OLSS FORM 51 (Rev. 11-82)

CONGRESSIONAL RECORD
PROCEEDINGS AND DEBATES OF THE 98TH CONGRESS

EXTENSIONS OF REMARKS

BILL	DATE	PAGE(S)
H.R.3605	SEP 13 '84 (114)	E3843

REMARKS: REMARKS BY MR. DERRICK

DRUG PRICE COMPETITION AND PATENT TERM RESTORATION ACT OF 1984

SPEECH OF

HON. BUTLER DERRICK

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 6, 1984

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3605) to amend the Federal Food, Drug, and Cosmetic Act to authorize an abbreviated new drug application under section 505 of that act for generic new drugs equivalent to approved new drugs.

● Mr. DERRICK. Mr. Chairman, the amendment I offered to the Textile Fiber Products Identification Act would do three things: Strengthen and erase some of the ambiguity in current labeling law; require country of origin labeling on catalog sales items to indicate whether the garment was made in the United States or imported; and, require that all U.S.-made goods bear a country-of-origin label. This amendment has been unanimously approved by the House Committee on Energy and Commerce and its Subcommittee on Commerce. The amendment was also approved by the full Senate as an amendment to S. 1538.

A study by the chairman of the department of textiles, College of Home Economics at the University of Missouri, Dr. Kitty Dickerson, reveals that more than one-third of all Americans carefully notice labels in reaching buying decisions to determine if the goods were made in the United States of America, and further feel it is important to know whether the item was produced in this country.

Country-of-origin labeling is currently required on foreign manufactured products by the Textile Fiber Products Identification Act. The Federal Trade Commission has issued regulations to require that a tag or stamp, bearing the English name of the country of origin, be conspicuously placed on all imported goods.

However, because the statute itself does not include this requirement for clear and conspicuous labeling, widespread abuses of these regulations are occurring. Consumers are often led to believe the product was domestically made because the label was not conspicuously placed or because the product entered the United States in bulk, and once separated, no longer carried the import label or it could not be easily seen. These goods are imported in compliance with the regulations set forth by the Federal Trade Commission. But by the time these products reach the consumer they are in violation of the basic objective of the Textile Fiber Products Identification Act and the Wool Products Labeling Act. Because there is no Federal law to require that U.S. goods display a country-of-origin label, consumers are often led to believe the unmarked goods were produced in the United States. This amendment would correct this problem by requiring that U.S. made goods bear an origin label.

Finally, the proposal I offered as title III of H.R. 3605 would allow consumers who purchase textile products by mail to determine if they were produced in the United States or were imported. Because the buyer does not have an opportunity to inspect the product before purchase, the Federal Trade Commission has issued advisory opinions that the country of origin information ought to be included in all mail order promotional material. This legislation will take effect 90 days after enactment. All catalog mail order promotional material printed before that date would not be required to carry the disclosure on country of origin.

This amendment was originally introduced in the House by my distinguished colleague from North Carolina, JIM BROYHILL. His bill was subsequently incorporated as title II of H.R. 5929, introduced by Congressman FLORIO. The Energy and Commerce Committee has marked up H.R. 5929, and has ordered it to be reported. However, the Judiciary Committee has requested referral of this bill due to concerns of members of that panel regarding title I. I would emphasize that the Judiciary Committee's concerns center on title I only, which deals with counterfeit goods. In the Senate, the bill was considered and reported from the Committee on Commerce, and was subsequently added as an amendment to S. 1538 on the floor of that Chamber.

Mr. Chairman, as the record indicates, this measure carries the strong endorsement of Members on both sides of the aisle, and in both Chambers of Congress. The adoption of legislation to clarify and strengthen current textile and apparel, labeling laws would certainly benefit the consumers of textile goods as well as the textile, apparel, and wool industries. This amendment does not impose any onerous requirements on domestic or foreign manufacturers. At the present time section 12 of the Textile Products Identification Act of 1965 exempts a number of items from the country-of-origin rules. Some of these items are: trimmings, facings, interfacings, stiffenings, including window shade accessories. My amendment recognizes this exemption and does not require that these items have to be labeled in regard to their country of origin. I think this is a very worthwhile piece of legislation with great benefit to the workers of this Nation, our economy, and U.S. consumers.●