

107TH CONGRESS  
1ST SESSION

# H. R. 2439

To amend the Agricultural Marketing Act of 1946 to require retailers of farm-raised fish inform consumers, at the final point of sale to consumers, of the country of origin of the commodities.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2001

Mr. ROSS (for himself, Mr. BERRY, Mr. PICKERING, Mr. THOMPSON of Mississippi, Mr. SHOWS, Mr. FORD, Mr. SANDLIN, Mr. CARSON of Oklahoma, Mr. THOMPSON of California, Mr. TURNER, and Ms. HARMAN) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To amend the Agricultural Marketing Act of 1946 to require retailers of farm-raised fish inform consumers, at the final point of sale to consumers, of the country of origin of the commodities.

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. COUNTRY OF ORIGIN LABELING.**

4 The Agricultural Marketing Act of 1946 (7 U.S.C.  
5 1621 et seq.) is amended by adding at the end the fol-  
6 lowing:

1       **“Subtitle D—Country of Origin**  
2                       **Labeling**

3   **“SEC. 281. DEFINITIONS.**

4       “In this subtitle:

5               “(1) COVERED COMMODITY.—The term ‘cov-  
6       ered commodity’ means whole farmed-raised fish and  
7       filets, steaks, nuggets, and any other flesh from a  
8       farm-raised fish.

9               “(2) FOOD SERVICE ESTABLISHMENT.—The  
10      term ‘food service establishment’ means a res-  
11      taurant, cafeteria, lunchroom, food stand, saloon,  
12      tavern, bar, lounge, or other similar facility operated  
13      as an enterprise engaged in the business of selling  
14      food to the public.

15              “(3) SECRETARY.—The term ‘Secretary’ means  
16      the Secretary of Agriculture, acting through the Ag-  
17      ricultural Marketing Service.

18   **“SEC. 282. NOTICE OF COUNTRY OF ORIGIN.**

19      “(a) IN GENERAL.—

20              “(1) REQUIREMENT.—Except as provided in  
21      subsection (b), a retailer of a covered commodity  
22      shall inform consumers, at the final point of sale of  
23      the covered commodity to consumers, of the country  
24      of origin of the covered commodity.

1           “(2) UNITED STATES COUNTRY OF ORIGIN.—A  
2       retailer of a covered commodity may designate the  
3       covered commodity as having a United States coun-  
4       try of origin only if the covered commodity is exclu-  
5       sively from a farm-raised fish that is exclusively  
6       born, raised, and slaughtered in the United States.

7           “(b) EXEMPTION FOR FOOD SERVICE ESTABLISH-  
8       MENTS.—Subsection (a) shall not apply to a covered com-  
9       modity if the covered commodity is—

10           “(1) prepared or served in a food service estab-  
11       lishment; and

12           “(2)(A) offered for sale or sold at the food serv-  
13       ice establishment in normal retail quantities; or

14           “(B) served to consumers at the food service es-  
15       tablishment.

16           “(c) METHOD OF NOTIFICATION.—

17           “(1) IN GENERAL.—The information required  
18       by subsection (a) may be provided to consumers by  
19       means of a label, stamp, mark, placard, or other  
20       clear and visible sign on the covered commodity or  
21       on the package, display, holding unit, or bin con-  
22       taining the commodity at the final point of sale to  
23       consumers.

24           “(2) LABELED COMMODITIES.—If the covered  
25       commodity is already individually labeled for retail

1 sale regarding country of origin, the retailer shall  
2 not be required to provide any additional informa-  
3 tion to comply with this section.

4 “(d) AUDIT VERIFICATION SYSTEM.—The Secretary  
5 may require that any person that prepares, stores, han-  
6 dles, or distributes a covered commodity for retail sale  
7 maintain a verifiable recordkeeping audit trail that will  
8 permit the Secretary to ensure compliance with the regula-  
9 tions promulgated under section 274.

10 “(e) INFORMATION.—Any person engaged in the  
11 business of supplying a covered commodity to a retailer  
12 shall provide information to the retailer indicating the  
13 country of origin of the covered commodity.

14 **“SEC. 283. ENFORCEMENT.**

15 “Section 253 shall apply to a violation of this subtitle.

16 **“SEC. 284. REGULATIONS.**

17 “(a) IN GENERAL.—The Secretary may promulgate  
18 such regulations as are necessary to carry out this subtitle.

19 “(b) PARTNERSHIPS WITH STATES.—In promul-  
20 gating the regulations, the Secretary shall, to the max-  
21 imum extent practicable, enter into partnerships with  
22 States with enforcement infrastructure to carry out this  
23 subtitle.

1 **“SEC. 285. APPLICATION.**

2       “**This subtitle shall apply to the retail sale of a cov-**  
3 **ered commodity beginning 180 days after the date of the**  
4 **enactment of this subtitle.”.**

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