school's 300  
operator loans to the school, including facilities loans or cash 301  
flow assistance, must be accounted for, documented, and bear 302  
interest at a fair market rate; 303

(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.

(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence.

(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.

(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:

(1) The process by which the governing authority of the school will be selected in the future;

(2) The management and administration of the school;

(3) If the community school is a currently existing public school or educational service center building, alternative arrangements for current public school students who choose not to attend the converted school and for teachers who choose not to teach in the school or building after conversion;

(4) The instructional program and educational philosophy of the school;

(5) Internal financial controls.

When submitting the plan under this division, the school

shall also submit copies of all policies and procedures 332  
regarding internal financial controls adopted by the governing 333  
authority of the school. 334

(C) A contract entered into under section 3314.02 of the 335  
Revised Code between a sponsor and the governing authority of a 336  
community school may provide for the community school governing 337  
authority to make payments to the sponsor, which is hereby 338  
authorized to receive such payments as set forth in the contract 339  
between the governing authority and the sponsor. The total 340  
amount of such payments for monitoring, oversight, and technical 341  
assistance of the school shall not exceed three per cent of the 342  
total amount of payments for operating expenses that the school 343  
receives from the state. 344

(D) The contract shall specify the duties of the sponsor 345  
which shall be in accordance with the written agreement entered 346  
into with the department under division (B) of section 3314.015 347  
of the Revised Code and shall include the following: 348

(1) Monitor the community school's compliance with all 349  
laws applicable to the school and with the terms of the 350  
contract; 351

(2) Monitor and evaluate the academic and fiscal 352  
performance and the organization and operation of the community 353  
school on at least an annual basis; 354

(3) Provide technical assistance to the community school 355  
in complying with laws applicable to the school and terms of the 356  
contract; 357

(4) Take steps to intervene in the school's operation to 358  
correct problems in the school's overall performance, declare 359  
the school to be on probationary status pursuant to section 360

3314.073 of the Revised Code, suspend the operation of the 361  
school pursuant to section 3314.072 of the Revised Code, or 362  
terminate the contract of the school pursuant to section 3314.07 363  
of the Revised Code as determined necessary by the sponsor; 364

(5) Have in place a plan of action to be undertaken in the 365  
event the community school experiences financial difficulties or 366  
closes prior to the end of a school year. 367

(E) Upon the expiration of a contract entered into under 368  
this section, the sponsor of a community school may, with the 369  
approval of the governing authority of the school, renew that 370  
contract for a period of time determined by the sponsor, but not 371  
ending earlier than the end of any school year, if the sponsor 372  
finds that the school's compliance with applicable laws and 373  
terms of the contract and the school's progress in meeting the 374  
academic goals prescribed in the contract have been 375  
satisfactory. Any contract that is renewed under this division 376  
remains subject to the provisions of sections 3314.07, 3314.072, 377  
and 3314.073 of the Revised Code. 378

(F) If a community school fails to open for operation 379  
within one year after the contract entered into under this 380  
section is adopted pursuant to division (D) of section 3314.02 381  
of the Revised Code or permanently closes prior to the 382  
expiration of the contract, the contract shall be void and the 383  
school shall not enter into a contract with any other sponsor. A 384  
school shall not be considered permanently closed because the 385  
operations of the school have been suspended pursuant to section 386  
3314.072 of the Revised Code. 387

**Sec. 3326.11.** Each science, technology, engineering, and 388  
mathematics school established under this chapter and its 389  
governing body shall comply with sections 9.90, 9.91, 109.65, 390

121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 391  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 392  
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 393  
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 394  
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 395  
3313.6021, 3313.6023, 3313.6024, 3313.6025, 3313.6026, 396  
3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 397  
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 398  
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 399  
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 400  
3313.673, 3313.69, 3313.71, 3313.716, 3313.717, 3313.718, 401  
3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 402  
3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 403  
3313.8110, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 404  
3319.078, 3319.0812, 3319.21, 3319.238, 3319.318, 3319.32, 405  
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3320.04, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 408  
3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 409  
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 410  
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 411  
4112., 4123., 4141., and 4167. of the Revised Code as if it were 412  
a school district. 413

**Sec. 3328.24.** A college-preparatory boarding school 414  
established under this chapter and its board of trustees shall 415  
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 416  
3301.0714, 3301.0729, 3301.948, 3302.037, 3313.5318, 3313.5319, 417  
3313.6013, 3313.6021, 3313.6023, 3313.6024, 3313.6025, 418  
3313.6026, 3313.6029, 3313.617, 3313.618, 3313.6114, 3313.6411, 419  
3313.6413, 3313.668, 3313.669, 3313.6610, 3313.717, 3313.7112, 420  
3313.7117, 3313.721, 3313.753, 3313.8110, 3313.89, 3319.073, 421

3319.077, 3319.078, 3319.318, 3319.324, 3319.39, 3319.391, 422  
3319.393, 3319.46, 3320.01, 3320.02, 3320.03, 3320.04, 3323.251, 423  
and 5502.262, and Chapter 3365. of the Revised Code as if the 424  
school were a school district and the school's board of trustees 425  
were a district board of education. 426

Sec. 3345.88. Each state institution of higher education, 427  
as defined in section 3345.011 of the Revised Code, shall adopt 428  
a policy to prevent the purchase of a food that is either of the 429  
following: 430

(A) Misbranded as a meat product or an egg product as 431  
prohibited in section 3715.602 of the Revised Code; 432

(B) A cultivated-protein food product as defined in 433  
section 3715.601 of the Revised Code. 434

**Sec. 3701.132.** (A) As used in this section, "WIC program" 435  
means the "special supplemental nutrition program for women, 436  
infants, and children" established under the "Child Nutrition 437  
Act of 1966," 80 Stat. 885, 42 U.S.C. 1786, as amended. 438

(B) The department of health is hereby designated as the 439  
state agency to administer the WIC program. 440

The director of health shall adopt rules pursuant to 441  
Chapter 119. of the Revised Code as necessary for administering 442  
the WIC program. The rules may include civil money penalties for 443  
violations of the rules. 444

(C) In determining eligibility for services provided under 445  
the WIC program, the department may use the application form 446  
established under section 5163.40 of the Revised Code for the 447  
healthy start program. The department may require applicants to 448  
furnish their social security numbers. 449

(D) If the department determines that a vendor has 450  
committed an act with respect to the WIC program that federal 451  
statutes or regulations or state statutes or rules prohibit, the 452  
department shall take action against the vendor in the manner 453  
required by 7 C.F.R. part 246, including imposition of a civil 454  
money penalty in accordance with 7 C.F.R. 246.12, or rules 455  
adopted under this section. 456

(E) If the United States department of agriculture 457  
approves cultivated-protein food products or fabricated-egg 458  
products as defined in section 3715.601 of the Revised Code for 459  
purchase under the WIC program, the director of health shall 460  
submit a request to the United States department of agriculture 461  
for a waiver that excludes those products from program 462  
eligibility in this state. 463

**Sec. 3715.60.** ~~Food~~In addition to the specifications 464  
established in section 3715.602 of the Revised Code, food is 465  
misbranded within the meaning of sections 3715.01, 3715.02, 466  
3715.022, and 3715.52 to 3715.72 of the Revised Code, if: 467

(A) Its labeling is false or misleading in any particular. 468

(B) It is offered for sale under the name of another food. 469

(C) Its container is so made, formed, or filled as to be 470  
misleading. 471

(D) It is an imitation of another food, unless its label 472  
bears in type of uniform size and prominence, the word 473  
"imitation," and immediately thereafter the name of the food 474  
imitated. 475

(E) When it is in package form, it does not bear a label 476  
containing: 477

(1) The name and place of business of the manufacturer,	478
packer, or distributor;	479
(2) An accurate statement of the quantity of the contents	480
in terms of weight, measure, or numerical count; provided, that	481
reasonable variations shall be permitted, and exemptions as to	482
small packages shall be established by rules adopted by the	483
director of agriculture;	484
(3) In the case of food subject to section 3715.023 of the	485
Revised Code, the information specified in that section.	486
(F) Any word, statement, or other information required by	487
or under authority of sections 3715.01, 3715.02, and 3715.52 to	488
3715.72 of the Revised Code, to appear on the label or labeling	489
is not prominently placed thereon with such conspicuousness as	490
compared with other words, statements, designs, or devices, in	491
the labeling, and in such terms as to render it likely to be	492
read and understood by the ordinary individual under customary	493
conditions of purchase and use.	494
(G) It purports to be, or is represented as, a food for	495
which a definition and standard of identity have been prescribed	496
by statute, or by any rule adopted under an existing statute, or	497
by rule as provided by section 3715.02 of the Revised Code,	498
unless:	499
(1) It conforms to such definition and standard.	500
(2) Its label bears the name of the food specified in the	501
definition and standard, and, insofar as may be required by such	502
statute or rules, the common names of optional ingredients,	503
other than spices, flavoring, and coloring, present in such	504
food.	505
(H) It purports to be or is represented as:	506

(1) A food for which a standard of quality has been 507  
prescribed by rule as provided by section 3715.02 of the Revised 508  
Code and its quality falls below the standard unless its label 509  
bears, in the manner and form that the rules specify, a 510  
statement that it falls below the standard; 511

(2) A food for which a standard or standards of fill of 512  
container have been prescribed by rule as provided by section 513  
3715.02 of the Revised Code, and it falls below the standard of 514  
fill of container applicable thereto, unless its label bears, in 515  
the manner and form that the rules specify, a statement that it 516  
falls below the standard. 517

(I) It is not subject to the provisions of division (G) of 518  
this section, unless it bears labeling clearly giving: 519

(1) The common or usual name of the food, if any; 520

(2) In case it is fabricated from two or more ingredients, 521  
the common or usual name of each ingredient; except that spices, 522  
flavorings, and colorings, other than those sold as such, may be 523  
designated as spices, flavorings, and colorings, without naming 524  
each; provided, that, to the extent that compliance with the 525  
requirements of division (I)(2) of this section is impractical 526  
or results in deception or unfair competition, exemptions shall 527  
be established by rules adopted by the director; and provided 528  
that these requirements shall not apply to any carbonated 529  
beverage of which a full and correct statement of the 530  
ingredients, to the extent prescribed by division (I)(2) of this 531  
section, has been filed under oath with the director. 532

(J) It purports to be or is represented to be for special 533  
dietary uses, unless its label bears such information concerning 534  
its vitamin, mineral, and other dietary properties as is 535

provided by rules adopted by the director, as necessary, in 536  
order to fully inform purchasers as to its value for such uses. 537

(K) It bears or contains any artificial flavoring, 538  
artificial coloring, or chemical preservative, unless it bears 539  
labeling stating that fact; provided, that to the extent that 540  
compliance with the requirements of this division is 541  
impracticable, exemptions shall be established by rules adopted 542  
by the director. 543

Sec. 3715.601. As used in this section and sections 544  
3715.602 to 3715.605 of the Revised Code: 545

(A) "Agricultural food animal" means both of the 546  
following: 547

(1) A domesticated animal belonging to the bovine, 548  
caprine, ovine, or porcine species; 549

(2) Any type of poultry. 550

(B) "Cultivated-protein food product" means a food having 551  
one or more sensory attributes that resemble a type of tissue 552  
originating from an agricultural food animal, but that, in lieu 553  
of being derived from meat processing, is derived from 554  
manufacturing cells in which one or more stem cells are 555  
initially isolated from an agricultural food animal, are grown 556  
in vitro, and may be manipulated, as part of a manufacturing 557  
operation. 558

(C) "Egg" means food that is the reproductive output of an 559  
agricultural food animal classified as a chicken. "Egg" includes 560  
albumen and yolk encased in a calcium-based shell. 561

(D) "Egg product" means food derived from egg processing 562  
in which eggs or egg parts are the primary ingredient. 563

<u>(E) "Egg processing" means the processing of eggs,</u>	564
<u>including either of the following:</u>	565
<u>(1) The handling, preparation, heating, and packaging of</u>	566
<u>whole shelled or unshelled eggs;</u>	567
<u>(2) The breaking of eggs and the separation of eggs;</u>	568
<u>pasteurization; filtering, mixing, stabilizing, or blending</u>	569
<u>parts of the egg; any cooling, freezing, or drying of parts of</u>	570
<u>the egg; storage; and packaging.</u>	571
<u>(F) "Fabricated-egg product" means food, if it has one or</u>	572
<u>more sensory attributes that resemble an egg product but that,</u>	573
<u>in lieu of being the output of a laying hen, is derived from</u>	574
<u>manufactured plants or other organic materials.</u>	575
<u>(G) "Food processing establishment" has the same meaning</u>	576
<u>as in section 3715.021 of the Revised Code.</u>	577
<u>(H) "Identifying egg term" means any word or phrase that</u>	578
<u>states, indicates, suggests, or describes an egg product,</u>	579
<u>regardless of whether the word or phrase is used individually,</u>	580
<u>as a portmanteau, or as a compound word. "Identifying egg term"</u>	581
<u>includes any of the following:</u>	582
<u>(1) A common name for a type of a chicken, including</u>	583
<u>laying hen, hen, or layer, cage-free, poultry, or fowl;</u>	584
<u>(2) A common name for a characteristic of a chicken based</u>	585
<u>on age, breed, or sex;</u>	586
<u>(3) A common name, or a comparable word or phrase approved</u>	587
<u>by the department of agriculture, that a reasonable purchaser</u>	588
<u>would immediately and exclusively associate with an egg product</u>	589
<u>prepared for sale in normal commercial channels such as custard,</u>	590
<u>eggnog, frittata, huevos rancheros, omelette, mayonnaise,</u>	591

meringue, sunny side up, over easy, over hard, scrambled, or 592  
quiche; 593

(4) Any part of the egg, including its egg, eggshell, egg 594  
white, or yolk. 595

(I) "Identifying meat term" means any word or phrase that 596  
states, indicates, suggests, or describes a meat product, 597  
regardless of whether the word or phrase is used individually, 598  
as a portmanteau, or as a compound word. "Identifying meat term" 599  
includes any of the following: 600

(1) A common name for the species of an agricultural food 601  
animal subject to slaughter and processing, including a calf or 602  
cow, goat or kid, hog or pig, poultry, or lamb or sheep; 603

(2) A common name for a characteristic of a species of the 604  
agricultural food animal subject to slaughter and processing 605  
based on age, breed, or sex; 606

(3) Meat, beef, or veal; broiler, fryer, poulet, or 607  
yearling; cabrito or chevon; lamb or mutton; or pork; 608

(4) A common name used to describe a major cut of a meat 609  
of an agricultural food animal slaughtered and processed, 610  
including a major meat cut specified in 9 C.F.R. 317.344; a 611  
poultry product such as breast, drumstick, gible, thigh, or 612  
wing; or the common name of an organ or offal, including 613  
gizzard, heart, liver, kidney, or tongue; 614

(5) Any other common name that a reasonable purchaser 615  
would immediately and exclusively associate with a meat product 616  
prepared for sale in normal commercial channels such as chicken, 617  
bacon, baloney, bologna, bone, brat or bratwurst, brisket, 618  
burger or hamburger, butt, chop, chorizo, chuck, cold cut, 619  
cutlet, filet, flat iron, frank or frankfurter, ham, hock, hot 620

dog or dog, jerky, liverwurst, loin, London broil, lunch meat, 621  
New York strip, pepperoni, porterhouse, ribeye, roast, rib or 622  
sparerib, salami, sausage, shank, sirloin, tenderloin, or a 623  
comparable word or phrase. 624

(J) "Insect-protein food product" means a food having one 625  
or more sensory attributes that resemble a type of tissue 626  
originating from an agricultural food animal but that, in lieu 627  
of being derived from meat processing, is derived from 628  
manufacturing insect parts. 629

(K) "Manufactured-protein food product" means a 630  
cultivated-protein food, insect-protein food, or plant-protein 631  
food. 632

(L) "Meat processing" means the handling, preparation, and 633  
slaughter of an agricultural food animal; the dressing of its 634  
carcass; or the cutting, storage, and packaging of its tissue or 635  
other parts as a food. 636

(M) "Meat product" means a food derived from meat 637  
processing. 638

(N) "Plant-protein food product" means a food having one 639  
or more sensory attributes that resemble a type of tissue found 640  
in a species of agricultural food animal but that, in lieu of 641  
being derived from meat processing, is derived from 642  
manufacturing plant parts. 643

(O) "Qualifying egg term" means a word, compound word, or 644  
phrase that would clearly disclose to a reasonable purchaser of 645  
egg products from a food processing establishment that a food 646  
product is not an egg product. "Qualifying egg term" includes 647  
fake, imitation, egg-free, plant, plant-based, vegan, vegetable, 648  
vegetarian, veggie, or a comparable word or phrase as approved 649

by the department. 650

(P) "Qualifying meat term" means a word, compound word, or 651  
phrase that would clearly disclose to a reasonable purchaser of 652  
meat products from a food processing establishment that a food 653  
is not a meat product. "Qualifying meat term" includes cell- 654  
cultivated, cell-cultured, fake, grown in a lab, imitation, 655  
insect, insect-based, insect-protein, lab-created, lab-grown, 656  
meat free, meatless, plant, plant-based, vegan, vegetable, 657  
vegetarian, veggie, or a comparable word or phrase as approved 658  
by the department. 659

**Sec. 3715.602.** (A) Food is misbranded as a meat product if 660  
all of the following apply: 661

(1) The food is a manufactured-protein food product or the 662  
food contains a manufactured-protein food product. 663

(2) The food is offered for sale by a food processing 664  
establishment. 665

(3) A label that is part of or placed on the package or 666  
other container storing the manufactured-protein food product 667  
includes an identifying meat term. 668

(4) The label that is part of or placed on the package or 669  
other container storing the manufactured-protein food product 670  
does not contain a conspicuous and prominent qualifying meat 671  
term in close proximity to the identifying meat term. 672

(B) Food is misbranded as an egg product if all of the 673  
following apply: 674

(1) The food is a fabricated-egg product or the food 675  
contains a fabricated-egg product. 676

(2) The food is offered for sale or sold by a food 677

processing establishment. 678

(3) A label that is part of or placed on the package or 679  
other container storing the food includes an identifying egg 680  
term. 681

(4) The label that is part of or placed on the package or 682  
other container storing the food does not contain a conspicuous 683  
and prominent qualifying egg term in close proximity to an 684  
identifying egg term. 685

(C) No food processing establishment shall sell food that 686  
is misbranded as a meat product or an egg product under this 687  
section. 688

**Sec. 3715.603.** In conducting a routine inspection of the 689  
premises of a food processing establishment, the department of 690  
agriculture is not required to determine if any food located on 691  
the premises is misbranded as a meat product or an egg product 692  
pursuant to section 3715.602 of the Revised Code. 693

The department shall inspect an inventory of food offered 694  
for sale or sold by a food processing establishment based on a 695  
credible complaint that the food is misbranded as a meat product 696  
or an egg product under section 3715.602 of the Revised Code. 697

The department shall adopt rules in accordance with 698  
Chapter 119. of the Revised Code that are necessary to 699  
administer and enforce sections 3715.601 to 3715.605 of the 700  
Revised Code. 701

**Sec. 3715.604.** If the department of agriculture has 702  
reasonable cause to believe that a food processing establishment 703  
is selling food that is misbranded as a meat product or an egg 704  
product in violation of section 3715.602 of the Revised Code, 705  
section 3715.55 of the Revised Code applies to the food. 706

Sec. 3715.605. (A) Any person who violates section 3715.602 of the Revised Code shall pay a civil penalty of not more than ten thousand dollars for each violation, to be paid into the state treasury to the credit of the general revenue fund. Each day that a violation continues constitutes a separate offense. The attorney general, upon written request by the director of agriculture, shall bring an action for such a penalty against any person who violates that section. Such an action is a civil action, governed by the Rules of Civil Procedure and other rules of practice and procedure applicable to civil actions. 707  
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(B) The director shall not suspend or revoke a food processing establishment registration if the food processing establishment violates section 3715.602 of the Revised Code. 718  
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Sec. 5101.548. As used in this section, "cultivated-protein food product" and "fabricated-egg product" have the same meanings as in section 3715.601 of the Revised Code. 721  
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If the United States department of agriculture approves cultivated-protein food products or fabricated-egg products for purchase under the supplemental nutrition assistance program, the director of job and family services shall submit a request to the United States department of agriculture for a waiver that excludes those products from program eligibility in this state. 724  
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**Section 2.** That existing sections 3314.03, 3326.11, 3328.24, 3701.132, and 3715.60 of the Revised Code are hereby repealed. 730  
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**Section 3.** The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of 733  
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simultaneous operation, finds that the following sections, 736  
presented in this act as composites of the sections as amended 737  
by the acts indicated, are the resulting versions of the 738  
sections in effect prior to the effective date of the sections 739  
as presented in this act: 740

Section 3314.03 of the Revised Code as amended by H.B. 741  
214, H.B. 250, and S.B. 168, all of the 135th General Assembly. 742

Section 3326.11 of the Revised Code as amended by H.B. 47, 743  
H.B. 214, and S.B. 168, all of the 135th General Assembly. 744

Section 3328.24 of the Revised Code as amended by both 745  
H.B. 47 and H.B. 214 of the 135th General Assembly. 746