

112TH CONGRESS
2D SESSION

H. R. 6509

To establish limitations on the quantity of total arsenic in rice and rice products under chapter IV of the Federal Food, Drug, and Cosmetic Act.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2012

Ms. DELAURO (for herself, Mr. PALLONE, and Mrs. LOWEY) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To establish limitations on the quantity of total arsenic in rice and rice products under chapter IV of the Federal Food, Drug, and Cosmetic Act.

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 “Reducing food-based
5 Inorganic and Organic Compounds Exposure Act of
6 2012” or the “RICE Act”.

7 **SEC. 2. ESTABLISHMENT OF LIMITATION ON TOTAL AR-**
8 **SENIC IN RICE AND RICE PRODUCTS.**

9 (a) REGULATION REQUIRED.—For the purpose of
10 protecting the public health, not later than the day that

1 is 2 years after the date of the enactment of this Act,
2 the Secretary of Health and Human Services, acting
3 through the Commissioner of Food and Drugs and acting
4 under the Secretary's authority under chapter IV of the
5 Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341
6 et seq.), shall promulgate a final regulation establishing
7 the minimum quantity of total arsenic contained in rice
8 or a rice product which shall cause the rice or rice product,
9 respectively, to be deemed to be adulterated under section
10 402 of such Act (21 U.S.C. 343).

11 (b) SCOPE OF REGULATION.—The minimum quan-
12 tity established under subsection (a) shall apply to rice
13 and rice products containing total arsenic regardless of
14 whether the arsenic is present as a result of a natural
15 process, an ingredient added to a food, the use of a pes-
16 ticide, or other means.

17 (c) REGULATION INCLUDES TOLERANCES.—The reg-
18 ulation under subsection (a) shall include the establish-
19 ment of a tolerance under section 406 and section 408
20 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C.
21 346; 346a).

22 (d) MINIMUM STRINGENCY.—The standard estab-
23 lished under subsection (a) (and any subsequent revision
24 thereto) for total arsenic contained in rice or a rice prod-
25 uct shall be based on the maximum achievable reduction

1 in cancer risk and shall be at least as protective as the
2 allowable level for total arsenic in bottled water under Sec-
3 tion 410 of the Federal Food Drug and Cosmetic Act (21
4 U.S.C. 349).

5 (e) DEFINITIONS.—For purposes of this Act:

6 (1) FOOD.—The term “food” has the meaning
7 given such term in section 201(f) of the Federal
8 Food, Drug, and Cosmetic Act (21 U.S.C. 321(f)).

9 (2) RICE.—The term “rice” means a food that
10 is rice.

11 (3) RICE PRODUCT.—The term “rice product”
12 means a food that contains an ingredient made from
13 rice.

14 (4) TOTAL ARSENIC.—The term “quantity of
15 total arsenic” means the total amount of both inor-
16 ganic and organic arsenic.

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