

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. RES. 534

To correct the engrossment of the amendment of the House of Representatives to the Senate bill (S. 725).

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 1994

Mr. WAXMAN submitted the following resolution; which was considered and agreed to

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## RESOLUTION

To correct the engrossment of the amendment of the House of Representatives to the Senate bill (S. 725).

1       *Resolved,*

2       **SECTION 1. RETURN.**

3       The Senate is requested to return to the House of  
4 Representatives the amendment of the House to the Sen-  
5 ate bill (S. 725).

6       **SEC. 2. CORRECTION.**

7       Upon the return of the House amendment to the Sen-  
8 ate bill (S. 725), the Clerk of the House of Representatives  
9 shall make the following change in the engrossment of the

1 House amendment: Strike section 5 and insert the follow-  
2 ing:

3 **“SEC. 5. STATE STANDARDS.**

4 “(a) PREEMPTION.—Section 403A(a) of the Federal  
5 Food, Drug, and Cosmetic Act (21 U.S.C. 343–1(a)) is  
6 amended—

7 “(1) in paragraph (1), by inserting at the end  
8 the following: ‘except that this paragraph does not  
9 apply to a standard of identity of—

10 “(A) a State or political subdivision of a  
11 State for maple syrup which is of the type re-  
12 quired by sections 401 and 403(g), or

13 “(B) a State for fluid milk which is of the  
14 type required by sections 401 and 403(g) and  
15 which specifies a higher minimum level of milk  
16 components than is provided for in the cor-  
17 responding standard of identity promulgated  
18 under section 401,’

19 “(2) in paragraph (2), by inserting at the end  
20 the following: ‘except that this paragraph does not  
21 apply to a requirement of a State or political sub-  
22 division of a State which is of the type required by  
23 section 403(c) and which is applicable to maple  
24 syrup,’

1           “(3) in paragraph (3), by inserting at the end  
2           the following: ‘except that this paragraph does not  
3           apply to a requirement of a State or political sub-  
4           division of a State which is of the type required by  
5           section 403(h)(1) and which is applicable to maple  
6           syrup,’ and

7           “(4) by adding at the end the following: ‘For  
8           purposes of paragraph (1)(B), the term “fluid milk”  
9           means liquid milk in final packaged form for bev-  
10          erage use and does not include dry milk, manufac-  
11          tured milk products, or tanker bulk milk.’”.

12          (b) PROCEDURE.—Section 701(e)(1) of such Act (21  
13          U.S.C. 371(e)(1)) is amended by striking “or maple syrup  
14          (regulated under section 168.140 of title 21, Code of Fed-  
15          eral Regulations)”.

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