

110TH CONGRESS  
1ST SESSION

# H. R. 3100

To amend the Federal Food, Drug, and Cosmetic Act and the Consumer Product Safety Act to increase the safety of food, toothpaste, and toys.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2007

Mr. KIRK (for himself, Mr. LARSEN of Washington, and Mr. KENNEDY) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Federal Food, Drug, and Cosmetic Act and the Consumer Product Safety Act to increase the safety of food, toothpaste, and toys.

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 “Import Safety Act of  
5 2007”.

6 **SEC. 2. FOOD SAFETY.**

7 (a) INCREASED CIVIL PENALTIES.—Section 303 of  
8 the Federal Food, Drug, and Cosmetic Act (21 U.S.C.  
9 333) is amended—

1           (1) by redesignating subsection (g) as sub-  
2           section (f); and

3           (2) in paragraph (2)(A) of such subsection (f),  
4           as so redesignated—

5                   (A) by striking “\$50,000” and inserting  
6                   “\$5,000,000”;

7                   (B) by striking “\$250,000” and inserting  
8                   “\$25,000,000”; and

9                   (C) by striking “\$500,000” and inserting  
10                  “\$50,000,000”.

11           (b) **ADDITIONAL FUNDING FOR INSPECTING IM-**  
12 **PORTED PROCESSED FOOD.**—There is authorized to be  
13 appropriated to the Commissioner of Food and Drugs  
14 \$20,000,000 for each of fiscal years 2008 through 2012  
15 for the purpose of carrying out section 801 of the Federal  
16 Food, Drug, and Cosmetic Act (21 U.S.C. 381) with re-  
17 spect to processed food (as defined in section 201(gg) of  
18 such Act (21 U.S.C. 321(gg)) and toothpaste which is  
19 being imported or offered for import into the United  
20 States. Such authorization of appropriations is in addition  
21 to any other authorization of appropriations available for  
22 such purpose.

23 **SEC. 3. TOY SAFETY.**

24           (a) **INCREASED CRIMINAL PENALTIES.**—Section  
25 21(a) of the Consumer Product Safety Act (15 U.S.C.

1 2070(a)) is amended by striking “shall be fined” and all  
2 that follows and inserting “shall be fined—

3 “(1) not more than \$20,000,000, if the offense  
4 does not result in death; or

5 “(2) not more than \$50,000,000, if the offense  
6 results in death,

7 or imprisoned for not more than 1 year, or both.”.

8 (b) ADDITIONAL FUNDING FOR INSPECTING IM-  
9 PORTED TOYS.—There is authorized to be appropriated  
10 to the Consumer Product Safety Commission,  
11 \$20,000,000 for each of fiscal years 2008 through 2012  
12 for the purpose of carrying out sections 16 and 17 of the  
13 Consumer Product Safety Act (15 U.S.C. 2065 and 2066)  
14 with respect to toys which are being imported or offered  
15 for import into the United States. Such authorization of  
16 appropriations is in addition to any other authorization  
17 of appropriations available for such purpose.

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