

119TH CONGRESS
1ST SESSION

H. R. 4987

To establish requirements for quality and discard date phrases that are voluntarily declared on the food label to display calendar dates.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 15, 2025

Ms. PINGREE (for herself and Mr. NEWHOUSE) 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

A BILL

To establish requirements for quality and discard date phrases that are voluntarily declared on the food label to display calendar dates.

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 “Food Date Labeling
5 Act of 2025”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) ADMINISTERING SECRETARIES.—The term
2 “administering Secretaries” means—

3 (A) the Secretary of Agriculture, with re-
4 spect to any product that is—

5 (i) under the jurisdiction of the Sec-
6 retary of Agriculture; and

7 (ii)(I) a poultry product (as defined in
8 section 4 of the Poultry Products Inspec-
9 tion Act (21 U.S.C. 453));

10 (II) a meat food product (as defined
11 in section 1 of the Federal Meat Inspection
12 Act (21 U.S.C. 601)); or

13 (III) an egg product (as defined in
14 section 4 of the Egg Products Inspection
15 Act (21 U.S.C. 1033)); and

16 (B) the Secretary of Health and Human
17 Services, with respect to any product that is—

18 (i) under the jurisdiction of the Sec-
19 retary of Health and Human Services; and

20 (ii) a food (as defined in section 201
21 of the Federal Food, Drug, and Cosmetic
22 Act (21 U.S.C. 321)).

23 (2) DISCARD DATE PHRASE.—The term “dis-
24 card date phrase” means a phrase voluntarily print-
25 ed on a food packaging that signifies the end of the

1 estimated period of shelf life under any stated stor-
 2 age conditions, after which the entity responsible for
 3 the food label advises the product not be consumed.

4 (3) QUALITY DATE PHRASE.—The term “qual-
 5 ity date phrase” means a phrase voluntarily printed
 6 on a food packaging that is intended to commu-
 7 nicate to consumers when—

8 (A) the quality of the product may begin
 9 to deteriorate; but

10 (B) the product remains apparently whole-
 11 some food (as defined in subsection (b) of the
 12 Bill Emerson Good Samaritan Food Donation
 13 Act (42 U.S.C. 1791(b))).

14 **SEC. 3. QUALITY DATE PHRASES AND DISCARD DATE**
 15 **PHRASES.**

16 (a) QUALITY DATE PHRASES.—

17 (1) IN GENERAL.—If a quality date is used on
 18 a food package, such quality date shall be proceeded
 19 by the uniform quality date label phrase under para-
 20 graph (2).

21 (2) UNIFORM PHRASE.—The uniform quality
 22 date label phrase under this paragraph shall be
 23 “BEST If Used By” or, if permissible under sub-
 24 section (c)(3), the standard abbreviation of “BB”,
 25 unless and until the administering Secretaries, act-

1 ing in coordination, specify through rulemaking an-
2 other uniform phrase to be used for purposes of
3 complying with paragraph (1).

4 (3) OPTION OF THE ENTITY RESPONSIBLE FOR
5 THE FOOD LABEL.—The decisions of whether to in-
6 clude a quality date or quality date phrase on food
7 packaging and which foods should be so labeled shall
8 be at the discretion of the entity responsible for the
9 food label.

10 (b) DISCARD DATE PHRASES.—

11 (1) IN GENERAL.—If a discard date is used on
12 food packaging, such discard date shall be proceeded
13 by the uniform discard date label phrase under para-
14 graph (2).

15 (2) UNIFORM PHRASE.—The uniform discard
16 date label phrase under this paragraph shall be
17 “USE By” or, if permissible under subsection
18 (c)(3), the standard abbreviation of “UB”, unless
19 and until the administering Secretaries, acting in co-
20 ordination, specify through rulemaking another uni-
21 form phrase to be used for purposes of complying
22 with paragraph (1).

23 (3) OPTION OF THE ENTITY RESPONSIBLE FOR
24 THE FOOD LABEL.—The decisions of whether to in-
25 clude a discard date or discard date phrase on food

1 packaging and which foods should be so labeled shall
2 be at the discretion of the entity responsible for the
3 food label.

4 (c) QUALITY DATE PHRASE AND DISCARD DATE
5 PHRASE LABELING.—

6 (1) IN GENERAL.—The quality date or discard
7 date, as applicable, shall be—

8 (A) in single easy-to-read type style; and

9 (B) located in a conspicuous and promi-
10 nent place on the food label or elsewhere on the
11 package.

12 (2) DATE FORMAT.—The format of each quality
13 date and discard date that follows the quality date
14 phrase and discard date phrase, as applicable, shall
15 be stated in terms of month and year or, as appro-
16 priate, month, day, and year.

17 (3) ABBREVIATIONS.—A standard abbreviation
18 of “BB” and “UB” for the quality date phrase and
19 discard date phrase, respectively, may be used only
20 if the food packaging is too small to include the uni-
21 form phrase described in subsection (a)(2) or (b)(2),
22 as applicable.

23 (4) USE OF TECHNOLOGIES AND ADDITIONAL
24 LABELS.—The labeling required under this sub-
25 section may utilize time-temperature indicator labels,

1 QR codes, smart labels, or similar technology, in ad-
2 dition to any uniform quality date label phrase
3 under subsection (a)(2) or uniform discard label
4 phrase under subsection (b)(2). Nothing in this Act
5 or an amendment made by this Act prohibits or re-
6 stricts the use of such technology or labeling in lieu
7 of any uniform quality date label phrase under sub-
8 section (a)(2) or uniform discard date label phrase
9 under subsection (b)(2).

10 (5) FREEZE BY.—The entity responsible for the
11 food label may add “or freeze by” following a uni-
12 form quality date label phrase or discard date label
13 phrase.

14 (d) EDUCATION.—Not later than 2 years after the
15 date of enactment of this Act, the administering Secre-
16 taries, acting in coordination, shall provide consumer edu-
17 cation and outreach on the meaning of quality date
18 phrases and discard date phrases on food packaging.

19 (e) EFFECT; PREEMPTION.—

20 (1) EFFECT ON SALE OR DONATION OF
21 FOODS.—Nothing in this Act or an amendment
22 made by this Act prohibits any State or political
23 subdivision of a State from establishing or con-
24 tinuing in effect any requirement that prohibits the

1 sale or donation of foods based on passage of the
2 discard date.

3 (2) EFFECT ON INFANT FORMULA.—Nothing in
4 this Act or an amendment made by this Act—

5 (A) applies with respect to infant formula
6 (as defined in section 201(z) of the Federal
7 Food, Drug, and Cosmetic Act (21 U.S.C.
8 321(z))); or

9 (B) affects the requirements relating to in-
10 fant formula under section 412 of the Federal
11 Food, Drug, and Cosmetic Act (21 U.S.C.
12 350a) or any other applicable provision of law.

13 (3) PREEMPTION.—No State or political sub-
14 division of a State may establish or continue in ef-
15 fect any requirement that—

16 (A) relates to the inclusion in food labeling
17 of a quality date phrase or a discard date
18 phrase that is different from, in addition to, or
19 otherwise not identical with, the requirements
20 of this Act and the amendments made by this
21 Act; or

22 (B) prohibits the sale or donation of foods
23 based on passage of the quality date.

24 (4) ENFORCEMENT.—The administering Secre-
25 taries, in consultation with the Federal Trade Com-

mission, shall ensure that the uniform quality date label phrase and uniform discard date label phrase are standardized across all food products.

(5) SAVINGS PROVISION.—Notwithstanding paragraph (3), nothing in this Act, any amendment made by this Act, or any standard or requirement imposed pursuant to this Act preempts, displaces, or supplants any State or Federal common law rights or any State or Federal statute creating a remedy for civil relief, including under the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(6) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

(A) authorize the Secretary of Health and Human Services to require that a food be labeled for quality standards or for a discard date as described in subsections (a) and (b); or

(B) preempt a State from setting requirements for a quality date or discard date or a timeline of quality, listed on a food label, provided that the requirement complies with the uniform quality data phrase or discard date phrase specified in subsection (a)(2) or (b)(2).

1 **SEC. 4. MISBRANDING.**

2 (a) FDA VIOLATIONS.—Section 403 of the Federal
3 Food, Drug, and Cosmetic Act (21 U.S.C. 343) is amend-
4 ed by adding at the end the following:

5 “(z) If the label bears a quality date phrase or dis-
6 card date phrase that fails to comply with the require-
7 ments as specified in sections 3(a) and 3(b) of the Food
8 Date Labeling Act of 2025, or that fails to meet the re-
9 quirements as specified in section 3(c) of such Act.”.

10 (b) POULTRY PRODUCTS.—Section 4(h) of the Poul-
11 try Products Inspection Act (21 U.S.C. 453(h)) is amend-
12 ed—

13 (1) in paragraph (11), by striking “or” at the
14 end;

15 (2) in paragraph (12), by striking the period at
16 the end and inserting “; or”; and

17 (3) by adding at the end the following:

18 “(13) if its labeling is in violation of section 3
19 of the Food Date Labeling Act of 2025.”.

20 (c) MEAT PRODUCTS.—Section 1(n) of the Federal
21 Meat Inspection Act (21 U.S.C. 601(n)) is amended—

22 (1) in paragraph (11), by striking “or” at the
23 end;

24 (2) in paragraph (12), by striking the period at
25 the end and inserting “; or”; and

26 (3) by adding at the end the following:

1 “(13) if its labeling is in violation of section 3
2 of the Food Date Labeling Act of 2025.”.

3 (d) EGG PRODUCTS.—Section 7(b) of the Egg Prod-
4 ucts Inspection Act (21 U.S.C. 1036(b)) is amended in
5 the first sentence by inserting “or if its labeling is in viola-
6 tion of section 3 of the Food Date Labeling Act of 2025”
7 before the period at the end.

8 **SEC. 5. REGULATIONS.**

9 Not later than 2 years after the date of enactment
10 of this Act, the administering Secretaries, in coordination
11 with each other, shall promulgate final regulations for car-
12 rying out this Act.

13 **SEC. 6. DELAYED APPLICABILITY.**

14 This Act and the amendments made by this Act shall
15 apply only with respect to food products that are labeled
16 on or after the date that is 2 years after the date of enact-
17 ment of this Act.

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