

118TH CONGRESS
1ST SESSION

S. 3281

To amend the Federal Food, Drug, and Cosmetic Act to ensure that consumers can make informed decisions in choosing between meat products such as beef and imitation meat products, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 9, 2023

Mrs. FISCHER introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to ensure that consumers can make informed decisions in choosing between meat products such as beef and imitation meat 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 “Real Marketing Edible
5 Artificials Truthfully Act of 2023” or the “Real MEAT
6 Act of 2023”.

1 **SEC. 2. LABELING OF IMITATION MEAT PRODUCTS.**

2 The Federal Food, Drug, and Cosmetic Act is amend-
3 ed by inserting after section 403C of such Act (21 U.S.C.
4 21 343–3) the following:

5 **“SEC. 403D. LABELING OF IMITATION MEAT PRODUCTS.**

6 “(a) IN GENERAL.—Notwithstanding section
7 101.3(e) of title 21, Code of Federal Regulations (or any
8 successor regulations), without respect to the relative nu-
9 tritional value of the food, any imitation meat food prod-
10 uct; imitation beef, pork, or poultry; or imitation beef
11 product, pork product, or poultry product shall be deemed
12 to be misbranded unless its label bears, in type of uniform
13 size and prominence, the word ‘imitation’ immediately be-
14 fore or after the name of the food and a statement that
15 clearly indicates the product is not derived from, or does
16 not contain, meat.

17 “(b) COORDINATION WITH SECRETARY OF AGRICULTURE.—

19 “(1) NOTIFICATION OF MISBRANDING.—If the
20 Secretary determines that food is misbranded under
21 subsection (a), the Secretary shall, within 60 days of
22 such determination, transmit a notice of such deter-
23 mination to the Secretary of Agriculture.

24 “(2) ENFORCEMENT FAILURE.—If the Sec-
25 retary fails, within 30 days of transmitting a notice
26 under paragraph (1), to initiate an enforcement ac-

1 tion with respect to the food that is the subject of
2 such notice, the Secretary of Agriculture may treat
3 each such determination of misbranding under sub-
4 section (a) with respect to the food as a determina-
5 tion of misbranding under section 1(n) of the Fed-
6 eral Meat Inspection Act.

7 “(c) RULE OF CONSTRUCTION.—This section shall
8 not be construed as limiting the authority of the Secretary
9 of Agriculture to take enforcement or other action under
10 the Federal Meat Inspection Act or other applicable law
11 with respect to a food subject to subsection (a).

12 “(d) DEFINITION.—In this section:

13 “(1) The term ‘beef’ or ‘beef product’ means
14 any food containing edible meat tissue from domes-
15 ticated *Bos indicus* or *Bos taurus* cattle.

16 “(2) The term ‘domesticated bird’ means a do-
17 mesticated chicken, turkey, duck, goose, ratite, or
18 squab.

19 “(3) The term ‘imitation beef’ means any food
20 manufactured to appear as beef or any food that ap-
21 proximates the aesthetic qualities (primarily texture,
22 flavor, and appearance) or the chemical characteris-
23 tics of specific types of beef but does not contain any
24 meat, meat food product, or meat byproduct ingredi-
25 ents.

1 “(4) The term ‘imitation pork product’ means
2 any food manufactured to appear as a pork product
3 or any food that approximates the aesthetic qualities
4 (primarily texture, flavor, and appearance) or the
5 chemical characteristics of specific types of pork
6 products but does not contain any meat, meat food
7 product, or meat byproduct ingredients.

8 “(5) The term ‘imitation poultry product’
9 means any food manufactured to appear as a poul-
10 try product or any food that approximates the aes-
11 thetic qualities (primarily texture, flavor, and ap-
12 pearance) or the chemical characteristics of specific
13 types of poultry products but does not contain any
14 meat, meat food product, or meat byproduct ingredi-
15 ents.

16 “(6) The term ‘imitation meat food product’
17 means any food manufactured to appear as a meat
18 food product or any food that approximates the aes-
19 thetic qualities (primarily texture, flavor, and ap-
20 pearance) or chemical characteristics of specific
21 types of meat but that does not contain any meat,
22 meat food product, or meat byproduct ingredients,
23 and which is not harvested in a traditional manner.

1 “(7) The term ‘meat’ has the meaning given
2 such term for purposes of the Federal Meat Inspec-
3 tion Act.

4 “(8) The term ‘meat byproduct’ has the mean-
5 ing given such term for purposes of the Federal
6 Meat Inspection Act.

7 “(9) The term ‘meat food product’ has the
8 meaning given the term in section 1 of the Federal
9 Meat Inspection Act.

10 “(10) The term ‘pork’ or ‘pork product’ means
11 any food produced or processed in whole or in part
12 from a domesticated porcine animal.

13 “(11) The term ‘poultry’ or ‘poultry product’
14 means any carcass, or part thereof, of a domes-
15 ticated bird, or any product that is made wholly or
16 in part from any domesticated bird carcass or part
17 thereof.”.

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