



### **Cultivated meat: Is the cost worth the reward?**

Are you willing to pay more for your Tully's Tenders knowing that they are 100% cruelty free? On June 21, 2023, the U.S. Department of Agriculture granted two companies, UPSIDE Foods and Good Meat, approval to produce and sell cell-cultivated chicken for the first time in the United States.<sup>1</sup> According to UPSIDE Foods, the process of making cultivated meat is akin to brewing beer.<sup>2</sup> Major advancements in food science and cell culture technology have led to this evolution.

Cultivated meat begins in a laboratory as a sample of cells that came from the tissue of an animal.<sup>3</sup> That sample of cells is placed in a tightly controlled and monitored environment, like a cultivator, that supports cellular multiplication.<sup>4</sup> After the cells are fed the right blend of nutrients, they multiply into billions or trillions of cells.<sup>5</sup> Additional substances are added to the cells to differentiate into various cell types and assume the characteristics of muscle, fat, or connective tissue cells.<sup>6</sup> Once the cells have differentiated into the desired type, they can be harvested.<sup>7</sup> This entire process takes about two or three weeks.<sup>8</sup>

Like the slaughterhouse industry, the cultivated meat industry is regulated by the Food and Drug Administration (FDA).<sup>9</sup> The FDA oversees cell collection, cell banks, and cell growth.<sup>10</sup> However, the United States Department of Agriculture (USDA) and the Food Safety

and Inspection Services (FSIS) oversee the harvesting stage, as well as the further production and labeling of these products.<sup>11</sup>

Is cultivated meat the meat of the future? Advocates, such as the Animal Legal Defense Fund, are eager to put an end to the cruelty that occurs in slaughterhouses, as well as the negative environmental impacts of those businesses.<sup>12</sup> However, Good Meat’s co-founder worries that they may never get the funds needed to scale up production.<sup>13</sup> High production costs turn into high market prices, which may serve as a deterrent for future consumers. Singapore, the only other country that produces and sells UPSIDE Food’s cultivated meat, has yet to engage in mass production.<sup>14</sup>

Critics are skeptical of the benefits that this new technology can provide. George Santos, a United States representative for New York’s 3rd congressional district, introduced a Bill that would prohibit Federal funds to support lab-grown meat.<sup>15</sup> Missouri became the first state to restrict the word “meat” during the marketing of alternative meat products.<sup>16</sup> Does this restriction violate a manufacturer’s First Amendment Right to free speech? More severely, the Washington legislature has introduced a bill that bans the advertisement, selling, or offer for the sale of cultivated meat all together.<sup>17</sup> Can a state use its police powers enact a law like this one? Legislative decisions will pave the path for the future of cultivated meat.

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<sup>1</sup> Joanna Thompson, *Lab-Grown Meat Approved for Sale: What You Need to Know*, Scientific American (June 30, 2023), <https://www.scientificamerican.com/article/lab-grown-meat-approved-for-sale-what-you-need-to-know/>.

<sup>2</sup> *Upside is approved for sale in the US! Here’s what you need to know*, UPSIDE Foods (June 21, 2023), <https://www.upsidefoods.com/blog/upside-is-approved-for-sale-in-the-us-heres-what-you-need-to-know>.

<sup>3</sup> *Human Food Made with Cultured Animal Cells*, Food and Drug Admin. (March 21, 2023) <https://www.fda.gov/food/food-ingredients-packaging/human-food-made-cultured-animal-cells>.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Supra.* note 2.

<sup>9</sup> *Supra.* note 3.

<sup>10</sup> *Id.*

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<sup>11</sup> *Id.*

<sup>12</sup> *Innovation in Food Production: Cultivated Meat*, Animal Legal Def. Fund, <https://aldf.org/article/innovation-in-food-production-cultivated-meat/>.

<sup>13</sup> Leah Douglas, *Insight: Lab-grown meat moves closer to American dinner plates*, Reuters (Jan. 23, 2023), <https://www.reuters.com/business/retail-consumer/lab-grown-meat-moves-closer-american-dinner-plates-2023-01-23/>.

<sup>14</sup> Reuters, *Even after green-light, lab-grown meat yet to take off in Sing.*, Daily Sabah (Mar. 8, 2023), <https://www.dailysabah.com/life/food/even-after-green-light-lab-grown-meat-yet-to-take-off-in-singapore>.

<sup>15</sup> American Meat Industry Protection Act of 2023, 118 H.R. 4805.

<sup>16</sup> Eryn Terry, Note, *The Regulation of Commercial Speech: Can Alternative Meet Companies Have Their Beef And Speak It Too*, Vand. J. Ent. & Tech. L. 223 (2020)

<sup>17</sup> *Id.*