

111TH CONGRESS
2D SESSION

S. 3669

To increase criminal penalties for certain knowing violations relating to food that is misbranded or adulterated.

IN THE SENATE OF THE UNITED STATES

JULY 29, 2010

Mr. LEAHY (for himself and Mr. FRANKEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To increase criminal penalties for certain knowing violations relating to food that is misbranded or adulterated.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Food Safety Enforce-
5 ment Act of 2010”.

6 **SEC. 2. CRIMINAL PENALTIES.**

7 Section 303(a) of the Federal Food, Drug, and Cos-
8 metic Act (21 U.S.C. 333(a)) is amended—

1 (1) in paragraph (1), by striking “Any” and in-
2 serting “Except as provided in paragraph (2) or (3),
3 any”;

4 (2) in paragraph (2), by striking “Notwith-
5 standing the provisions of paragraph (1) of this sec-
6 tion, if” and inserting “If”; and

7 (3) by adding at the end the following:

8 “(3) Any person who knowingly violates subsection
9 (a), (b), (c), (k), or (v) of section 301 with respect to any
10 food that is misbranded or adulterated shall be fined
11 under title 18, United States Code, imprisoned for not
12 more than 10 years, or both.”.

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