

107TH CONGRESS
1ST SESSION

H. R. 1016

To amend the Federal Food, Drug, and Cosmetic Act to prohibit products that contain dry ultra-filtered milk products, milk protein concentrates, or casein from being labeled as domestic natural cheese, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2001

Ms. BALDWIN (for herself, Mr. MCHUGH, Mr. OBEY, Mr. KIND, Mr. BARRETT, Mr. SENSENBRENNER, Mr. PETRI, Mr. SANDERS, Mr. HINCHEY, Mr. BOUCHER, Mr. COOKSEY, Mr. FATTAH, Mr. ENGLISH, Mr. BALDACCI, Mr. HOUGHTON, Mr. BOYD, Mr. CALLAHAN, Mr. VITTER, Mr. BOEHLERT, Mr. BROWN of Ohio, Mr. PICKERING, Ms. SLAUGHTER, Mr. WALSH, Mr. SWEENEY, Mr. SHERWOOD, Mrs. EMERSON, Mr. MCGOVERN, Mr. PETERSON of Pennsylvania, Mr. CLAY, and 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 prohibit products that contain dry ultra-filtered milk products, milk protein concentrates, or casein from being labeled as domestic natural cheese, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Quality Cheese Act
3 of 2001”.

4 **SEC. 2. NATURAL CHEESE STANDARD.**

5 (a) FINDINGS.—Congress finds that—

6 (1)(A) any change in domestic natural cheese
7 standards to allow products containing dry ultra-fil-
8 tered milk, milk protein concentrates, or casein to be
9 labeled as domestic natural cheese would result in
10 increased costs to the dairy price support program;
11 and

12 (B) that change would be unfair to taxpayers,
13 who would be forced to pay more program costs;

14 (2) any change in domestic natural cheese
15 standards to allow dry ultra-filtered milk products or
16 casein to be labeled as domestic natural cheese
17 would result in lower revenues for dairy farmers;

18 (3) any change in domestic natural cheese
19 standards to allow dry ultra-filtered milk products or
20 casein to be labeled as domestic natural cheese
21 would cause dairy products containing dry ultra-fil-
22 tered milk or casein to become vulnerable to con-
23 tamination and would compromise the sanitation,
24 hydrosanitary, and phytosanitary standards of the
25 United States dairy industry; and

1 (4) changing the labeling standard for domestic
2 natural cheese would be misleading to the consumer.

3 (b) PROHIBITION.—Section 401 of the Federal Food,
4 Drug, and Cosmetic Act (21 U.S.C. 341) is amended—

5 (1) by striking “Whenever” and inserting “(a)
6 Whenever”; and

7 (2) by adding at the end the following:

8 “(b)(1) The Secretary may not amend section 133.3
9 of title 21, Code of Federal Regulations (or any cor-
10 responding similar regulation or ruling), to include dry
11 ultra-filtered milk, milk protein concentrates, or casein in
12 the definition of the term ‘milk’ or ‘nonfat milk’, as speci-
13 fied in the standards of identity for cheese and cheese
14 products published at part 133 of title 21, Code of Federal
15 Regulations (or any corresponding similar regulation or
16 ruling).

17 “(2)(A) The Secretary may not amend such section
18 133.3 (or any corresponding similar regulation or ruling)
19 to include wet ultra-filtered milk in the definition de-
20 scribed in paragraph (1), until 60 days after the Sec-
21 retary, in conjunction with the Secretary of Agriculture,
22 submits the report described in subparagraph (B).

23 “(B) The Secretary, in conjunction with the Sec-
24 retary of Agriculture, shall conduct a study on the manner
25 in which the use of wet ultra-filtered milk impacts dairy

- 1 farmers, and submit a report containing the results of the
- 2 study to the appropriate committees of Congress.”.

