

AMENDMENT TO RULES COMMITTEE PRINT

118-43

OFFERED BY MR. VAN DREW OF NEW JERSEY

At the end of the bill (before the short title), insert the following:

1 SEC. 775. (a) None of the funds made available by
2 this Act may be used to finalize, implement, or enforce
3 the proposed rule entitled “Food Labeling: Nutrient Con-
4 tent Claims; Definition of Term ‘Healthy’” (87 Fed. Reg.
5 59168 (September 29, 2022)) unless an exemption is
6 made by the Commissioner of the Food and Drug Admin-
7 istration to the limits on added sugars to covered vegeta-
8 bles or dried fruits, provided that the total sugars allowed
9 by such exemption do not exceed the total sugars of com-
10 parable vegetables or dried fruits, as determined by the
11 Commissioner.

12 (b) For purposes of this section, the term “covered
13 vegetable or dried fruit” means a vegetable or dried
14 fruit—

15 (1) with low levels of intrinsic sugars, as deter-
16 mined by the Commissioner;

17 (2) which contains added sugar for palatability;

18 and

1 (3) which, without such added sugar, meets the
2 food group equivalence requirements under the rule
3 described in subsection (a).

