

AMENDMENT TO RULES COMMITTEE PRINT

118-43

OFFERED BY MR. STEIL OF WISCONSIN

Strike section 722 and insert the following:

1 NATURAL CHEESE

2 SEC. 722.

3 (a) Section 201 of the Federal Food, Drug, and Cos-
4 metic Act (21 U.S.C. 321) is amended by adding at the
5 end the following:

6 “(tt)(1) The term ‘natural cheese’ means cheese that
7 is a ripened or unripened soft, semi-soft, or hard product,
8 which may be coated, that is produced—

9 “(A) by—

10 “(i)(I) coagulating wholly or partly the
11 protein of milk, skimmed milk, partly skimmed
12 milk, cream, whey cream, or buttermilk, or any
13 combination of such ingredients, through the
14 action of rennet or other suitable coagulating
15 agents, and by partially draining the whey re-
16 sulting from the coagulation, while respecting
17 the principle that cheese-making results in a
18 concentration of milk protein (in particular, the
19 casein portion), and that consequently, the pro-

1 tein content of the cheese will be distinctly
2 higher than the protein level of the blend of the
3 above milk materials from which the cheese was
4 made; or

5 “(II) processing techniques involving co-
6 agulation of the protein of milk or products ob-
7 tained from milk to produce an end-product
8 with similar physical, chemical, and
9 organoleptic characteristics as the product de-
10 scribed in subclause (i); and

11 “(ii) including the addition of safe and
12 suitable non-milk derived ingredients of the
13 type permitted in the standards of identity de-
14 scribed in clause (B) as natural cheese; or

15 “(B) in accordance with standards of identity
16 under part 133 of title 21, Code of Federal Regula-
17 tions (or any successor regulations), other than the
18 standards described in subparagraph (2) or any fu-
19 ture standards adopted by the Secretary in accord-
20 ance with subparagraph (2)(I).

21 “(2) Such term does not include—

22 “(A) pasteurized process cheeses as defined in
23 section 133.169, 133.170, or 133.171 of title 21,
24 Code of Federal Regulations (or any successor regu-
25 lations);

1 “(B) pasteurized process cheese foods as de-
2 fined in section 133.173 or 133.174 of title 21, Code
3 of Federal Regulations (or any successor regula-
4 tions);

5 “(C) pasteurized cheese spreads as defined in
6 section 133.175, 133.176, or 133.178 of title 21,
7 Code of Federal Regulations (or any successor regu-
8 lations);

9 “(D) pasteurized process cheese spreads as de-
10 fined in section 133.179 or 133.180 of title 21, Code
11 of Federal Regulations (or any successor regula-
12 tions);

13 “(E) pasteurized blended cheeses as defined in
14 section 133.167 or 133.168 of title 21, Code of Fed-
15 eral Regulations (or any successor regulations);

16 “(F) any products comparable to any product
17 described in any of clauses (A) through (E);

18 “(G) cold pack cheeses as defined in section
19 133.123, 133.124, or 133.125 title 21, Code of Fed-
20 eral Regulations (or any successor regulations);

21 “(H) grated American cheese food as defined in
22 section 133.147 of title 21, Code of Federal Regula-
23 tions (or any successor regulations); or

24 “(I) any other product the Secretary may des-
25 ignate as a process cheese.

1 “(3) For purposes of this paragraph, the term ‘milk’
2 has the meaning given such term in section 133.3 of title
3 21, Code of Federal Regulations (or any successor regula-
4 tions) and includes the lacteal secretions from animals
5 other than cows.”.

6 (b) Section 403 of the Federal Food, Drug, and Cos-
7 metic Act (21 U.S.C. 343) is amended by adding at the
8 end the following:

9 “(z) If its label or labeling includes the term ‘natural
10 cheese’ as a factual descriptor of a category of cheese un-
11 less the food meets the definition of natural cheese under
12 section 201(tt), except that nothing in this paragraph
13 shall prohibit the use of the term ‘natural’ or ‘all-natural’,
14 or a similar claim or statement with respect to a food in
15 a manner that is consistent with regulations, guidance, or
16 policy statements issued by the Secretary.”.

17 (c) Section 403A(a)(2) of the Federal Food, Drug,
18 and Cosmetic Act (21 U.S.C. 343–1(a)(2)) is amended by
19 striking “or 403(x)” and inserting “403(x), or 403(z)”.

