

107TH CONGRESS  
1ST SESSION

# H. R. 172

To amend the Food, Drug, and Cosmetic Act and the egg, meat, and poultry inspection laws to ensure that consumers receive notification regarding food products produced from crops, livestock, or poultry raised on land on which sewage sludge was applied.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2001

Mr. SERRANO introduced the following bill; which was referred to the Committee on Energy and 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

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## A BILL

To amend the Food, Drug, and Cosmetic Act and the egg, meat, and poultry inspection laws to ensure that consumers receive notification regarding food products produced from crops, livestock, or poultry raised on land on which sewage sludge was applied.

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. NOTIFICATION TO CONSUMERS OF FOOD**  
2 **PRODUCTS PRODUCED ON LAND ON WHICH**  
3 **SEWAGE SLUDGE HAS BEEN APPLIED.**

4 (a) ADULTERATED FOOD UNDER FEDERAL FOOD,  
5 DRUG, AND COSMETIC ACT.—Section 402 of the Federal  
6 Food, Drug, and Cosmetic Act (21 U.S.C. 342) is amend-  
7 ed by adding at the end the following new paragraph:

8 “(h)(1) Effective one year after the date of the enact-  
9 ment of this subsection, if it is a food (intended for human  
10 consumption and offered for sale) that was produced, or  
11 contains any ingredient that was produced, on land on  
12 which sewage sludge was applied, unless—

13 “(A) the application of sewage sludge to the  
14 land terminated more than one year before the date  
15 on which the production of the food or ingredient on  
16 the land commenced;

17 “(B) the food bears a label that clearly indi-  
18 cates that the food, or an ingredient of the food, was  
19 produced on land on which sewage sludge was ap-  
20 plied; or

21 “(C) in the case of a raw agricultural com-  
22 modity or other food generally offered for sale with-  
23 out labeling, a sign is posted within close proximity  
24 of the food to notify consumers that the food, or an  
25 ingredient of the food, was produced on land on  
26 which sewage sludge was applied.”.

1 (b) ADULTERATED FOOD UNDER EGG PRODUCTS  
2 INSPECTION ACT.—Section 4(a) of the Egg Products In-  
3 spection Act (21 U.S.C. 1033(a)) is amended—

4 (1) by striking “or” at the end of paragraph  
5 (7);

6 (2) by striking the period at the end of para-  
7 graph (8) and inserting “; or”; and

8 (3) by adding at the end the following new  
9 paragraph:

10 “(9) effective one year after the date of the en-  
11 actment of this paragraph, if it is derived from poul-  
12 try that were raised, or that consumed animal feed  
13 produced, on land on which sewage sludge was ap-  
14 plied, unless—

15 “(A) the application of sewage sludge to  
16 the land terminated more than one year before  
17 the date on which the poultry began to be  
18 raised on the land or the date on which the pro-  
19 duction of the animal feed on the land com-  
20 menced; or

21 “(B) the container bears a label that clear-  
22 ly indicates that the egg or egg product was de-  
23 rived from poultry that—

24 “(i) were raised on land on which sew-  
25 age sludge was applied; or

1 “(ii) consumed animal feed produced  
2 on land on which sewage sludge was ap-  
3 plied.”.

4 (c) ADULTERATED FOOD UNDER FEDERAL MEAT  
5 INSPECTION ACT.—Section 1(m) of the Federal Meat In-  
6 spection Act (21 U.S.C. 601(m)) is amended—

7 (1) by striking “or” at the end of paragraph  
8 (8);

9 (2) by striking the period at the end of para-  
10 graph (9) and inserting “; or”; and

11 (3) by adding at the end the following new  
12 paragraph:

13 “(10) effective one year after the date of the  
14 enactment of this paragraph, if it is derived from  
15 livestock that grazed, or consumed animal feed pro-  
16 duced, on land on which sewage sludge was applied,  
17 unless—

18 “(A) the application of sewage sludge to  
19 the land terminated more than one year before  
20 the date on which the livestock began grazing  
21 on the land or the date on which the production  
22 of the animal feed on the land commenced;

23 “(B) the carcass, part thereof, meat or  
24 meat food product bears a label that clearly in-  
25 dicates that the livestock—

1 “(i) grazed on land on which sewage  
2 sludge was applied; or

3 “(ii) consumed animal feed produced  
4 on land on which sewage sludge was ap-  
5 plied; or

6 “(C) in the case of a carcass, part thereof,  
7 meat or meat food product generally offered for  
8 sale without labeling, a sign is posted within  
9 close proximity of the item to notify consumers  
10 that the livestock—

11 “(i) grazed on land on which sewage  
12 sludge was applied; or

13 “(ii) consumed animal feed produced  
14 on land on which sewage sludge was ap-  
15 plied.”.

16 (d) ADULTERATED FOOD UNDER POULTRY PROD-  
17 UCTS INSPECTION ACT.—Section 4(g) of the Egg Prod-  
18 ucts Inspection Act (21 U.S.C. 453(g)) is amended—

19 (1) by striking “or” at the end of paragraph  
20 (7);

21 (2) by striking the period at the end of para-  
22 graph (8) and inserting “; or”; and

23 (3) by adding at the end the following new  
24 paragraph:

1           “(9) effective one year after the date of the en-  
2           actment of this paragraph, if it is derived from poul-  
3           try that were raised, or that consumed animal feed  
4           produced, on land on which sewage sludge was ap-  
5           plied, unless—

6                   “(A) the application of sewage sludge to  
7                   the land terminated more than one year before  
8                   the date on which the poultry began to be  
9                   raised on the land or the date on which the pro-  
10                  duction of the animal feed on the land com-  
11                  menced;

12                  “(B) the poultry product bears a label that  
13                  clearly indicates that the poultry contained in  
14                  the product—

15                       “(i) were raised on land on which sew-  
16                       age sludge was applied; or

17                       “(ii) consumed animal feed produced  
18                       on land on which sewage sludge was ap-  
19                       plied; or

20                  “(C) in the case of a poultry product gen-  
21                  erally offered for sale without labeling, a sign is  
22                  posted within close proximity of the item to no-  
23                  tify consumers that the poultry contained in the  
24                  product—

1 “(i) were raised on land on which sew-  
2 age sludge was applied; or

3 “(ii) consumed animal feed produced  
4 on land on which sewage sludge was ap-  
5 plied.”.

6 (e) SPECIAL RULES FOR ORGANIC FOODS.—

7 (1) CROP PRODUCTION.—Section 2109 of the  
8 Organic Foods Production Act of 1990 (7 U.S.C.  
9 6508) is amended by adding at the end the following  
10 new subsection:

11 “(d) USE OF SEWAGE SLUDGE.—Notwithstanding  
12 section 402(h) of the Federal Food, Drug, and Cosmetic  
13 Act (21 U.S.C. 342(h)) and section 4(a)(9) of the Egg  
14 Products Inspection Act (21 U.S.C. 1033(a)(9)), foods la-  
15 beled ‘100 percent organic’, ‘organic’, or ‘made with or-  
16 ganic ingredients’ may not be produced using sewage  
17 sludge.”.

18 (2) ANIMAL PRODUCTION.—Section 2110 of the  
19 Organic Foods Production Act of 1990 (7 U.S.C.  
20 6509) is amended by adding at the end the following  
21 new subsection:

22 “(h) USE OF SEWAGE SLUDGE.—Notwithstanding  
23 section 1(m)(10) of the Federal Meat Inspection Act (21  
24 U.S.C. 601(m)(10)) and section 4(g)(9) of the Egg Prod-  
25 ucts Inspection Act (21 U.S.C. 453(g)(9)), any livestock

1 that is to be slaughtered and sold or labeled as ‘organically  
2 produced’ or that is to be used in the production of foods  
3 labeled ‘100 percent organic’, ‘organic’, or ‘made with or-  
4 ganic ingredients’ may not be raised using sewage  
5 sludge.”.

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