

118TH CONGRESS
2D SESSION

S. 3693

To amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to ensure that consumers can make informed decisions in choosing between meat and poultry products and imitation meat and imitation poultry products, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2024

Mr. MARSHALL introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to ensure that consumers can make informed decisions in choosing between meat and poultry products and imitation meat and imitation poultry products, 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 “Fair and Accurate In-
5 gredient Representation on Labels Act of 2024” or the
6 “FAIR Labels Act of 2024”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to prevent food from being
 3 introduced or delivered into interstate commerce using a
 4 market name for meat or poultry products if the food does
 5 not meet the criterion set forth for meat products under
 6 the Federal Meat Inspection Act (21 U.S.C. 601 et seq.)
 7 or poultry products under the Poultry Products Inspection
 8 Act (21 U.S.C. 451 et seq.).

9 **SEC. 3. LABELING OF IMITATION MEAT AND POULTRY**
 10 **PRODUCTS.**

11 (a) DEFINITIONS.—

12 (1) IMITATION MEAT.—Section 1 of the Federal
 13 Meat Inspection Act (21 U.S.C. 601) is amended by
 14 adding at the end the following:

15 “(x) IMITATION MEAT.—The term ‘imitation meat’
 16 means any food that—

17 “(1) uses a market name, descriptors, or ico-
 18 nography for, or is otherwise represented as, meat or
 19 meat food product, but does not contain meat, meat
 20 food product, or meat byproduct ingredients;

21 “(2) is manufactured to appear as a meat or
 22 meat food product, but does not contain meat, meat
 23 food product, or meat byproduct ingredients; or

24 “(3) approximates the aesthetic qualities (pri-
 25 marily texture, flavor, and appearance) or chemical
 26 characteristics of specific types of meat or meat food

1 product, but does not contain any meat, meat food
2 product, or meat byproduct ingredients.”.

3 (2) POULTRY.—Section 4 of the Poultry Prod-
4 ucts Inspection Act (21 U.S.C. 453) is amended by
5 adding at the end the following:

6 “(cc) IMITATION POULTRY.—The term ‘imitation
7 poultry’ means any food that—

8 “(1) uses a market name, descriptors, or ico-
9 nography for, or is otherwise represented as, poultry
10 or poultry product, but does not contain any poultry
11 or poultry product;

12 “(2) is manufactured to appear as poultry or
13 poultry product, but does not contain any poultry or
14 poultry product; or

15 “(3) that approximates the aesthetic qualities
16 (primarily texture, flavor, and appearance) or the
17 chemical characteristics of specific types of poultry
18 or poultry product, but does not contain any poultry
19 or poultry product.”.

20 (b) LABELING.—

21 (1) MEAT.—Section 7 of the Federal Meat In-
22 spection Act (21 U.S.C. 607) is amended by adding
23 at the end the following:

24 “(g) IMITATION MEAT.—

1 “(1) IN GENERAL.—No imitation meat product
2 shall be sold or offered for sale in commerce by any
3 person, firm, or corporation without clearly indi-
4 cating in a prominent and conspicuous manner—

5 “(A)(i) the word ‘imitation’, in type of uni-
6 form size and prominence, immediately adjacent
7 to the name of the food on the label; or

8 “(ii) a statement that the imitation meat is
9 derived from sources other than meat, in type
10 of uniform size and prominence, immediately
11 adjacent to the name of the food on the label;
12 and

13 “(B) a disclaimer that clearly indicates
14 that the imitation meat product is not derived
15 from, or does not contain, meat, on the label.

16 “(2) NO EXCEPTIONS.—The Secretary may not
17 provide for any exceptions to the requirements under
18 paragraph (1).”.

19 (2) POULTRY.—Section 8 of the Poultry Prod-
20 ucts Inspection Act (21 U.S.C. 457) is amended by
21 adding at the end the following:

22 “(e) IMITATION POULTRY.—

23 “(1) IN GENERAL.—No imitation poultry shall
24 be sold or offered for sale in commerce by any per-

son, firm, or corporation without clearly indicating
in a prominent and conspicuous manner—

“(A)(i) the word ‘imitation’, in type of uniform size and prominence, immediately adjacent to the name of the food on the label; or

“(ii) a statement that the imitation poultry product is derived from sources other than poultry, in type of uniform size and prominence, immediately adjacent to the name of the food on the label; and

“(B) a disclaimer that clearly indicates that the imitation poultry product is not derived from, or does not contain, poultry, on the label.

“(2) NO EXCEPTIONS.—The Secretary may not provide for any exceptions to the requirements under paragraph (1).”.

SEC. 4. CELL-CULTURED MEAT AND POULTRY PRODUCTS.

(a) DEFINITIONS.—

(1) MEAT.—Section 1 of the Federal Meat Inspection Act (21 U.S.C. 601) (as amended by section 3(a)(1)) is amended—

(A) in subsection (j), in the first sentence, by striking “any product” and inserting “any product, including a cell-cultured meat product,”; and

1 (B) by adding at the end the following:

2 “(y) CELL-CULTURED MEAT PRODUCT.—The term
3 ‘cell-cultured meat product’ means any product capable of
4 use as human food that—

5 “(1) is made wholly or in part from any cell
6 culture or the DNA of an amenable species; and

7 “(2) is grown or cultivated outside of the live
8 animal from which the cell culture or DNA was ac-
9 quired.”.

10 (2) POULTRY.—Section 4 of the Poultry Prod-
11 ucts Inspection Act (21 U.S.C. 453) (as amended by
12 section 3(a)(2)) is amended—

13 (A) in subsection (f), by striking “any
14 product” and inserting “any product, including
15 a cell-cultured poultry product,”; and

16 (B) by adding at the end the following:

17 “(dd) CELL-CULTURED POULTRY PRODUCT.—The
18 term ‘cell-cultured poultry product’ means any product ca-
19 pable of use as human food that—

20 “(1) is made wholly or in part from any cell
21 culture or the DNA of a live bird; and

22 “(2) is grown or cultivated outside of the live
23 bird from which the cell culture or DNA was ac-
24 quired.”.

25 (b) LABELING.—

1 (1) MEAT.—Section 7 of the Federal Meat In-
2 spection Act (21 U.S.C. 607) (as amended by sec-
3 tion 3(b)(1)) is amended by adding at the end the
4 following:

5 “(h) CELL-CULTURED MEAT PRODUCTS.—No cell-
6 cultured meat product shall be sold or offered for sale in
7 commerce by any person, firm, or corporation without
8 clearly indicating in a prominent and conspicuous manner
9 the words ‘cell-cultured’ or ‘lab-grown’, in type of uniform
10 size and prominence, immediately adjacent to the name
11 of the food on the label.”.

12 (2) POULTRY.—Section 8 of the Poultry Prod-
13 ucts Inspection Act (21 U.S.C. 457) (as amended by
14 section 3(b)(2)) is amended by adding at the end the
15 following:

16 “(f) CELL-CULTURED POULTRY PRODUCTS.—No
17 cell-cultured poultry product shall be sold or offered for
18 sale in commerce by any person, firm, or corporation with-
19 out clearly indicating in a prominent and conspicuous
20 manner the words ‘cell-cultured’ or ‘lab-grown’, in type of
21 uniform size and prominence, immediately adjacent to the
22 name of the food on the label.”.

23 (c) EFFECT.—Nothing in this section or the amend-
24 ments made by this section prevents the Secretary of
25 Health and Human Services, with respect to activities

1 under the jurisdiction of the Secretary of Health and
2 Human Services, from—

3 (1) conducting premarket consultation proc-
4 esses to evaluate production materials and processes
5 and manufacturing controls, including oversight of
6 tissue collection, cell lines and banks, and all compo-
7 nents and inputs;

8 (2) overseeing initial cell collection and the de-
9 velopment and maintenance of qualified cell banks;

10 (3) overseeing proliferation and differentiation
11 of cells up to the time of harvest;

12 (4) ensuring that the appropriate entities com-
13 ply with applicable requirements of the Food and
14 Drug Administration, including facility registration,
15 the current good manufacturing practices and pre-
16 ventive controls regulation, and requirements appli-
17 cable to substances that become a component of food
18 or otherwise affect the characteristics of food;

19 (5) developing additional requirements for cell
20 bank and cell culturing facility conditions and proc-
21 esses to ensure that biological material exiting the
22 culture process is safe; or

23 (6) conducting appropriate inspections and fol-
24 low-up activities, including taking enforcement ac-
25 tion if necessary, to ensure that cell bank and cell

- 1 culturing facilities are in compliance with applicable
- 2 laws (including regulations).

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