

110TH CONGRESS  
2D SESSION

# H. R. 5762

To prohibit the use of nonambulatory livestock for human food and to require the Secretary of Agriculture to publish the names of retailers and school districts that have purchased meat, poultry, or egg products subject to voluntary recall.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2008

Ms. DELAURO (for herself, Mr. McDERMOTT, Mr. WAXMAN, Ms. SUTTON, Mr. ROTHMAN, Ms. KAPTUR, Mr. HINCHEY, Mr. FARR, Mr. MCGOVERN, Ms. SCHAKOWSKY, and Mr. WELCH of Vermont) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To prohibit the use of nonambulatory livestock for human food and to require the Secretary of Agriculture to publish the names of retailers and school districts that have purchased meat, poultry, or egg products subject to voluntary recall.

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 Recall  
5       Information Act”.

1 **SEC. 2. PUBLICATION OF NAMES OF RETAILERS AND**  
2 **SCHOOL DISTRICTS THAT PURCHASE MEAT,**  
3 **POULTRY, OR EGG PRODUCTS SUBJECT TO**  
4 **VOLUNTARY RECALL.**

5 (a) MEAT PRODUCTS.—The Federal Meat Inspection  
6 Act (21 U.S.C. 601 et seq.) is amended by—

7 (1) redesignating section 411 as section 412;  
8 and

9 (2) inserting after section 410 the following  
10 new section:

11 **“SEC. 411. PUBLICATION OF NAMES OF RETAILERS AND**  
12 **SCHOOL DISTRICTS THAT PURCHASE MEAT**  
13 **PRODUCTS SUBJECT TO VOLUNTARY RE-**  
14 **CALL.**

15 “(a) REPORTING TO SECRETARY.—

16 “(1) IN GENERAL.—A person that voluntarily  
17 recalls a meat product shall, not later than 5 days  
18 after the date on which the voluntary recall begins,  
19 submit to the Secretary a list of all retail stores or  
20 public school districts that are known to have pur-  
21 chased a meat product subject to the voluntary re-  
22 call.

23 “(2) UPDATED LIST.—Not later than 5 days  
24 after the date on which a person required to submit  
25 a list under paragraph (1) learns of a retail store or  
26 public school district that has purchased a meat

1 product subject to the voluntary recall referred to in  
2 such paragraph that has not been submitted to the  
3 Secretary under this subsection, such person shall  
4 submit the name of such retail store or public school  
5 district to the Secretary.

6 “(b) PUBLICATION.—Not later than 5 days after  
7 learning that a retail store or public school district has  
8 purchased a meat product subject to a voluntary recall,  
9 the Secretary shall publish in the Federal Register and  
10 otherwise make publicly available the name of such retail  
11 store or public school district.”.

12 (b) POULTRY PRODUCTS.—The Poultry Products In-  
13 spection Act (21 U.S.C. 451 et seq.) is amended by adding  
14 at the end the following new section:

15 **“SEC. 31. PUBLICATION OF NAMES OF RETAILERS AND**  
16 **SCHOOL DISTRICTS THAT PURCHASE POUL-**  
17 **TRY PRODUCTS SUBJECT TO VOLUNTARY RE-**  
18 **CALL.**

19 “(a) REPORTING TO SECRETARY.—

20 “(1) IN GENERAL.—A person that voluntarily  
21 recalls a poultry product shall, not later than 5 days  
22 after the date on which the voluntary recall begins,  
23 submit to the Secretary a list of all retail stores or  
24 public school districts that are known to have pur-

1        chased a poultry product subject to the voluntary re-  
2        call.

3            “(2) UPDATED LIST.—Not later than 5 days  
4        after the date on which a person required to submit  
5        a list under paragraph (1) learns of a retail store or  
6        public school district that has purchased a poultry  
7        product subject to the voluntary recall referred to in  
8        such paragraph that has not been submitted to the  
9        Secretary under this subsection, such person shall  
10       submit the name of such retail store or public school  
11       district to the Secretary.

12       “(b) PUBLICATION.—Not later than 5 days after  
13       learning that a retail store or public school district has  
14       purchased a poultry product subject to a voluntary recall,  
15       the Secretary shall publish in the Federal Register and  
16       otherwise make publicly available the name of such retail  
17       store or public school district.”.

18       (c) EGG PRODUCTS.—The Egg Products Inspection  
19       Act (21 U.S.C. 1031 et seq.) is amended by adding at  
20       the end the following new section:

21       **“SEC. 30. PUBLICATION OF NAMES OF RETAILERS AND**  
22                                **SCHOOL DISTRICTS THAT PURCHASE EGG**  
23                                **PRODUCTS SUBJECT TO VOLUNTARY RE-**  
24                                **CALL.**

25       “(a) REPORTING TO SECRETARY.—

1           “(1) IN GENERAL.—A person that voluntarily  
2       recalls a egg product shall, not later than 5 days  
3       after the date on which the voluntary recall begins,  
4       submit to the Secretary a list of all retail stores or  
5       public school districts that are known to have pur-  
6       chased a egg product subject to the voluntary recall.

7           “(2) UPDATED LIST.—Not later than 5 days  
8       after the date on which a person required to submit  
9       a list under paragraph (1) learns of a retail store or  
10      public school district that has purchased a egg prod-  
11      uct subject to the voluntary recall referred to in such  
12      paragraph that has not been submitted to the Sec-  
13      retary under this subsection, such person shall sub-  
14      mit the name of such retail store or public school  
15      district to the Secretary.

16          “(b) PUBLICATION.—Not later than 5 days after  
17      learning that a retail store or public school district has  
18      purchased a egg product subject to a voluntary recall, the  
19      Secretary shall publish in the Federal Register and other-  
20      wise make publicly available the name of such retail store  
21      or public school district.”.

22      **SEC. 3. PROHIBITION ON USE OF NONAMBULATORY LIVE-**  
23                                      **STOCK FOR HUMAN FOOD.**

24          Section 1(m) of the Federal Meat Inspection Act (21  
25      U.S.C. 601(m)) is amended—

1           (1) in paragraph (8), by striking “; or” and in-  
2       serting “;”;

3           (2) in paragraph (9), by striking “substance.”  
4       and inserting “substance; or”; and

5           (3) by adding at the end the following new  
6       paragraph:

7           “(10) if it is derived from an animal that, at  
8       the time of slaughter, is unable to stand and walk  
9       unassisted.”.

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