

## CONGRESSIONAL INTEREST IN FOOD GRADING

Several food labeling bills were introduced in the 93rd Congress; one of them—H.R. 1656, the Consumer Food Grading Act—dealt with food grading. H.R. 1656 was introduced by Congressman Rosenthal (D-NY) and referred to the Agriculture Committee. The bill, which sought a uniform system of quality grades for consumer food products, died in committee without any hearings or other action.

In the 94th Congress, Congressmen Karth (D-MN) and Price (D-IL) have each introduced identical bills, H.R. 3011 and H.R. 1367, both titled *Consumer Food Grading Act* and both awaiting action in the Domestic Marketing and Consumer Subcommittee of the House Committee on Agriculture. In addition to calling for uniform nomenclature at the retail level, the bills give the food industry the option of stating the correct grade on the product label or including the statement: “Not quality graded by the United States Department of Agriculture.”

Congressman Rosenthal has introduced another bill, H.R. 42, the *Consumer Food Labeling Act*. This bill had 58 co-sponsors and at the close of the 94th Congress was awaiting action before the following Interstate and Foreign Commerce subcommittees: Consumer Protection and Finance, chaired by Congressman Van Deerlin (D-CA); and Health and Environment, chaired by Congressman Rogers (D-FL). Both subcommittees expressed interest in H.R. 42, but neither subcommittee considered this bill by the close of the 94th Congress. While portions of the bill could be considered within the jurisdiction of the House Agriculture Committee, Chairman Foley would have to wait until the bill reaches the House floor before this possible claim of mutual consideration could be decided. If Chairman Foley’s claim of mutual consideration is granted by the full House, then either all or portions of H.R. 42 would be sent back to the Agriculture Committee.

Title V of the bill was labeled the “Consumer Food Grading Act,” and the content and wording of Title V was identical with H.R. 3011 and H.R. 1367. Food grading, however, was only one of the many labeling issues which H.R. 42 considered,

while H.R. 3011 and H.R. 1367 dealt only with food grading.

Congressman Gilbert Gude (R-MD) had a bill, H.R. 472, before the Interstate and Foreign Commerce Committee that would have amended the Federal Food, Drug, and Cosmetic Act to establish a uniform grading system based on the nutritional value of foods which would be applied to all food sold in interstate commerce. The grading code was to be “simple and easily understandable,” and a program of consumer education about the new system was to be triggered if the bill was enacted. This system would take into account the nutritional or non-nutritional value of the product being graded. This bill also died in the previously mentioned subcommittees of the Interstate and Foreign Commerce Committee.

Congressman Gude’s bill was introduced as a result of a consumer questionnaire he circulated in his Maryland district. The Congressman discovered that consumers are not using existing grades to compare products but that some effort is being made by some consumers to use the nutritional information provided to them. Consumers indicated they were interested in quality rating based primarily on nutrition as well as in more nutritional information, and they favored the same quality grades for a variety of food products.

Legislation on food grade labeling was not introduced in the Senate for the 94th Congress. Neither of the two Senate Committees—Labor and Public Welfare, and Commerce, which have jurisdiction over any food labeling bills—had any legislation introduced to them.

All of these food grading bills appear intended to help consumers in food shopping at a time when food costs are rising. Some bills seek to make the grading nomenclature uniform, others call for grade standards to incorporate nutritional factors of a product, and still other bills limit revising the standards for a particular product, primarily beef. In all, at least 13 bills were introduced in the House during the 94th Congress; none of them, however, were reported out of committee.

**Bills Affecting Federal Food Grades in the 94th Congress**

<i>Bill</i>	<i>Sponsor</i>	<i>Title</i>	<i>Committee</i>
H.R. 42	Rosenthal	Nutritional Labeling Act	Interstate & Foreign Commerce
H.R. 472	Gude	Nutritional Grading	Interstate & Foreign Commerce
H.R. 836	Peyster	Nutritional Grading	Interstate & Foreign Commerce
H.R. 995	Rosenthal	Truth in Food Labeling Act	Interstate & Foreign Commerce
H.R. 1367	Price	Consumer Food Grading Act	Agriculture
H.R. 3011	Karth	Consumer Food Grading Act	Agriculture
H.R. 3547	Rosenthal	Marketing Practices Disclosure Act	Interstate & Foreign Commerce
H.R. 3986	Oberstar	Marketing Practices Disclosure Act	Interstate & Foreign Commerce
H.R. 4401	Barrington	Food Labeling Act	Interstate & Foreign Commerce
H.R. 5266	Peyster	Beef Grading Restriction	Agriculture
H.R. 6606	Rosenthal	Consumer Food Labeling Act	Interstate & Foreign Commerce
H.R. 9268	Rosenthal	Consumer Food Labeling Act	Interstate & Foreign Commerce
H.R. 10776	Richmond	Consumer Beef Grading Act	Agriculture