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103D 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

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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.

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

SECTION 1. LABELING.

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

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

it is labeled in accordance with regulations of the Secretary to identify the food as being so derived.

''(2) For purposes of paragraph (1)—

''(A) the term 'variety' describes a subgroup of plants (whether varieties or cultivars) within a species developed for desirable traits,

''(B) the term 'modification' means the major or minor alteration in the composition of food that results from adding, deleting, or changing hereditary traits, irrespective of the method, and

''(C) the term 'genetic modification' means the alteration of the genotype of a plant using any technique whether new or traditional.''.

SEC. 2. REGULATIONS AND EFFECTIVE DATE.

(a) REGULATIONS.—The Secretary of Health and Human Services shall issue proposed regulations to implement section 403(s) of the Federal Food, Drug, and Cosmetic Act (as added by section 1) not later than 6 months after the date of the enactment of this Act. Within 6 months of the date proposed regulations are published in the Federal Register, the Secretary shall issue final regulations. If the Secretary does not issue final regulations upon the expiration of such 12 months, the Congress finds that there is good cause for the proposed regulations to be considered final regulations without response to com-

ment because the implementation of the section with respect to which such regulations were proposed is essential to protect the public health. Consequently in such event, the proposed regulations shall become the final regulations. There shall be promptly published in the Federal Register a notice of the new status of the proposed regulations. If the proposed regulations become final under this subparagraph, the Secretary shall complete the rulemaking begun with such proposed regulations.

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

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