

118TH CONGRESS  
1ST SESSION

# H. R. 4764

To establish a standard of identity for honey, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2023

Mr. ARMSTRONG (for himself and Mr. LAWLER) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a standard of identity for honey, and for other purposes.

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 “Honey Identification  
5 Verification and Enforcement Act” or the “HIVE Act”.

6 **SEC. 2. STANDARD OF IDENTITY FOR HONEY.**

7 Not later than 1 year after the date of the enactment  
8 of this Act, the Secretary of Health and Human Services,  
9 acting through the Commissioner of Food and Drugs,

1 shall establish a standard of identity for honey in accord-  
2 ance with applicable United States Pharmacopeia stand-  
3 ards under section 401 of the Federal Food, Drug, and  
4 Cosmetic Act (21 U.S.C. 341).

5 **SEC. 3. REPORT TO CONGRESS ON ENFORCEMENT ACTIONS**  
6 **WITH RESPECT TO MISBRANDED HONEY.**

7 Not later than 2 years after the date of the enact-  
8 ment of this Act, the Secretary of Health and Human  
9 Services, acting through the Commissioner of Food and  
10 Drugs, shall submit a report to the Congress on enforce-  
11 ment actions taken under the Federal Food, Drug, and  
12 Cosmetic Act (21 U.S.C. 301 et seq.) with respect to  
13 honey that is adulterated under section 402 of such Act  
14 (21 U.S.C. 342) and honey that is misbranded under sec-  
15 tion 403 of such Act (21 U.S.C. 343).

16 **SEC. 4. COUNTRIES OF ORIGIN LISTED IN DESCENDING**  
17 **ORDER OF PREDOMINANCE.**

18 Section 203(h)(6) of the Agricultural Marketing Act  
19 of 1946 (7 U.S.C. 1622(h)(6)) is amended—

20 (1) in subparagraph (A), by striking “a com-  
21 parable size,” and all that follows through the period  
22 at the end and inserting the following: “a com-  
23 parable size—

24 “(i) the 1 or more names of the 1 or  
25 more countries of origin of the lot or con-

1 tainer of honey, listed in descending order  
2 of predominance and preceded by the  
3 words ‘Product of’ or other words of simi-  
4 lar meaning;

5 “(ii) if the country of origin is listed  
6 as the United States, a statement clari-  
7 fying the de minimis allowance specified in  
8 subparagraph (C); and

9 “(iii) a certificate, mark, or statement  
10 indicating that the honey meets the stand-  
11 ard of identity established under section 2  
12 of the HIVE Act.”; and

13 (2) by adding at the end the following:

14 “(C) DE MINIMIS ALLOWANCE.—In the  
15 case of honey that lists, pursuant to subpara-  
16 graph (A)(ii), the United States as the country  
17 of origin of such honey, the producer of such  
18 honey shall not be in violation of the require-  
19 ments of such subparagraph if 95 percent of  
20 such honey has a United States country of ori-  
21 gin and contains not more than a de minimis  
22 amount (not to exceed 5 percent) of honey from  
23 any other country (or countries) of origin.”.

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