

112TH CONGRESS
1ST SESSION

H. R. 2073

To require the Secretary of Energy to implement country-of-origin disclosure requirements with respect to motor vehicle fuels, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 1, 2011

Mr. BRALEY of Iowa introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Secretary of Energy to implement country-of-origin disclosure requirements with respect to motor vehicle fuels, 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 “Country-of-Origin La-
5 beling for Fuels Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) COUNTRY-OF-ORIGIN INFORMATION.—The
9 term “country-of-origin information” means infor-
10 mation regarding each country in which motor vehi-

1 cle fuel or the components of such fuel were ex-
 2 tracted, refined, or otherwise processed.

3 (2) MOTOR VEHICLE FUEL.—The term “motor
 4 vehicle fuel”—

5 (A) means any fuel used to power an auto-
 6 mobile, as defined in section 32901(3) of title
 7 49, United States Code; and

8 (B) includes alternative fuels, as defined in
 9 section 32901(1) of such title, other than elec-
 10 tricity (including electricity from solar energy).

11 (3) MOTOR VEHICLE FUEL RETAILER.—The
 12 term “motor vehicle fuel retailer” means a person in
 13 the motor vehicle fuel supply chain who sells motor
 14 vehicle fuel to the general public for ultimate con-
 15 sumption.

16 (4) MOTOR VEHICLE FUEL SUPPLIER.—The
 17 term “motor vehicle fuel supplier” means a person
 18 in the motor vehicle fuel supply chain other than a
 19 motor vehicle fuel retailer.

20 **SEC. 3. STUDY ON IMPLEMENTING COUNTRY-OF-ORIGIN LA-**
 21 **BELING FOR MOTOR VEHICLE FUEL.**

22 (a) IN GENERAL.—Not later than 1 year after the
 23 date of the enactment of this Act, the Secretary of Energy,
 24 in consultation with the Administrator of the Environ-
 25 mental Protection Agency, shall—

1 (1) conduct a study to determine appropriate
2 methods and standards for requiring that—

3 (A) motor vehicle fuel suppliers disclose
4 country-of-origin information with respect to
5 motor vehicle fuel to the next person in the
6 motor vehicle fuel supply chain; and

7 (B) motor vehicle retailers disclose such in-
8 formation to consumers; and

9 (2) make recommendations with respect to the
10 most feasible and cost-effective country-of-origin in-
11 formation disclosure requirements that can be im-
12 posed on motor vehicle fuel suppliers and motor ve-
13 hicle fuel retailers.

14 (b) ELEMENTS OF STUDY.—The study required by
15 subsection (a) shall address the following:

16 (1) The extent to which persons at each step in
17 the motor vehicle fuel supply chain have access to
18 country-of-origin information regarding the fuel they
19 sell, and the nature of any such information.

20 (2) An assessment of whether such information
21 is adequate—

22 (A) to enable a motor vehicle fuel supplier
23 to provide country-of-origin information to the
24 next person in the supply chain; and

1 (B) to enable a motor vehicle fuel retailer
2 to provide country-of-origin information to con-
3 sumers, by displaying that information at fuel
4 pumps or on a website.

5 (3) If the Secretary determines under para-
6 graph (2) that such information is inadequate to en-
7 able motor vehicle fuel suppliers or motor vehicle
8 fuel retailers to provide country-of-origin informa-
9 tion, measures that can be taken to collect adequate
10 information—

11 (A) by the Secretary; and

12 (B) by motor vehicle fuel suppliers and
13 motor vehicle fuel retailers.

14 (4) The feasibility of various country-of-origin
15 information disclosure requirements, including—

16 (A) displaying at each fuel pump the pre-
17 cise country or countries in which the fuel being
18 dispensed to each consumer originated; and

19 (B) displaying at each motor vehicle fuel
20 retailer or on the website of each motor vehicle
21 fuel supplier or motor vehicle fuel retailer the
22 country or countries from which the fuel the
23 supplier or retailer (as the case may be) sells
24 generally originates.

1 (5) Such other issues relating to motor vehicle
2 fuel country-of-origin information disclosure require-
3 ments as the Secretary considers appropriate.

4 (c) REPORT TO CONGRESS.—Not later than 90 days
5 after completing the study required by subsection (a), the
6 Secretary shall submit to Congress a report that—

7 (1) summarizes the results of the study; and

8 (2) contains the recommendations required by
9 subsection (a)(2).

10 **SEC. 4. REGULATIONS REQUIRING COUNTRY-OF-ORIGIN IN-**
11 **FORMATION DISCLOSURE.**

12 (a) IN GENERAL.—Not later than 180 days after
13 submitting the report required by section 3(c), the Sec-
14 retary of Energy, in consultation with the Administrator
15 of the Environmental Protection Agency, shall prescribe
16 regulations requiring disclosure of country-of-origin infor-
17 mation by motor vehicle fuel suppliers and motor vehicle
18 fuel retailers in accordance with the Secretary's rec-
19 ommendations in the report.

20 (b) 70 PERCENT THRESHOLD.—The regulations re-
21 quired by subsection (a) shall not require the listing of
22 more than one country-of-origin for a fuel blend con-
23 taining fuel 70 percent or more of which originated in a
24 single country.

1 **SEC. 5. ENFORCEMENT.**

2 (a) IN GENERAL.—Subject to subsection (b), the Sec-
3 retary of Energy may impose a civil penalty of not more
4 than \$10,000 on a person that the Secretary determines,
5 in accordance with section 554 of title 5, United States
6 Code, knowingly violates the regulations prescribed under
7 section 4.

8 (b) REQUIREMENTS WITH RESPECT TO IMPOSITION
9 OF PENALTY.—

10 (1) NOTICE.—The Secretary of Energy may not
11 impose a penalty upon a person for violating the reg-
12 ulations prescribed under section 4 unless—

13 (A) the Secretary provides the person with
14 notice of the violation; and

15 (B) the violation continues for more than
16 30 days after the date on which the person re-
17 ceived notice under subparagraph (A).

18 (2) DETERMINATION OF AMOUNT OF PEN-
19 ALTY.—In determining the amount of the penalty to
20 be imposed on a person for violating the regulations
21 prescribed under section 4, the Secretary shall con-
22 sider the severity of the violation, the size of the per-
23 son's business, and the effect of the penalty on the
24 person's ability to continue in business.

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