

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4430

To amend the FDA Food Safety Modernization Act to ensure that certain facilities continue to be treated as alcohol-related facilities, notwithstanding the distribution of spent grains resulting from the production of alcoholic beverages.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 2014

Mr. WOMACK (for himself, Mr. WELCH, Ms. PINGREE of Maine, and Mr. GARDNER) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the FDA Food Safety Modernization Act to ensure that certain facilities continue to be treated as alcohol-related facilities, notwithstanding the distribution of spent grains resulting from the production of alcoholic beverages.

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 “Protecting the Sustain-  
5 able Use of Spent Grains Act of 2014”.

1 **SEC. 2. APPLICABILITY OF EXEMPTION TO ALCOHOL-RE-**  
2 **LATED FACILITIES THAT DISTRIBUTE SPENT**  
3 **GRAINS.**

4 Section 116 of the FDA Food Safety Modernization  
5 Act (21 U.S.C. 2206) is amended—

6 (1) by redesignating subsection (c) as sub-  
7 section (d);

8 (2) by inserting after subsection (b) the fol-  
9 lowing:

10 “(c) SPENT GRAINS.—Notwithstanding subsection  
11 (b), the exemption in subsection (a) shall not cease to  
12 apply to a facility on the basis of such facility distributing,  
13 for use as food for animals, spent grains resulting from  
14 the facility’s production of alcoholic beverages.”; and

15 (3) in subsection (d), as redesignated, by strik-  
16 ing “Except as provided in subsections (a) and (b)”  
17 and inserting “Except as provided in subsections  
18 (a), (b), and (c)”.

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