

108TH CONGRESS  
1ST SESSION

# S. 40

To prohibit products that contain dry ultra-filtered milk products or casein from being labeled as domestic natural cheese, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 7, 2003

Mr. FEINGOLD (for himself and Mr. JEFFORDS) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To prohibit products that contain dry ultra-filtered milk products 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Quality Cheese Act  
5 of 2003”.

6 **SEC. 2. NATURAL CHEESE STANDARD.**

7 (a) FINDINGS.—Congress finds that—

8 (1)(A) any change in domestic natural cheese  
9 standards to allow dry ultra-filtered milk products or

1 casein to be labeled as domestic natural cheese  
2 would result in increased costs to the dairy price  
3 support program; and

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

6 (2) any change in domestic natural cheese  
7 standards to allow dry ultra-filtered milk products or  
8 casein to be labeled as domestic natural cheese  
9 would result in lower revenues for dairy farmers;

10 (3) any change in domestic natural cheese  
11 standards to allow dry ultra-filtered milk products or  
12 casein to be labeled as domestic natural cheese  
13 would cause dairy products containing dry ultra-fil-  
14 tered milk or casein to become vulnerable to con-  
15 tamination and would compromise the sanitation,  
16 hydrosanitary, and phytosanitary standards of the  
17 United States dairy industry; and

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

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

22 (1) by striking “Whenever” and inserting “(a)  
23 Whenever”; and

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

1       “(b) The Commissioner may not use any Federal  
2 funds to amend section 133.3 of title 21, Code of Federal  
3 Regulations (or any corresponding similar regulation or  
4 ruling), to include dry ultra-filtered milk or casein in the  
5 definition of the term ‘milk’ or ‘nonfat milk’, as specified  
6 in the standards of identity for cheese and cheese products  
7 published at part 133 of title 21, Code of Federal Regula-  
8 tions (or any corresponding similar regulation or ruling).”.

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