

107TH CONGRESS
1ST SESSION

S. 144

To require country of origin labeling of peanuts and peanut products and to establish penalties for violations of the labeling requirements.

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 2001

Mr. CLELAND introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To require country of origin labeling of peanuts and peanut products and to establish penalties for violations of the labeling requirements.

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 “Peanut Labeling Act
5 of 2001”.

6 **SEC. 2. INDICATION OF COUNTRY OF ORIGIN OF PEANUTS**
7 **AND PEANUT PRODUCTS.**

8 (a) DEFINITIONS.—In this section:

9 (1) PEANUT PRODUCT.—The term “peanut
10 product” means any product more than 3 percent of

1 the retail value of which is derived from peanuts
2 contained in the product.

3 (2) SECRETARY.—The term “Secretary” means
4 the Secretary of Agriculture.

5 (b) NOTICE OF COUNTRY OF ORIGIN REQUIRED.—

6 (1) IN GENERAL.—Subject to paragraph (2), a
7 retailer of peanuts or peanut products produced in,
8 or imported into, the United States (including any
9 peanut product that contains peanuts that are not
10 produced in the United States) shall inform con-
11 sumers, at the final point of sale to consumers, of
12 the country of origin of the peanuts or peanut prod-
13 ucts.

14 (2) WAIVER.—The Secretary may waive the ap-
15 plication of paragraph (1) to a retailer of peanuts or
16 peanut products if the retailer demonstrates to the
17 Secretary it is impracticable for the retailer to deter-
18 mine the country of origin of the peanuts or peanut
19 products.

20 (c) METHOD OF NOTIFICATION.—

21 (1) IN GENERAL.—The information required by
22 subsection (b) may be provided to consumers by
23 means of a label, stamp, mark, placard, or other
24 clear and visible sign on the peanuts or peanut prod-
25 ucts or on the package, display, holding unit, or bin

1 containing the peanuts or peanut products at the
2 final point of sale to consumers.

3 (2) EXISTING LABELING.—If the peanuts or
4 peanut products are already labeled regarding coun-
5 try of origin by the packer, importer, or another per-
6 son, the retailer shall not be required to provide any
7 additional information in order to comply with this
8 section.

9 (d) VIOLATIONS.—If a retailer fails to indicate the
10 country of origin of peanuts or peanut products as re-
11 quired by subsection (b), the Secretary may impose a civil
12 penalty on the retailer in an amount not to exceed—

13 (1) \$1,000 for the first day on which the viola-
14 tion occurs; and

15 (2) \$250 for each day on which the violation
16 continues.

17 (e) DEPOSIT OF FUNDS.—Amounts collected under
18 subsection (d) shall be deposited in the Treasury of the
19 United States as miscellaneous receipts.

20 (f) APPLICATION.—This section shall apply with re-
21 spect to peanuts and peanut products produced in, or im-
22 ported into, the United States after the date that is 180
23 days after the date of enactment of this Act.

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