

115TH CONGRESS
2D SESSION

H. R. 4749

To amend the Agricultural Trade Act of 1978 to establish a program to enhance transparency and traceability of food products and ingredients that are exported to the United States in order to protect American consumers and American food manufacturers against mislabeling, adulteration, and fraud.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2018

Mr. SOTO introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Agricultural Trade Act of 1978 to establish a program to enhance transparency and traceability of food products and ingredients that are exported to the United States in order to protect American consumers and American food manufacturers against mislabeling, adulteration, and fraud.

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 “Truth in Certification
5 for Foreign Food Ingredients Act”.

1 **SEC. 2. PROGRAM OF FOREIGN CAPACITY BUILDING TO**
2 **STRENGTHEN TRANSPARENCY, TRACEABIL-**
3 **ITY AND FRAUD PREVENTION OF FOOD**
4 **PRODUCTS AND INGREDIENTS EXPORTED TO**
5 **THE UNITED STATES.**

6 (a) FINDINGS.—Congress makes the following find-
7 ings:

8 (1) Approximately 15 percent of the United
9 States food supply consists of imported products.

10 (2) Food products and ingredients with special
11 characteristics command a premium price in the
12 United States market.

13 (3) American food manufacturers rely on get-
14 ting ingredients that consistently meet the specifica-
15 tions they need.

16 (4) Many foreign governments lack the capacity
17 or expertise to trace back food ingredients or protect
18 against fraudulent changes in paperwork to ensure
19 that ingredients exported to the United States were
20 actually produced in accordance with the standards
21 claimed.

22 (5) Such frauds cheat consumers who are will-
23 ing to pay premiums for food and feed with special
24 characteristics, cheat producers and processors who
25 use ingredients with special characteristics, and un-

1 fairly put American producers at a competitive dis-
2 advantage in marketing specialized products.

3 (6) Fraudulent food imports also put consumers
4 who have food allergies at risk when food labels are
5 mislabeled and do not accurately reflect the ingredi-
6 ents contained in the food product.

7 (b) CAPACITY BUILDING PROGRAM.—Section 503 of
8 the Agricultural Trade Act of 1978 (7 U.S.C. 5693) is
9 amended—

10 (1) by striking “The Service” and inserting
11 “(a) IN GENERAL.—The Foreign Agricultural Serv-
12 ice”; and

13 (2) by adding at the end the following new sub-
14 section:

15 “(b) TRANSPARENCY, TRACEABILITY AND FRAUD
16 PREVENTION PROGRAM FOR FOOD PRODUCTS AND IN-
17 GREDIENTS EXPORTED TO THE UNITED STATES.—

18 “(1) PROGRAM REQUIRED.—The Administrator
19 of the Foreign Agricultural Service shall carry out a
20 program to enhance transparency and traceability of
21 food products and ingredients that are exported to
22 the United States in order to protect American con-
23 sumers and American food manufacturers against
24 mislabeling, adulteration, and fraud.

1 “(2) PROGRAM ELEMENTS.—As part of the pro-
2 gram, the Foreign Agricultural Service shall provide
3 foreign government officials, foreign agricultural
4 producers, and foreign exporters of food products
5 and ingredients to the United States with technical
6 assistance and best practices to improve—

7 “(A) transparency, traceability and fraud
8 prevention, including best practices for direct
9 government inspection and certification of food
10 products and ingredients in international trade;
11 and

12 “(B) cooperation with private certification
13 and verification bodies to ensure the accuracy
14 and integrity of their food product and ingre-
15 dient certification and verification.

16 “(3) PRIORITIES.—The Administrator of the
17 Foreign Agricultural Service shall prioritize the pro-
18 vision of technical assistance to those foreign coun-
19 tries determined to be at the greatest risk of export-
20 ing mislabeled, misbranded, or adulterated food
21 products or ingredients or food products or ingredi-
22 ents that do not meet the special characteristics that
23 are claimed for the products or ingredients in order
24 to command premium prices.

1 “(4) COOPERATION AND COORDINATION.—The
2 Administrator of the Foreign Agricultural Service
3 shall carry out the program in cooperation with the
4 Administrator of the Agricultural Marketing Service
5 and in coordination with the Administrator of the
6 United States Agency for International Develop-
7 ment.”.

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