To amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to allow the interstate sale of State-inspected meat and poultry, and for other purposes.

SECTION 1. SHORT TITLE.

This Act may be cited as the “New Markets for State-Inspected Meat and Poultry Act of 2023”.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SEC. 2. STATE-INSPECTED MEAT.

Section 301 of the Federal Meat Inspection Act (21 U.S.C. 661) is amended—

(1) by striking the section designation and inserting the following:

“SEC. 301. SALE OF INSPECTED MEAT AND MEAT FOOD PRODUCTS.”;

(2) in subsection (a)—

(A) by striking “In furtherance of this policy” in the matter preceding paragraph (1) and all that follows through “(1) The Secretary” in paragraph (1) and inserting the following:

“(B) STATE PROGRAMS.—

“(i) IN GENERAL.—The Secretary”;

(B) by striking “(a) It is” and inserting the following:

“(a) STATE MEAT INSPECTION PROGRAM.—

“(1) IN GENERAL.—

“(A) POLICY.—It is”; and

(C) in paragraph (1)(B) (as so designated)—

(i) in clause (i) (as so designated), by striking “solely for distribution within such State” and inserting “for distribution”; and
(ii) by adding at the end the following:

"(ii) INTERSTATE COMMERCE.—

"(I) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary may allow the shipment in interstate commerce of carcasses, parts of carcasses, meat, and meat food products inspected under the State meat inspection program described in clause (i).

"(II) ACCEPTANCE OF INTERSTATE SHIPMENTS OF MEAT AND MEAT FOOD PRODUCTS.—Notwithstanding any provision of State law, a State or local government shall not prohibit or restrict the movement or sale of meat or meat food products that have been inspected and passed in accordance with this Act for interstate commerce.”;

(3) in subsection (b), by striking “(b) The appropriate” and inserting the following:

“(b) COOPERATION OF STATE AGENCY.—The appropriate”;
(4) in subsection (c)—

(A) by striking “(e)(1) If the Secretary” and inserting the following:

“(e) Enforcement of Federal Requirements.—

“(1) Designation of States.—

“(A) In general.—If the Secretary”;

(B) in paragraph (1) (as so designated)—

(i) in subparagraph (A) (as so designated)—

(I) in the first sentence, by striking “solely for distribution within such State” and inserting “for distribution”; and

(II) in the second sentence, by striking “If the Secretary” and inserting the following:

“(B) Designation of States.—

“(i) In general.—Except as provided under clause (ii), if the Secretary”;

(ii) in subparagraph (B) (as so designated)—

(I) in clause (i) (as so designated)—
(aa) in the first sentence, by striking “wholly”; and

(bb) by striking “State; Provided, That if” and inserting the following: “State.

“(ii) EXCEPTION.—If”; and

(II) in clause (ii) (as so designated)—

(aa) in the first sentence—

(AA) by striking “such designation” and inserting “a designation made under clause (i)”; and

(BB) by striking “he” each place it appears and inserting “the Secretary”; and

(bb) in the second sentence, by striking “The Secretary shall” and inserting the following:

“(C) PUBLICATION OF DESIGNATION.—

The Secretary shall”;

(iii) in subparagraph (C) (as so designated)—

(I) in the first sentence—
(aa) by striking “if such”; and

(bb) by striking “were” after “transactions”; and

(II) in the second sentence, by striking “Thereafter, upon request” and inserting the following:

“(D) REVOCATION OF DESIGNATION.—On request”;

(iv) in subparagraph (D) (as so designated)—

(I) in the first sentence, by striking “such designation” and inserting “a designation made under subparagraph (B)(i)”; and

(II) by striking “title IV of this Act: And provided further, That, notwithstanding”; and inserting the following: “title IV.

“(E) ADULTERATED MEAT OR MEAT FOOD PRODUCT.—

“(i) IN GENERAL.—Notwithstanding”; and

(v) in subparagraph (E) (as so designated)—
(I) in clause (i) (as so designated)—

(aa) in the first sentence—

(AA) by striking “within such State”; and

(BB) by striking “section 301 of the Act” and inserting “this section”; and

(bb) in the second sentence, by striking “If the State” and inserting the following:

“(ii) ENFORCEMENT.—If the State”;

and

(II) in clause (ii) (as so designated), by striking “as though engaged in commerce”;  

(C) in paragraph (2), by striking “(2) The provisions” and inserting the following:

“(2) EXCEPTIONS TO INSPECTION.—The provisions”;  

(D) in paragraph (3)—

(i) by striking “(3) Whenever” and inserting the following:

“(3) TERMINATION OF DESIGNATION.—If”; and
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(ii) by striking “he” and inserting
“the Secretary”; and

(E) in paragraph (4), by striking “(4) The
Secretary” and inserting the following:
“(4) REPORT.—The Secretary”; and

(5) in subsection (d), by striking “(d) As used
in” and inserting the following:
“(d) DEFINITION OF STATE.—In”.

SEC. 3. STATE-INSPECTED POULTRY PRODUCTS.
Section 5 of the Poultry Products Inspection Act (21
U.S.C. 454) is amended—

(1) by striking the section heading and designa-
tion and inserting the following:
“SEC. 5. SALE OF INSPECTED POULTRY PRODUCTS.”;

(2) in subsection (a)—

(A) by striking “In furtherance of this pol-
icy” in the matter preceeding paragraph (1) and
all that follows through “(1) The Secretary” in
paragraph (1) and inserting the following:
“(B) STATE PROGRAMS.—
“(i) IN GENERAL.—The Secretary”;

(B) by striking “(a) It is” and inserting
the following:
“(a) STATE POULTRY PRODUCT INSPECTION PRO-
GRAM.—
“(1) IN GENERAL.—

“(A) POLICY.—It is”; and

(C) in paragraph (1)(B) (as so designated)—

(i) in clause (i) (as so designated), by striking “solely for distribution within such State” and inserting “for distribution”; and

(ii) by adding at the end the following:

“(ii) INTERSTATE COMMERCE.—

“(I) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary may allow the shipment in interstate commerce of poultry products inspected under the State poultry product inspection program described in clause (i).

“(II) ACCEPTANCE OF INTERSTATE SHIPMENTS OF POULTRY PRODUCTS.—Notwithstanding any provision of State law, a State or local government shall not prohibit or restrict the movement or sale of poultry products that have been inspected and
passed in accordance with this Act for interstate commerce.”;

(3) in subsection (b), by striking “(b) The appropriate” and inserting the following:
“(b) COOPERATION OF STATE AGENCY.—The appropriate”;

(4) in subsection (c)—
(A) by striking “(c)(1) If the Secretary” and inserting the following:
“(c) ENFORCEMENT OF FEDERAL REQUIREMENTS.—
“(1) DESIGNATION OF STATES.—
“(A) IN GENERAL.—If the Secretary”; (B) in paragraph (1) (as so designated)—
(i) in subparagraph (A) (as so designated)—
(I) in the first sentence, by striking “solely for distribution within such State” and inserting “for distribution”; and
(II) in the second sentence, by striking “If the Secretary” and inserting the following:
“(B) DESIGNATION OF STATES.—
“(i) IN GENERAL.—Except as provided under clause (ii), if the Secretary”;

(ii) in subparagraph (B) (as so designated)—

(I) in clause (i) (as so designated)—

(aa) in the first sentence, by striking “wholly”; and

(bb) by striking “State: Provided, That if” and inserting the following: “State.

“(ii) EXCEPTION.—If”; and

(II) in clause (ii) (as so designated)—

(aa) in the first sentence—

(AA) by striking “such designation” and inserting “a designation made under clause (i)”; and

(BB) by striking “he” each place it appears and inserting “the Secretary”; and

(bb) in the second sentence, by striking “The Secretary shall” and inserting the following: 
“(C) Publication of designation.—

The Secretary shall’’;

(iii) in subparagraph (C) (as so designated)—

(I) in the first sentence—

(aa) by striking “if such”; and

(bb) by striking “were” after “transactions”; and

(II) in the second sentence, by striking “However, notwithstanding” and inserting the following:

“(D) Adulterated poultry product.—

“(i) In general.—Notwithstanding”;

and

(iv) in subparagraph (D) (as so designated)—

(I) in clause (i) (as so designated)—

(aa) in the first sentence—

(AA) by striking “within such State”; and

(BB) by striking “sub-

paragraph (a)(4) of this sec-
tion” and inserting “subsection (a)(4)”; and
(bb) in the second sentence, by striking “If the State” and inserting the following:
“(ii) ENFORCEMENT.—If the State”;
and
(II) in clause (ii) (as so designated), by striking “as though engaged in commerce”;
(C) in paragraph (2), by striking “(2) The provisions” and inserting the following:
“(2) EXCEPTIONS TO INSPECTION.—The provisions”;
(D) in paragraph (3), by striking “(3) Whenever” and inserting the following:
“(3) TERMINATION OF DESIGNATION.—If”; and
(E) in paragraph (4), by striking “(4) The Secretary” and inserting the following:
“(4) REPORT.—The Secretary”; and
(5) in subsection (d), by striking “(d) As used in” and inserting the following:
“(d) DEFINITION OF STATE.—In”.

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