

MOTION TO RECOMMIT WITH INSTRUCTIONS

Mr. Lucas of Oklahoma moves to recommit the bill H.R. 2749 to the Committee on Energy and Commerce with instructions to report the bill back to the House forthwith with the following amendments:

Page 21, lines 3 and 4, strike subparagraph (B) and insert the following:

1 “(B) shall only be collected and available
2 as follows:
3 “(i) Fifty percent shall be available to
4 defray the costs of additional safety inspec-
5 tion of food in the United States.
6 “(ii) Fifty percent shall be available
7 for use under section 137 of the Food
8 Safety Enhancement Act of 2009.

Page 23, line 8, strike “and”.

Page 23, line 11, strike the period and insert “;
and”.

Page 23, after line 11, insert the following:

1 “(F) preemptive purchase of product from
2 facilities as defined in section 415.”.

 At the end of subtitle C of title I add the following
(and revise the table of contents in section 2 accord-
ingly):

3 **SEC. 137. PREEMPTIVE PURCHASE.**

4 (a) IN GENERAL.—From the fees collected under sec-
5 tion 743 of the Federal Food, Drug, and Cosmetic Act,
6 as added by section 102, the Secretary of Health and
7 Human Services may make a preemptive purchase related
8 to activities by the Government in carrying out any provi-
9 sion of this Act or an amendment made by this Act.

10 (b) LIMITATION.—Notwithstanding subsection (a),
11 the Secretary shall not make any payment under such sub-
12 section in excess of the amount of fees available under sec-
13 tion 743(e)(2)(B)(ii) of the Federal Food, Drug, and Cos-
14 metic Act, as added by section 102.

