

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 827

To prohibit products that contain dry ultra-filtered milk products, milk protein concentrate, or casein from being labeled as domestic natural cheese, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 18, 2005

Mr. FEINGOLD (for himself, Mr. SCHUMER, and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To prohibit products that contain dry ultra-filtered milk products, milk protein concentrate, or casein from being labeled as domestic natural cheese, and for other purposes.

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 “Quality Cheese Act  
5       of 2005”.

6       **SEC. 2. NATURAL CHEESE STANDARD.**

7       (a) FINDINGS.—Congress finds that—

1           (1)(A) any change in domestic natural cheese  
2 standards to allow dry ultra-filtered milk products,  
3 milk protein concentrate, or casein to be labeled as  
4 domestic natural cheese would result in increased  
5 costs to the dairy price support program; and

6           (B) that change would be unfair to taxpayers,  
7 who would be forced to pay more program costs;

8           (2) any change in domestic natural cheese  
9 standards to allow dry ultra-filtered milk products,  
10 milk protein concentrate, or casein to be labeled as  
11 domestic natural cheese would result in lower reve-  
12 nues for dairy farmers;

13          (3) any change in domestic natural cheese  
14 standards to allow dry ultra-filtered milk products,  
15 milk protein concentrate, or casein to be labeled as  
16 domestic natural cheese would cause dairy products  
17 containing dry ultra-filtered milk, milk protein con-  
18 centrate, or casein to become vulnerable to contami-  
19 nation and would compromise the sanitation,  
20 hydrosanitary, and phytosanitary standards of the  
21 United States dairy industry; and

22          (4) changing the labeling standard for domestic  
23 natural cheese would be misleading to the consumer.

24          (b) PROHIBITION.—Section 401 of the Federal Food,  
25 Drug, and Cosmetic Act (21 U.S.C. 341) is amended—

1           (1) by striking “Whenever” and inserting “(a)  
2           Whenever”; and

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

4           “(b) The Commissioner may not use any Federal  
5 funds to amend section 133.3 of title 21, Code of Federal  
6 Regulations (or any corresponding similar regulation or  
7 ruling), to include dry ultra-filtered milk, milk protein con-  
8 centrate, or casein in the definition of the term ‘milk’ or  
9 ‘nonfat milk’, as specified in the standards of identity for  
10 cheese and cheese products published at part 133 of title  
11 21, Code of Federal Regulations (or any corresponding  
12 similar regulation or ruling).”.

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