

10/3/66

H.R. 15440

STATEMENT BY CHAIRMAN STAGGERS  
before  
COMMITTEE ON RULES

Mr. Chairman and Members of the Committee -

Let me first express my appreciation to the Chairman and the members for their courtesy in affording me a prompt opportunity to present to you our committee's request for a rule on H.R. 15440, as amended.

This bill was reported by our committee without a dissenting vote. I want to repeat this -- without a dissenting vote -- . I am emphasizing this fact because it is quite likely that the chairman and the members of this great committee have received some communications in opposition to this legislation.

This opposition was based on some of the provisions which were contained in H.R. 15440 as originally introduced, and in the companion Senate bill, S. 985. These provisions have been eliminated and I believe I am correct in stating that the overwhelming majority of American industry is well satisfied with the legislation as it has been reported by our committee.

Let me say that our committee held 18 days of hearings on this legislation. I reiterated over and over again that it was our purpose to protect the American consumer, but it was equally our purpose not to hurt industry. It is my firm belief that the bill reported by our committee accomplishes these two objectives.



The bill reported is in the great tradition of other labeling bills supported by this committee -- and I have in mind, for example, the Fur Labeling legislation, the Hazardous Substances legislation, and the Flammable Fabrics legislation.

More recently, this committee reported labeling legislation affecting automobile tires and I may say that the provisions of that legislation are much more stringent than the provisions of the fair packaging and labeling legislation now before us.

What are some of the principal provisions of the bill? The bill contains two types of provisions; first, mandatory provisions, and secondly, discretionary provisions.

The mandatory provisions provide, among others, that the Secretary of HEW (for foods, drugs, devices and cosmetics) and the Federal Trade Commission (for all other consumer commodities) are directed to promulgate regulations to assure that the package labels disclose the identity of the product and the manufacturer; that they bear a separate statement of the net quantities of contents located on the principal display panel, and that this statement be in letters or numerals which bear a proper relationship to the size of the area of such panel.

In the case of packages containing less than 4 pounds or 1 gallon, the net weight must be expressed both in ounces and in the largest whole unit with any remainder in terms of ounces or common or decimal fractions of the whole unit.



This may sound complicated, but an example will simplify it for you. Let us take a container of salad oil; its content would have to be labeled both in terms of, let us say, 38 ounces and 1 quart 6 ounces. This would make it easier for the consumer to make price-per-ounce comparisons.

So much for the mandatory provisions.

The discretionary provisions would authorize the HEW and the FTC, respectively, to determine what size packages may be represented by such descriptions as "small", "medium", and "large".

In addition, the agencies may require that wherever the label on any package refers to "servings", a statement be added of the net quantity of each such serving in terms of weight, measure or numerical count.

Further, the agencies may regulate but not prohibit the use of such promotions as "cents-off" or "economy size" on any package.

Also, the agencies may require that ingredients of non-foods be listed in the order of decreasing predominance without divulging any trade secret. With regard to foods this requirement is the present law.

Furthermore, the agencies may adopt regulations to prevent nonfunctional slack-fill of any packages.

Finally, the Secretary of Commerce is authorized to call upon manufacturers of consumer commodities to develop voluntary product standards under procedures established by the Secretary pursuant to the Act of March 3, 1901. If within one year after



such request has been made no voluntary standards have been worked out, the Secretary is directed to report this circumstance to Congress together with such legislative recommendations as he may desire to make.

This provision calling for a purely voluntary effort replaces earlier provisions authorizing the FTC and the HEW to establish binding standards of weights and measures.

Our committee voted unanimously to eliminate this regulatory authority in order to meet the objections which have been raised by industry that mandatory standards would result in greatly increased costs to the consumer and would stifle packaging innovation.

Mr. Chairman, and members of the committee, I have taken more of your time perhaps than I should have and there are other members of our committee who have accompanied me here who may want to add to what I had to say. I want to thank you for your patience in listening to me and I yield my place to the ranking minority member, Mr. Springer.