

109TH CONGRESS
1ST SESSION

S. 1333

To amend the Agricultural Marketing Act of 1946 to establish a voluntary program for country of origin labeling of meat, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 29, 2005

Mr. CORNYN (for himself, Mrs. LINCOLN, Mrs. HUTCHISON, Mr. TALENT, Mr. SANTORUM, Mr. COLEMAN, Mr. ISAKSON, Mr. ROBERTS, Mr. BROWNBACK, Mr. BOND, Mr. HATCH, Mr. ALLARD, Mr. ALEXANDER, Mr. MARTINEZ, and Mr. PRYOR) 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 establish a voluntary program for country of origin labeling of meat, 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 “Meat Promotion Act
5 of 2005”.

1 **SEC. 2. VOLUNTARY PROGRAM FOR COUNTRY OF ORIGIN**

2 **LABELING FOR MEAT.**

3 (a) ESTABLISHMENT.—The Agricultural Marketing
4 Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding
5 at the end the following:

6 **“Subtitle E—Country of Origin**
7 **Labeling for Meat**

8 **“SEC. 291. DEFINITIONS.**

9 “In this subtitle:

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

12 “(2) COVERED MEAT PRODUCT.—The term
13 ‘covered meat product’ means ground beef, ground
14 pork, ground lamb, and fresh muscle cuts of beef,
15 pork, and lamb.

16 “(3) LAMB.—The term ‘lamb’ means meat pro-
17 duced from sheep.

18 “(4) PORK.—The term ‘pork’ means meat pro-
19 duced from swine.

20 “(5) SECRETARY.—The term ‘Secretary’ means
21 the Secretary of Agriculture.

22 **“SEC. 292. VOLUNTARY PROGRAM.**

23 “The Secretary of Agriculture shall establish a vol-
24 untary program of country of origin labeling for covered
25 meat products.

1 **“SEC. 293. LABEL.**

2 “For purposes of the program established under sec-
3 tion 292, the Secretary shall—

4 “(1) design a label to be used to designate the
5 country of origin of covered meat products; and

6 “(2) require persons participating in the pro-
7 gram to use the label designed under paragraph (1),
8 or such other label as the Secretary determines ap-
9 propriate, to designate the country of origin of cov-
10 ered meat products.

11 **“SEC. 294. LIMITATION ON USE OF UNITED STATES AS**
12 **COUNTRY OF ORIGIN.**

13 “A person participating in the program established
14 under section 292 may not designate a covered meat prod-
15 uct as having the United States as the country of origin
16 unless the covered meat product is derived exclusively
17 from—

18 “(1) an animal born, raised, and slaughtered in
19 the United States; or

20 “(2) an animal born and raised in Alaska or
21 Hawaii, transported for a period not to exceed 60
22 days outside of those States, and slaughtered in the
23 United States.

24 **“SEC. 295. VERIFICATION.**

25 “The Secretary may require participants in the pro-
26 gram established under section 292 to maintain a record-

1 keeping audit trail that will permit the Secretary to verify
2 compliance with the program.

3 **“SEC. 296. ENFORCEMENT.**

4 “(a) CIVIL PENALTY.—

5 “(1) ASSESSMENT.—The Secretary may assess
6 a civil penalty against a participant in the program
7 established under section 292 that purposely or
8 knowingly violates the terms of the program.

9 “(2) AMOUNT OF PENALTY.—The amount of
10 the civil penalty assessed under paragraph (1) may
11 not exceed \$10,000 for each violation.

12 “(3) CONTINUING VIOLATION.—Each day dur-
13 ing which a violation of the program continues shall
14 be considered to be a separate violation.

15 “(b) NOTICE AND HEARING.—The Secretary shall
16 not assess a civil penalty under this section against a per-
17 son unless the person is given notice and opportunity for
18 a hearing in accordance with section 554 of title 5, United
19 States Code, with respect to the violation for which the
20 person is being assessed.

21 **“SEC. 297. REGULATIONS.**

22 “Not later than 180 days after the date of the enact-
23 ment of the Meat Promotion Act of 2005, the Secretary
24 shall promulgate regulations to carry out the program es-
25 tablished under section 292.”.

1 (b) CONFORMING AMENDMENTS.—Subtitle D of the
 2 Agricultural Marketing Act of 1946 (7 U.S.C. 1638 et
 3 seq.) is amended—

4 (1) in the heading to read as follows:

5 **“Subtitle D—Country of Origin La-**
 6 **beling for Fish, Perishable Agri-**
 7 **cultural Commodities, and Pea-**
 8 **nuts”;**

9 (2) in section 281—

10 (A) by striking paragraphs (1), (5), and
 11 (7);

12 (B) in paragraph (2)(A)—

13 (i) by striking clauses (i) and (ii); and

14 (ii) by redesignating clauses (iii), (iv),

15 (v), and (vi) as clauses (i), (ii), (iii), and

16 (iv), respectively; and

17 (C) by redesignating paragraphs (2), (3),

18 (4), (6), (8), and (9) as paragraphs (1), (2),

19 (3), (4), (5), and (6), respectively; and

20 (3) in section 282—

21 (A) in subsection (a)(2)—

22 (i) by striking subparagraphs (A) and

23 (B); and

- 1 (ii) by redesignating subparagraphs
2 (C), (D), and (E) as subparagraphs (A),
3 (B), and (C), respectively; and
4 (B) in subsection (f)(2)—
5 (i) by striking subparagraphs (A),
6 (B), and (C); and
7 (ii) by redesignating subparagraphs
8 (D) and (E) as subparagraphs (A) and
9 (B).

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