

107TH CONGRESS  
1ST SESSION

# H. R. 1605

To require that perishable agricultural commodities be labeled or marked as to their country of origin and to establish penalties for violations of such labeling requirements.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2001

Mrs. BONO (for herself an Mr. CONDIT) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To require that perishable agricultural commodities be labeled or marked as to their country of origin and to establish penalties for violations of such labeling requirements.

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. SHORT TITLE.**

4 This Act may be cited as the “Produce Consumers’  
5 Right-to-Know Act”.

1 **SEC. 2. COUNTRY OF ORIGIN LABELING OF PERISHABLE**  
2 **AGRICULTURAL COMMODITIES.**

3 (a) ESTABLISHMENT OF LABELING REQUIRE-  
4 MENT.—The Perishable Agricultural Commodities Act,  
5 1930, is amended by inserting after section 17 (7 U.S.C.  
6 499q) the following new section:

7 **“SEC. 18. COUNTRY OF ORIGIN LABELING OF PERISHABLE**  
8 **AGRICULTURAL COMMODITIES.**

9 “(a) NOTICE OF COUNTRY OF ORIGIN REQUIRED.—  
10 Except as provided in subsection (b), a retailer of a perish-  
11 able agricultural commodity shall inform consumers, at  
12 the final point of sale of the perishable agricultural com-  
13 modity to consumers, of the country of origin of the per-  
14 ishable agricultural commodity. This requirement shall  
15 apply to imported and domestically produced perishable  
16 agricultural commodities.

17 “(b) EXEMPTION FOR FOOD SERVICE ESTABLISH-  
18 MENTS.—

19 “(1) EXEMPTION.—Subsection (a) shall not  
20 apply to a perishable agricultural commodity to the  
21 extent that the perishable agricultural commodity  
22 is—

23 “(A) prepared or served in a food service  
24 establishment; and

25 “(B) offered for sale or sold at the food  
26 service establishment in normal retail quantities

1           or served to consumers at the food service es-  
2           tablishment.

3           “(2) DEFINITION.—In this subsection, the term  
4           ‘food service establishment’ means a restaurant, caf-  
5           eteria, lunch room, food stand, saloon, tavern, bar,  
6           lounge, or other similar facility, which is operated as  
7           an enterprise engaged in the business of selling  
8           foods to the public.

9           “(c) METHOD OF NOTIFICATION.—

10           “(1) IN GENERAL.—The information required  
11           by subsection (a) may be provided to consumers by  
12           means of a label, stamp, mark, placard, or other  
13           clear and visible sign on the perishable agricultural  
14           commodity or on the package, display, holding unit,  
15           or bin containing the commodity at the final point  
16           of sale to consumers.

17           “(2) LABELED COMMODITIES.—If a perishable  
18           agricultural commodity is already individually la-  
19           beled regarding country of origin by a packer, im-  
20           porter, or another person, the retailer shall not be  
21           required to provide any additional information to  
22           comply with this section.

23           “(d) VIOLATIONS.—If a retailer fails to indicate the  
24           country of origin of a perishable agricultural commodity  
25           as required by subsection (a), the Secretary of Agriculture

1 may assess a civil penalty on the retailer in an amount  
2 not to exceed—

3 “(1) \$1,000 for the first day on which the viola-  
4 tion occurs; and

5 “(2) \$250 for each day on which the same vio-  
6 lation continues.

7 “(e) DEPOSIT OF FUNDS.—Amounts collected under  
8 subsection (d) shall be deposited in the Treasury of the  
9 United States as miscellaneous receipts.”.

10 (b) APPLICATION OF AMENDMENT.—Section 18 of  
11 the Perishable Agricultural Commodities Act, 1930, as  
12 added by subsection (a), shall apply with respect to a per-  
13 ishable agricultural commodity offered for retail sale after  
14 the end of the six-month period beginning on the date of  
15 the enactment of this Act.

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