January 23, 2020

Chairman Highland and members of the Committee thank you for the opportunity to submit testimony today. My name is Elizabeth Patton, the Kansas Deputy State Director of Americans for Prosperity. On behalf of AFP activists across Kansas, I urge you to consider carefully with concerns, House Bill 2437.

House Bill 2437 requires any product that is a 'meat analog' or has any of the characteristics of a meat product to have a label that clearly states that it does not contain meat. We have concerns about this legislation for several reasons and urge the committee to consider the unintended consequences of a new regulatory threshold on any industry.

We believe that if this bill became law it would be immediately subject to litigation that would cost taxpayers. Missouri, Florida, and California passed similar laws and were sued by food producers. Regulating commercial speech must not be done lightly. In 2017, Florida's law regulating alternative milk products in a similar fashion was struck down in federal court as a violation of the First Amendment.

According to a Michigan State University study, meat labeling restrictions like the one proposed create more consumer confusion about what the food product contains.[1] Additionally, there are already federal laws on the books that make it illegal to deceive consumers.

Federal courts have agreed with this view.

House Bill 2437 labeling requirements are not necessary and would drive up the regulatory costs for companies and their consumers. We have seen this occur with the steep regulatory restrictions that are already imposed across the board. I urge you to proceed with caution when considering new restrictive labeling thresholds on any product. We should support an increase in market choices, not constrain it unnecessarily

Sincerely,

Elizabeth Patton
State Director
Americans for Prosperity-Kansas

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[1] Benjamin DeMuth, "Why the Beef? A Public Choice Experiment on Meat Alternatives"
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