

107TH CONGRESS
1ST SESSION

S. 280

To amend the Agricultural Marketing Act of 1946 to require retailers of beef, lamb, pork, and perishable agricultural commodities to inform consumers, at the final point of sale to consumers, of the country of origin of the commodities.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2001

Mr. JOHNSON (for himself, Mr. GRAHAM, Mr. CAMPBELL, Mr. ENZI, Mr. BAUCUS, Mr. CLELAND, Mr. DASCHLE, and Mr. HOLLINGS) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Agricultural Marketing Act of 1946 to require retailers of beef, lamb, pork, and perishable agricultural commodities to inform consumers, at the final point of sale to consumers, of the country of origin of the commodities.

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 “Consumer Right-to-
5 Know Act of 2001”.

1 **SEC. 2. COUNTRY OF ORIGIN LABELING.**

2 The Agricultural Marketing Act of 1946 (7 U.S.C.
3 1621 et seq.) is amended by adding at the end the fol-
4 lowing:

5 **“Subtitle C—Country of Origin**
6 **Labeling**

7 **“SEC. 271. DEFINITIONS.**

8 “In this subtitle:

9 “(1) BEEF.—The term ‘beef’ means meat pro-
10 duced from cattle (including veal).

11 “(2) COVERED COMMODITY.—The term ‘cov-
12 ered commodity’ means—

13 “(A) muscle cuts of beef, lamb, and pork;

14 “(B) ground beef, ground lamb, and
15 ground pork; and

16 “(C) a perishable agricultural commodity.

17 “(3) FOOD SERVICE ESTABLISHMENT.—The
18 term ‘food service establishment’ means a res-
19 taurant, cafeteria, lunch room, food stand, saloon,
20 tavern, bar, lounge, or other similar facility operated
21 as an enterprise engaged in the business of selling
22 food to the public.

23 “(4) LAMB.—The term ‘lamb’ means meat,
24 other than mutton, produced from sheep.

25 “(5) PERISHABLE AGRICULTURAL COMMODITY;
26 RETAILER.—The terms ‘perishable agricultural com-

1 modity’ and ‘retailer’ have the meanings given the
2 terms in section 1(b) of the Perishable Agricultural
3 Commodities Act, 1930 (7 U.S.C. 499a(b)).

4 “(6) PORK.—The term ‘pork’ means meat pro-
5 duced from hogs.

6 “(7) SECRETARY.—The term ‘Secretary’ means
7 the Secretary of Agriculture, acting through the Ag-
8 ricultural Marketing Service.

9 **“SEC. 272. NOTICE OF COUNTRY OF ORIGIN.**

10 “(a) IN GENERAL.—

11 “(1) REQUIREMENT.—Except as provided in
12 subsection (b), a retailer of a covered commodity
13 shall inform consumers, at the final point of sale of
14 the covered commodity to consumers, of the country
15 of origin of the covered commodity.

16 “(2) UNITED STATES COUNTRY OF ORIGIN.—A
17 retailer of a covered commodity may designate the
18 covered commodity as having a United States coun-
19 try of origin only if the covered commodity—

20 “(A) in the case of a covered commodity
21 (other than a perishable agricultural com-
22 modity), is exclusively from an animal that is
23 exclusively born, raised, and slaughtered in the
24 United States; and

1 “(B) in the case of a perishable agricul-
 2 tural commodity, is exclusively produced in the
 3 United States.

4 “(b) EXEMPTION FOR FOOD SERVICE ESTABLISH-
 5 MENTS.—Subsection (a) shall not apply to a covered com-
 6 modity if the covered commodity is—

7 “(1) prepared or served in a food service estab-
 8 lishment; and

9 “(2)(A) offered for sale or sold at the food serv-
 10 ice establishment in normal retail quantities; or

11 “(B) served to consumers at the food service es-
 12 tablishment.

13 “(c) METHOD OF NOTIFICATION.—

14 “(1) IN GENERAL.—The information required
 15 by subsection (a) may be provided to consumers by
 16 means of a label, stamp, mark, placard, or other
 17 clear and visible sign on the covered commodity or
 18 on the package, display, holding unit, or bin con-
 19 taining the commodity at the final point of sale to
 20 consumers.

21 “(2) LABELED COMMODITIES.—If the covered
 22 commodity is already individually labeled for retail
 23 sale regarding country of origin, the retailer shall
 24 not be required to provide any additional informa-
 25 tion to comply with this section.

1 “(d) AUDIT VERIFICATION SYSTEM.—The Secretary
 2 may require that any person that prepares, stores, han-
 3 dles, or distributes a covered commodity for retail sale
 4 maintain a verifiable recordkeeping audit trail that will
 5 permit the Secretary to ensure compliance with the regula-
 6 tions promulgated under section 274.

7 “(e) INFORMATION.—Any person engaged in the
 8 business of supplying a covered commodity to a retailer
 9 shall provide information to the retailer indicating the
 10 country of origin of the covered commodity.

11 **“SEC. 273. ENFORCEMENT.**

12 “Section 253 shall apply to a violation of this subtitle.

13 **“SEC. 274. REGULATIONS.**

14 “(a) IN GENERAL.—The Secretary may promulgate
 15 such regulations as are necessary to carry out this subtitle.

16 “(b) PARTNERSHIPS WITH STATES.—In promul-
 17 gating the regulations, the Secretary shall, to the max-
 18 imum extent practicable, enter into partnerships with
 19 States with enforcement infrastructure to carry out this
 20 subtitle.

21 **“SEC. 275. APPLICATION.**

22 “‘This subtitle shall apply to the retail sale of a cov-
 23 ered commodity beginning on the date that is 180 days
 24 after the date of the enactment of this subtitle.’”.

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