

103^D CONGRESS
1ST SESSION

H. R. 2169

To amend the Federal Food, Drug, and Cosmetic Act to require that foods derived from plant varieties developed by methods of genetic modification be labeled to identify their derivation.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 1993

Mr. KLECZKA introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to require that foods derived from plant varieties developed by methods of genetic modification be labeled to identify their derivation.

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. LABELING.**

4 Section 403 of the Federal Food, Drug, and Cosmetic
5 Act (21 U.S.C. 343) is amended by adding at the end the
6 following:

7 “(s)(1) If it is derived from a plant variety which has
8 been developed by methods of genetic modification unless

1 it is labeled in accordance with regulations of the Sec-
2 retary to identify the food as being so derived.

3 “(2) For purposes of paragraph (1)—

4 “(A) the term ‘variety’ describes a subgroup of
5 plants (whether varieties or cultivars) within a spe-
6 cies developed for desirable traits,

7 “(B) the term ‘modification’ means the major
8 or minor alteration in the composition of food that
9 results from adding, deleting, or changing hereditary
10 traits, irrespective of the method, and

11 “(C) the term ‘genetic modification’ means the
12 alteration of the genotype of a plant using any tech-
13 nique whether new or traditional.”.

14 **SEC. 2. REGULATIONS AND EFFECTIVE DATE.**

15 (a) REGULATIONS.—The Secretary of Health and
16 Human Services shall issue proposed regulations to imple-
17 ment section 403(s) of the Federal Food, Drug, and Cos-
18 metic Act (as added by section 1) not later than 6 months
19 after the date of the enactment of this Act. Within 6
20 months of the date proposed regulations are published in
21 the Federal Register, the Secretary shall issue final regu-
22 lations. If the Secretary does not issue final regulations
23 upon the expiration of such 12 months, the Congress finds
24 that there is good cause for the proposed regulations to
25 be considered final regulations without response to com-

1 ment because the implementation of the section with re-
2 spect to which such regulations were proposed is essential
3 to protect the public health. Consequently in such event,
4 the proposed regulations shall become the final regula-
5 tions. There shall be promptly published in the Federal
6 Register a notice of the new status of the proposed regula-
7 tions. If the proposed regulations become final under this
8 subparagraph, the Secretary shall complete the rule-
9 making begun with such proposed regulations.

10 (b) EFFECTIVE DATE.—The amendment made by
11 section 1 shall take effect on the date regulations under
12 subsection (a) become final.

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