

CONTENTS

List of Contributors	xv
About the Companion Website	xvii
Chapter 1 Introduction to Laws and Regulations	1
<i>Patricia A. Curtis</i>	
Introduction	1
Sources of American Law	2
The Constitution	2
Statutory Law	3
Common Law	3
Equity	3
Public and Private Law	3
Private Law	3
Public Law	3
Legislative Branch	4
Judicial Branch	5
Federal Court System	5
The Supreme Court	5
Courts of Appeals	5
US District Courts	6
Special Courts	6
Executive Branch	6
Sources of Legislation	7
How a Bill Becomes a Law	8
Introduction	8
Considered in Committee	8
Reintroduction	9
Debate in Congress	9
Presidential Action	10
Enrollment	10

Where to Find Legal Information	11
Law-making Process	12
The Laws	13
Conventional Search Method	16
Example Search	16
How Regulations are Made	17
The Rule-making Process and Publication	17
Example	18
Code of Federal Regulations	18
Using the Code of Federal Regulations	19
Example	19
References	20
Additional Resources	21
Chapter 2 How Did We Get Where We Are Today?	23
<i>Patricia A. Curtis, Emily L. Steinberg,</i>	
<i>Michelle A. Parisi, and Julie K. Northcutt</i>	
Introduction	23
Reasons for Food Laws	24
American Food Laws	25
The “Poison Squad”	28
The Jungle	31
The Need for a New Food and Drug Law	33
Elixir of Sulfanilamide: Raspberry Flavored Death	36
Food Drug and Cosmetic Act of 1938	37
<i>Silent Spring</i> and the Environmental	
Protection Agency	38
First Amendment to the Food, Drug and	
Cosmetic Act	38
Public Health Service Act	39
Milestones in US Food and Drug History	
(FDA 2010)	39
A Brief History of Agricultural-Related Agencies	46
USDA	47
State Departments of Agriculture	47
Environmental Protection Agency	47
Food and Drug Administration	48
Current Consumer and Regulatory Concerns	48
Summary of Major Food Laws	49
Pure Food and Drug Act of 1906	49
Federal Meat Inspection Act of 1906	49
Food Drug and Cosmetic Act of 1938	49

Poultry Products Inspection Act of 1957 (as amended 1968)	49
Food Additive Amendment of 1958	49
Color Additive Amendment of 1960	50
Fair Packaging and Labeling Act of 1966	50
Egg Products Inspection Act of 1970	50
Nutrition Labeling and Education Act of 1990	50
Dietary Supplement Health and Education Act of 1994	50
Saccharin Notice Repeal Act of 1996	50
Food Quality Protection Act of 1996	50
Food and Drug Administration Modernization Act of 1997	50
Pediatric Rule (1999)	51
The Best Pharmaceuticals for Children Act of 2002	51
Public Health Security and Bioterrorism Preparedness and Response Act of 2002	51
Project BioShield Act of 2004	51
Food Allergy Labeling and Consumer Protection Act of 2004	51
Anabolic Steroid Control Act of 2004	51
Minor Use and Minor Species Animal Health Act of 2004	52
References	52
Further Reading	53
Chapter 3 Federal, State, and Local Laws	55
<i>Patricia A. Curtis</i>	
Introduction	55
National versus State Government	56
National Government	56
State Government	57
The Civil War Amendments	58
Powers of the National Government and State Governments	58
Food-related Laws and Regulations	60
Food Safety and Inspection Service	60
Food and Drug Administration	62
Shellfish Program	62
Milk Program	63

	Retail Food Protection Program	64
	Food Safety	65
	Local Government	67
	Tribal Governments	69
	Summary	70
	References	70
Chapter 4	Major Food Laws and Regulations	73
	<i>Julie K. Northcutt and Michelle A. Parisi</i>	
	Introduction	73
	Pure Food and Drug Act (1906) and Federal Meat Inspection Act (1906)	73
	Amendments to the Federal Meat Inspection Act (1906)	76
	Poultry Products Inspection Act (PPIA) of 1957	76
	Wholesome Meat Act of 1967 and Wholesome Poultry Product Act of 1968	77
	Food, Drug and Cosmetic Act (FDCA), 1938	77
	Amendments to the Food, Drug and Cosmetic Act, 1938	80
	Miller Pesticide Amendment, 1954	81
	Food Additive Amendment, 1958	82
	Color Additive Amendment, 1960	83
	Dietary Supplement Health Education Act (DSHEA) of 1994	86
	Public Health Security and Bioterrorism Preparedness Response Act of 2002	89
	FDA Food Safety Modernization Act (FFSMA) of 2011	91
	Patient Protection and Affordable Care Act (PPACA) of 2010	93
	Conclusion	95
	References	95
Chapter 5	US Federal Laws affecting Food Labeling	97
	<i>Michelle A. Parisi, Julie K. Northcutt, and Emily L. Steinberg</i>	
	Introduction	97
	History of food labeling	98
	Standards of identity	98
	Overview of major food labeling laws	99

Construction of a food label	103
The principal display panel (PDP)	103
NLEA of 1990	105
The nutrition facts panel	107
Food labeling nutrient and health claims	113
The FDA Modernization Act of 1997	116
Labeling exemptions	117
Results of over 70 years of food	
labeling regulation	117
Conclusion	118
References	118
Chapter 6	
Environmental Regulations and the Food Industry	121
<i>Theodore A. Feitskans</i>	
Introduction	121
Discharges to surface and ground waters	121
Solid waste	124
Hazardous waste	126
Use of water	126
Regulation of water sources	128
Discharges to air	129
Chemical use, storage, release, and transport	131
Toxic Substance Control Act (TSCA)	131
Emergency Planning and Community	
Right-to-Know Act	132
Siting and operation of facilities	137
Environmental risk management	138
References	140
Legal authorities	141
Chapter 7	
OSHA Regulations and the Food Industry	143
<i>Patricia A. Curtis</i>	
Introduction	143
Mission	144
OSHA statistics	145
Women of Hispanic or Latino ethnicity	145
Workplace fatalities	146
Retail trade sector	146
Food manufacturing	147
Food service	148
Government workers	148

	Rights and responsibilities under OSHA law	149
	Selected OSHA Standards and Guidelines	151
	Hazard communications	151
	Ergonomics	152
	Enforcement	153
	Inspections	154
	Outreach, education, and compliance assistance	155
	Filing a complaint with OSHA	156
	Complaint filing options	157
	Summary	157
	References	158
	Further Reading	159
Chapter 8	Federal Trade Commission Regulations and the Food Industry	161
	<i>Patricia A. Curtis</i>	
	Introduction	161
	Mission	161
	Authorizing Acts	162
	Bureau of Consumer Protection	162
	The Division of Advertising Practices	163
	The Division of Enforcement	164
	Division of Consumer and Business Education	165
	Division of Financial Services	165
	Division of Marketing Practices	166
	Division of Planning and Information	167
	Division of Privacy and Identity Protection	168
	Bureau of Competition	169
	Bureau of Economics	169
	Sample enforcement actions	169
	References	170
Chapter 9	An Introduction to Kosher and Halal Food Laws	171
	<i>Joe M. Regenstein, Muhammad M. Chaudry, and Carrie E. Regenstein</i>	
	Introduction	171
	The kosher and halal laws	172
	The kosher and halal market	175
	Kosher	176
	The kosher dietary laws	176
	Kosher: special foods	184

Passover	187
Kosher: other processing issues	188
Halal	194
Halal dietary laws	194
Halal cooking, food processing, and sanitation	200
Both kosher and halal	200
Science	200
Pet food	202
Health	202
Regulatory	203
Federal and State Regulations	209
Animal welfare	210
Acknowledgment	211
References	211
Further Reading	212
Additional Resources	212
Chapter 10 Biotechnology and Genetically Modified Agricultural Crops and Food	213
<i>Emily L. Steinberg, Michelle A. Parisi, and Julie K. Northcutt</i>	
Introduction	213
Biotechnology, genetically modified, and genetic engineering	215
Regulation of GM foods in the United States	216
USDA	216
EPA	216
FDA	217
Biotechnology versus organic agriculture	220
Legal issues - NOP and biotechnology	221
Common examples of GM products	221
Flavr Savr Tomato™	221
Bt corn	222
L-tryptophan	223
Biotechnology-related court cases	224
International Dairy Foods Assoc. v. Boggs	224
Alliance for Bio-Integrity v. Shalala	225
Monsanto v. Geertson Farms	225
Conclusion	225
References	226

Chapter 11	Animal Welfare Regulations and Food Production	227
	<i>Kenneth E. Anderson</i>	
	Introduction	227
	Participants in the welfare debate	229
	Impact on public perception	232
	Economics	233
	What needs to be done	234
	References	235
	Further Reading	238
Chapter 12	Egg Laws and Regulations	239
	<i>Patricia A. Curtis</i>	
	Introduction	239
	History	239
	Federal Egg Laws	241
	Egg Products Inspection Act (EPIA)	243
	Federal-State Agreements	243
	Egg Safety Final Rule Implementation	246
	Compliance Dates	246
	Salmonella Enteritidis	246
	Required SE Prevention Measures	247
	State Egg Laws	254
	References	254
	Additional Resources	255
Chapter 13	Regulations Governing Poultry Processing	257
	<i>Brooke Caudill</i>	
	Introduction	257
	Poultry Products Inspection Act (21 USC 451)	260
	Poultry Products Inspection Regulations	
	(9 CFR 381)	263
	Poultry Processing Operations	265
	Ante-mortem	266
	Slaughter	267
	Feather Removal	267
	Evisceration and Post-mortem Inspection	268
	Reinspection	272
	Finished Product Standards (FPS)	273
	Facilities Required for Inspection	276
	Chilling	278
	Post-chill	279
	Pathogen Reduction Standards	279

HACCP Systems (9 CFR 417)	280
New Inspection System Proposal	281
New Poultry Inspection System for Young Chickens and Turkeys	282
Online Carcass Inspection	283
Offline Verification Inspection	283
Elimination of Finished Product Standards	284
Maximum Line Speeds	284
Proposed Changes Affecting All Poultry Slaughter Establishments	285
Zero Tolerance for Visible Fecal Material Before Chilling	285
Generic <i>E. coli</i> Testing and <i>Salmonella</i> Performance Standards	287
HACCP	288
Proposed Changes Affecting Only Traditional Inspection	289
Poultry Products Inspection Regulations (9 CFR 381)	292
Definitions of Nonconformances	300
References	305
Chapter 14 What Are They Doing Up There? Contacting Your Congressional (House) Member	307
<i>Jessica Butler</i>	
Writing to your Congressman/Congresswoman	307
Calling your Congressman/Congresswoman	308
District office	308
DC office	309
Visiting your Congressman/Congresswoman	309
Jobs on the Hill (House of Representatives)	310
Intern	310
Staff Assistant (SA)	311
Legislative Correspondent (LC)	311
Communications Director (Comm’s Director)	312
Legislative Assistant (LA)	312
Legislative Director (LD)	313
Chief of Staff (COS)	313
Fellowships	313
When traveling to Washington DC	314
Index	317