

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 751

By Senator Hart

[Introduced March 13, 2025; referred
to the Committee on Agriculture; and then to the
Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §16-7-12, relating to prohibiting the manufacture, sale, or distribution of
3 cultivated meat products; defining term; establishing prohibition; providing for penalties;
4 providing for food establishment permit suspension process; clarifying lack of prohibition
5 on research related to cultivated meat products; providing for rulemaking; and establishing
6 effective and sunset dates.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7. PURE FOOD AND DRUGS.

§16-7-12. Manufacture, sale, and distribution of cultivated meat products prohibited;
penalties.

1 (a) For purposes of this section, the term "cultivated meat product" has the meaning
2 assigned by §19-39-1(2) of this code.

3 (b) No person shall, within this state, manufacture for sale, offer for sale, sell, or distribute
4 any cultivated meat product.

5 (c) Any person who, by himself or his agents, knowingly manufactures for sale, offers for
6 sale, sells, or distributes, within this state, any cultivated meat product in violation of this section is
7 guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500 or
8 confined in jail not more than one year, or both fined and confined.

9 (d) The Secretary of the Department of Health may suspend the operating permit of any
10 food establishment, as defined in department rules promulgated under this chapter, that the
11 secretary determines or has good cause to believe has manufactured for sale, offered for sale,
12 sold, or distributed, within this state, any cultivated meat product in violation of this section. A food
13 establishment shall, upon suspension of its operating permit, immediately discontinue all
14 operations covered under the permit.

15 (1) The secretary shall give written notice to the food establishment and other persons
16 affected by the pending suspension, stating that suspension of the permit is being contemplated

17 and giving reasons therefor. The suspension notice shall appoint a time and place for hearing and
18 shall be sent by certified mail to the business address of the permit holder at least 10 days before
19 the date set for the hearing. The secretary shall review the evidence presented at the hearing prior
20 to issuing his or her decision.

21 (2) At the end of the period of suspension, the permit holder may resume operations
22 without reapplication for a permit.

23 (e) Nothing in this section shall be construed to prevent any federal, state, or local
24 government entity; any state institution of higher education operating under Chapter 18B of this
25 code; or any person who, as evidenced by a written agreement, is partnered with a government
26 entity or state institution of higher education from conducting research within this state regarding
27 the manufacture or production of cultivated meat products.

28 (f) The Secretary of the Department of Health and the Commissioner of Agriculture may
29 propose emergency rules and rules for legislative approval in accordance with the provisions of
30 §29A-3-1 et seq. of this code to implement the provisions of this section.

31 (g) The provisions of this section shall become effective July 1, 2025, and shall expire and
32 have no further force or effect on and after July 1, 2030.

NOTE: The purpose of this bill is to prohibit the manufacture, sale, or distribution of cultivated meat products for a five-year period.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.