

Public Law 102-108
102d Congress

An Act

To make Technical Amendments to the Nutrition Information and Labeling Act, and for other purposes.

Aug. 17, 1991
[S. 1608]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INGREDIENT LABELING.

Section 10(c) of the Nutrition Labeling and Education Act of 1990 (21 U.S.C. 343 note) is amended to read as follows:

“(c) SECTION 7.—

“(1) Except as provided in paragraphs (2) and (3), the amendments made by section 7 shall take effect one year after the date of the enactment of this Act.

“(2)(A) If a food subject to section 403(g) of the Federal Food, Drug, and Cosmetic Act or a food with one or more colors required to be certified under section 706(c) bears a label which was printed before July 1, 1991, and which is attached to the food before May 8, 1993, such food shall not be subject to the amendments made by section 7(1) and section 7(3).

“(B) If a food described in subparagraph (A)—

“(i) bears a label which was printed after July 1, 1991, but before the date the proposed regulation described in clause (ii) takes effect as a final regulation and which was attached to the food before May 8, 1993, and

“(ii) meets the requirements of the proposed regulation of the Secretary of Health and Human Services published in 56 Fed. Reg. 28592-28636 (June 21, 1991) as it pertains to the amendments made by this Act,

such food shall not be subject to the amendments made by section 7(1) and section 7(3).

“(3) A food purported to be a beverage containing a vegetable or fruit juice which bears a label attached to the food before May 8, 1993, shall not be subject to the amendments made by section 7(2).”

SEC. 2. TECHNICAL AMENDMENTS.

(a) NUTRITION LABELING.—Section 403(q)(4)(A) of the Federal Food, Drug, and Cosmetic Act (as added by section 2(a) of the Nutrition Labeling and Education Act of 1990) is amended by striking out “(C)” and inserting in lieu thereof “(D)”. 21 USC 343.

(b) UNIFORM LABELING.—Section 403A(a)(5) of the Federal Food, Drug, and Cosmetic Act (as added by section 6 of the Nutrition Labeling and Education Act of 1990) is amended by striking out “clause (B) of such section” and inserting in lieu thereof “section 403(r)(5)(B)”. 21 USC 343-1.

(c) REFERENCES.—Section 7 of the Nutrition Labeling and Education Act of 1990 is amended— 21 USC 343.

(1) in paragraph (1), by inserting “the provisions of” after “subject to”, and

(2) in paragraph (3), by inserting “the first time it appears” before “and inserting”.

(d) SECTION 503.—Section 503 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353) is amended—

(1) by striking out “section 503(b)” in subsections (c)(2) and (c)(3)(B)(v) and inserting in lieu thereof “subsection (b)”,

(2) by striking out “section 503(c)(1)” in subsection (d)(3)(E) and inserting in lieu thereof “subsection (c)(1)”,

(3) by redesignating the subsection (c) added by section 105 of the Generic Animal Drug and Patent Restoration Act (Public Law 100-670) as subsection (f), and

(4) by redesignating the subsection (f) added by section 16 of the Safe Medical Devices Act of 1990 (Public Law 101-629) as subsection (g).

(e) ANIMAL DRUGS.—Section 512(e)(1)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(e)(1)(B)) is amended by striking out “(H)” and inserting in lieu thereof “(I)”.

(f) PUBLIC HEALTH SERVICE ACT TECHNICAL AMENDMENTS.—Section 395. [280c](a)(1) after the word “if” insert the words “skilled medical services,”.

42 USC 280c.

Approved August 17, 1991.

LEGISLATIVE HISTORY—S. 1608:

CONGRESSIONAL RECORD, Vol. 137 (1991):
July 31, considered and passed Senate.
Aug. 2, considered and passed House.