

106TH CONGRESS
1ST SESSION

H. R. 1145

To require that perishable agricultural commodities be labeled or marked as to their country of origin and to establish penalties for violations of such labeling requirements.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 1999

Mrs. BONO (for herself, Mr. ABERCROMBIE, Mr. BARTLETT of Maryland, Mr. BILIRAKIS, Mr. BISHOP, Mr. BONIOR, Mr. BOYD, Mr. BROWN of California, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. CONDIT, Mr. CUNNINGHAM, Mr. DAVIS of Florida, Mr. DEFazio, Mr. DELAHUNT, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. EVERETT, Mr. FOLEY, Mr. GOSS, Mr. HASTINGS of Florida, Ms. HOOLEY of Oregon, Mr. HORN, Mr. HUNTER, Ms. KAPTUR, Mr. KILDEE, Ms. KILPATRICK, Mr. KING, Mr. KUCINICH, Mr. LEACH, Ms. LOFGREN, Mr. MICA, Mr. GEORGE MILLER of California, Mr. MILLER of Florida, Mrs. MINK of Hawaii, Mrs. MYRICK, Mr. NEY, Mr. PETERSON of Pennsylvania, Mr. POMEROY, Mr. QUINN, Ms. RIVERS, Ms. ROS-LEHTINEN, Mr. SANDERS, Mr. SENSENBRENNER, Mr. SHAW, Mr. SHOWS, Mr. SMITH of New Jersey, Mr. STUMP, Mrs. THURMAN, Mr. TRAFICANT, Mr. WELDON of Florida, and Mr. WEXLER) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To require that perishable agricultural commodities be labeled or marked as to their country of origin and to establish penalties for violations of such labeling requirements.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Produce Consumers’
3 Right-to-Know Act”.

4 **SEC. 2. COUNTRY OF ORIGIN LABELING OF PERISHABLE**
5 **AGRICULTURAL COMMODITIES.**

6 (a) DEFINITIONS.—In this section:

7 (1) FOOD SERVICE ESTABLISHMENT.—The
8 term “food service establishment” means a res-
9 taurant, cafeteria, lunch room, food stand, saloon,
10 tavern, bar, lounge, or other similar facility, which
11 is operated as an enterprise engaged in the business
12 of selling foods to the public.

13 (2) PERISHABLE AGRICULTURAL COMMODITY;
14 RETAILER.—The terms “perishable agricultural
15 commodity” and “retailer” have the meanings given
16 the terms in section 1(b) of the Perishable Agricul-
17 tural Commodities Act, 1930 (7 U.S.C. 499a(b)).

18 (b) NOTICE OF COUNTRY OF ORIGIN REQUIRED.—
19 Except as provided in subsection (c), a retailer of a perish-
20 able agricultural commodity shall inform consumers, at
21 the final point of sale of the perishable agricultural com-
22 modity to consumers, of the country of origin of the per-
23 ishable agricultural commodity. This requirement shall
24 apply to imported and domestically produced perishable
25 agricultural commodities.

1 (c) EXEMPTION FOR FOOD SERVICE ESTABLISH-
2 MENTS.—Subsection (b) shall not apply to a perishable
3 agricultural commodity to the extent that the perishable
4 agricultural commodity is—

5 (1) prepared or served in a food service estab-
6 lishment; and

7 (2)(A) offered for sale or sold at the food serv-
8 ice establishment in normal retail quantities; or

9 (B) served to consumers at the food service es-
10 tablishment.

11 (d) METHOD OF NOTIFICATION.—

12 (1) IN GENERAL.—The information required by
13 subsection (b) may be provided to consumers by
14 means of a label, stamp, mark, placard, or other
15 clear and visible sign on the perishable agricultural
16 commodity or on the package, display, holding unit,
17 or bin containing the commodity at the final point
18 of sale to consumers.

19 (2) LABELED COMMODITIES.—If a perishable
20 agricultural commodity is already individually la-
21 beled regarding country of origin by a packer, im-
22 porter, or another person, the retailer shall not be
23 required to provide any additional information to
24 comply with this section.

1 (e) VIOLATIONS.—If a retailer fails to indicate the
2 country of origin of a perishable agricultural commodity
3 as required by subsection (b), the Secretary of Agriculture
4 may assess a civil penalty on the retailer in an amount
5 not to exceed—

6 (1) \$1,000 for the first day on which the viola-
7 tion occurs; and

8 (2) \$250 for each day on which the same viola-
9 tion continues.

10 (f) DEPOSIT OF FUNDS.—Amounts collected under
11 subsection (e) shall be deposited in the Treasury of the
12 United States as miscellaneous receipts.

13 (g) APPLICATION OF SECTION.—This section shall
14 apply with respect to a perishable agricultural commodity
15 offered for retail sale after the end of the 6-month period
16 beginning on the date of the enactment of this Act.

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