

Union Calendar No. 139

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 436**

[Report No. 104-262, Parts I and II]

---

---

## A BILL

To require the head of any Federal agency to differentiate between fats, oils, and greases of animal, marine, or vegetable origin, and other oils and greases, in issuing certain regulations, and for other purposes.

---

---

SEPTEMBER 27, 1995

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

## Union Calendar No. 139

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

## H. R. 436

[Report No. 104-262, Parts I and II]

To require the head of any Federal agency to differentiate between fats, oils, and greases of animal, marine, or vegetable origin, and other oils and greases, in issuing certain regulations, and for other purposes.

---

 IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 1995

Mr. EWING (for himself, and Mrs. DANNER) introduced the following bill; which was referred to the Committee on Commerce and, in addition, to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER 27, 1995

Reported from the Committee on Agriculture with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

SEPTEMBER 27, 1995

Additional sponsors: Mr. BOEHNER, Mr. HOLDEN, Mr. ROHRBACHER, Mr. WALSH, Mrs. MEYERS of Kansas, Mr. ZIMMER, Mr. COMBEST, Mr. EMERSON, Mr. MANTON, Mr. LIPINSKI, Mr. BONILLA, Mr. BEREUTER, Mr. PAXON, Mr. ARMEY, Mr. SOUDER, Mr. COSTELLO, Mr. CHAPMAN, Mr. HASTERT, Mr. HOSTETTLER, Mr. POSHARD, Mr. LATHAM, Mr. FLANAGAN, Mr. ZELIFF, Mr. BARRETT of Nebraska, Mrs. LINCOLN, Mr. JOHNSON of South Dakota, Mr. STENHOLM, Mr. BISHOP, Mr. JACOBS, Mr. MINGE, Mrs. CHENOWETH, Mr. GILLMOR, Mrs. LOWEY, Mr. POMEROY, Mr. QUINN, Mr. PASTOR, Mr. PETRI, Mr. COOLEY, Mr. BUYER, Mr. BAKER of Louisiana, Mr. BATEMAN, Mr. KIM, Mr. EHLERS, Mr. LAHOOD, Mr. CALVERT, Mr. FAWELL, Mr. DORNAN, Mr. PETERSON of Minnesota, Mr. DOOLITTLE, Mr. HAYES, Mr. LEACH, Mr. POMBO, Mr. PACKARD, Ms. DUNN of Washington, Mr. LIGHTFOOT, Mr. COX of California, Mr. BREWSTER, Mr. SKELTON, Mr. KNOLLENBERG, Mr. CANADY of Florida, Mr. TATE, Mr. HALL of Texas, Mr. HUTCHINSON, Mr. PETEGEREN of Texas, Mr. HORN, Mr. STOCKMAN, Mr. HERGER, Mr.

GOODLATTE, Mr. KLUG, Mr. BILBRAY, Mr. PARKER, Mr. CONDIT, Mr. NUSSLE, Mr. MONTGOMERY, Mrs. THURMAN, Mr. WELLER, Mr. CHAMBLISS, Mr. LUTHER, Mr. ENGLISH of Pennsylvania, Mr. LEWIS of Kentucky, Mr. FRANKS of New Jersey, Mr. HOEKSTRA, and Mr. HANCOCK

SEPTEMBER 27, 1995

Reported from the Committee on Commerce with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in boldface roman]

---

## A BILL

To require the head of any Federal agency to differentiate between fats, oils, and greases of animal, marine, or vegetable origin, and other oils and greases, in issuing certain regulations, and for other purposes.

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. DIFFERENTIATION AMONG FATS, OILS, AND**  
 4 **GREASES.**

5 ~~(a) IN GENERAL.—~~In issuing or enforcing any regu-  
 6 lation or establishing any interpretation or guideline relat-  
 7 ing to a fat, oil, or grease under any Federal law, the head  
 8 of any Federal agency shall differentiate between—

9 ~~(1)(A)~~ animal fats and oils and greases, and  
 10 fish and marine mammal oils, within the meaning of  
 11 paragraph ~~(2)~~ of section 61(a) of title 13, United  
 12 States Code; or

1           ~~(B) oils of vegetable origin, including oils from~~  
2           ~~the seeds, nuts, and kernels referred to in paragraph~~  
3           ~~(1)(A) of such section; and~~

4           ~~(2) other oils and greases, including petroleum.~~

5           ~~(b) CONSIDERATIONS.—In differentiating between~~  
6           ~~the class of fats, oils, and greases described in subsection~~  
7           ~~(a)(1) and the class of oils and greases described in sub-~~  
8           ~~section (a)(2), the head of the Federal agency shall con-~~  
9           ~~sider differences in the physical, chemical, biological, and~~  
10          ~~other properties, and in the environmental effects, of the~~  
11          ~~classes.~~

12          **SECTION 1. SHORT TITLE.**

13           *This Act may be cited as the “Edible Oil Regulatory*  
14          *Reform Act”.*

15          **SEC. 2. DEFINITIONS.**

16           *As used in this Act:*

17           (1) *ANIMAL FAT.—The term “animal fat” means*  
18           *each type of animal fat, oil, or grease (including fat,*  
19           *oil, or grease from fish or a marine mammal), includ-*  
20           *ing any fat, oil, or grease referred to in section*  
21           *61(a)(2) of title 13, United States Code.*

22           (2) *VEGETABLE OIL.—The term “vegetable oil”*  
23           *means each type of vegetable oil (including vegetable*  
24           *oil from a seed, nut, or kernel), including any vegeta-*

1        *ble oil referred to in section 61(a)(1) of title 13,*  
2        *United States Code.*

3        **SEC. 3. DIFFERENTIATION AMONG FATS, OILS, AND**  
4        **GREASES.**

5        *(a) IN GENERAL.—In issuing or enforcing a regula-*  
6        *tion, an interpretation, or a guideline relating to a fat, oil,*  
7        *or grease under a Federal law, the head of a Federal agency*  
8        *shall—*

9                *(1) differentiate between and establish separate*  
10        *categories for—*

11                        *(A)(i) animal fats; and*

12                        *(ii) vegetable oils; and*

13                        *(B) other oils, including petroleum oil; and*

14                *(2) apply different standards to different classes*  
15        *of fat and oil as provided in subsection (b).*

16        *(b) CONSIDERATION.—In differentiating between the*  
17        *classes of animal fats and vegetable oils referred to in sub-*  
18        *section (a)(1)(A) and the classes of oils described in sub-*  
19        *section (a)(1)(B), the head of the Federal agency shall con-*  
20        *sider differences in physical, chemical, biological, and other*  
21        *properties, and in the effects on human health and the envi-*  
22        *ronment, of the classes.*

23        **SEC. 4. FINANCIAL RESPONSIBILITY.**

24        *(a) LIMITS OF LIABILITY.—Section 1004(a)(1) of the*  
25        *Oil Pollution Act of 1990 (33 U.S.C. 2704(a)(1)) is amend-*

1 *ed by striking “for a tank vessel,” and inserting “for a tank*  
2 *vessel (other than a tank vessel carrying animal fat or vege-*  
3 *table oil),”.*

4 *(b) FINANCIAL RESPONSIBILITY.—The first sentence of*  
5 *section 1016(a) of the Act (33 U.S.C. 2716(a)) is amended*  
6 *by striking “in the case of a tank vessel,” and inserting*  
7 *“in the case of a tank vessel (other than a tank vessel carry-*  
8 *ing animal fat or vegetable oil),”.*

9 **SECTION 1. DIFFERENTIATION AMONG FATS, OILS, AND**  
10 **GREASES.**

11 **(a) IN GENERAL.—In issuing or enforcing**  
12 **any regulation or establishing any interpreta-**  
13 **tion or guideline relating to a fat, oil, or**  
14 **grease under any Federal law pertaining to**  
15 **the transportation, storage, disposal, dis-**  
16 **charge, or release of that substance, the head**  
17 **of any Federal agency shall differentiate be-**  
18 **tween—**

19 **(1)(A) animal fats and oils and**  
20 **greases, and fish and marine mammal**  
21 **oils, within the meaning of paragraph (2)**  
22 **of section 61(a) of title 13, United States**  
23 **Code; or**

24 **(B) oils of vegetable origin, including**  
25 **oils from the seeds, nuts, and kernels re-**

1       **ferred to in paragraph (1)(A) of such sec-**  
2       **tion; and**

3               **(2) other oils and greases, including**  
4       **petroleum.**

5       **(b) CONSIDERATIONS.—In differentiating**  
6       **between the class of fats, oils, and greases de-**  
7       **scribed in subsection (a)(1) and the class of**  
8       **oils and greases described in subsection**  
9       **(a)(2), the head of the Federal agency shall**  
10       **consider differences in the physical, chemical,**  
11       **biological, and other properties, and in the**  
12       **environmental effects, of the classes.**