

ASSOCIATION <sup>FOR</sup>  
MEAT, POULTRY  
AND SEAFOOD  
INNOVATION

**Ohio Senate Agriculture and Natural Resources Committee**  
**House Bill 10**  
**Opponent Testimony**  
**October 13, 2025**

Dear Chairman Schaffer, Vice Chair Koehler, Ranking Member Hicks-Hudson, and members:

On behalf of the Association for Meat, Poultry, and Seafood Innovation (AMPS), I write to express our concerns with HB 10, which would restrict public procurement of cultivated protein products and impose labeling language that conflicts with federal law and infringes on protected commercial speech.

AMPS represents companies at the forefront of cultivated meat, poultry, and seafood, produced directly from animal cells with the same biological makeup as conventional products, but with the potential for significant food security and economic benefits. These foods are already available to consumers in the U.S. under the joint oversight of the USDA and FDA, and we are concerned that HB 10 creates confusion, invites legal challenges, and puts Ohio behind the curve in supporting agricultural food innovation.

## **1. Labeling Regulation Falls Under Federal Jurisdiction**

Cultivated meat and poultry products that fall under USDA's jurisdiction are governed by the Federal Meat Inspection Act (FMIA) and Poultry Products Inspection Act (PPIA) respectively, including its labeling requirements. USDA has exclusive authority over the labeling of meat and poultry, including cultivated versions of those products. Labeling is reviewed and pre-approved by USDA's Food Safety and Inspection Service (FSIS), which has issued guidance ensuring that labels must be truthful, not misleading, and accurately describe the nature of the product.

By attempting to regulate the labeling of meat at the state level, including barring the use of truthful and federally approved terminology, HB 10 likely conflicts with the Supremacy Clause of the U.S. Constitution. Any product that has cleared the USDA's regulatory process has met rigorous standards and cannot be arbitrarily excluded or reclassified by the state.

## **2. First Amendment Concerns Around Commercial Speech**

The Supreme Court has long held that truthful commercial speech is protected under the First Amendment. Preventing cultivated meat companies from using accurate terminology, especially when those terms are federally approved and commonly understood by consumers, constitutes an unjustified restriction on free speech.

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Courts have consistently rejected laws that ban the use of meat- or dairy-related terms on the grounds that they "mislead" consumers, particularly when evidence shows that consumers are not confused. Cultivated meat products are clearly labeled, and efforts to ban them from public institutions based on how they are described does not withstand constitutional scrutiny.

### **3. These Products Are Already on the Market—Safely**

Cultivated chicken is already being sold to U.S. consumers in accordance with federal law, and new products are in the regulatory pipeline. These are not hypothetical or experimental technologies. They are real food products, already regulated and served in restaurants and institutions. To prohibit their purchase by state agencies, schools, or universities, even where they may meet nutrition standards and budget requirements, raises questions of fairness, market access, and scientific integrity.

The broader concern is this: Ohio is at risk of closing the door on innovation that could benefit farmers, food processors, and consumers alike. Many in the traditional agriculture community see opportunity in cultivated protein as a complementary tool, not a threat. HB 10 risks signaling that the state is resistant to food innovation, at a time when most consumers and many producers are looking for more sustainable, secure, and resilient food systems.

We urge you to reconsider this legislation. At minimum, we recommend removing the provisions that would bar state institutions from procuring federally approved cultivated meat products and that attempt to override federal labeling authority.

We would welcome the opportunity to discuss this with you further and to work together toward policy solutions that support innovation, consumer choice, and economic opportunity for all sectors of food and agriculture in Ohio.

Sincerely,  
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