

116TH CONGRESS
2D SESSION

H. R. 6941

To require online retailers to prominently disclose product country-of-origin information, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2020

Mr. KINZINGER introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require online retailers to prominently disclose product country-of-origin information, 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 “Online Retailer Prod-
5 uct Origin Disclosure Act”.

6 **SEC. 2. COUNTRY OF ORIGIN NOTICE REQUIREMENTS FOR**
7 **ONLINE RETAILERS AND SELLERS.**

8 (a) IN GENERAL.—

1 (1) IN GENERAL.—Beginning on the date that
2 is 180 days after the date of enactment of this
3 Act—

4 (A) it shall be unlawful for any person to
5 operate an online retail platform that does not
6 comply with the requirements of paragraph (2);
7 and

8 (B) it shall be unlawful for any person who
9 offers a product for sale through an online re-
10 tail platform to knowingly provide false infor-
11 mation to the platform with respect to the
12 country of origin of such product.

13 (2) COUNTRY-OF-ORIGIN DISCLOSURE REQUIRE-
14 MENTS.—The requirements of this paragraph, with
15 respect to an online retail platform, are the fol-
16 lowing:

17 (A) The online retail platform shall require
18 any person that intends to sell a product
19 through the platform to provide the platform
20 with information on the country of origin of
21 such product.

22 (B) With respect to any article of foreign
23 origin imported into the United States that is
24 subject to the country of origin and is offered
25 for sale on the online retail platform, the plat-

1 form discloses, in a conspicuous manner and in
2 the same language that is used on the rest of
3 the platform, the name of the country of origin.

4 (b) ENFORCEMENT.—

5 (1) UNFAIR AND DECEPTIVE ACTS OR PRAC-
6 TICES.—A violation of this section shall be treated
7 as a violation of a rule defining an unfair or decep-
8 tive act or practice prescribed under section
9 18(a)(1)(B) of the Federal Trade Commission Act
10 (15 U.S.C. 57a(a)(1)(B)).

11 (2) POWERS OF COMMISSION.—

12 (A) IN GENERAL.—The Commission shall
13 enforce this section in the same manner, by the
14 same means, and with the same jurisdiction,
15 powers, and duties as though all applicable
16 terms and provisions of the Federal Trade
17 Commission Act (15 U.S.C. 41 et seq.) were in-
18 corporated into and made a part of this section.

19 (B) PRIVILEGES AND IMMUNITIES.—Any
20 person that violates this section shall be subject
21 to the penalties (including the provisions of sub-
22 sections (l) and (m) of section 5 of such Act),
23 and entitled to the privileges and immunities,
24 provided in the Federal Trade Commission Act
25 (15 U.S.C. 41 et seq.).

1 (3) CONSULTATION WITH U.S. CUSTOMS AND
2 BORDER PROTECTION.—In carrying out this section
3 and promulgating rules under this section, the Com-
4 mission shall consult with the Commissioner of U.S.
5 Customs and Border Protection.

6 (c) DEFINITIONS.—In this section:

7 (1) COMMISSION.—The term “Commission”
8 means the Federal Trade Commission.

9 (2) COUNTRY OF ORIGIN.—The term “country
10 of origin” means the following:

11 (A) In the case of a product wholly manu-
12 factured in one country, the English name of
13 that country.

14 (B) In the case of a product that was
15 made by assembling multiple products or prod-
16 uct components manufactured in other coun-
17 tries, the English name of the country that per-
18 formed the final assembly of the product com-
19 ponents before shipping as a marketed product.

20 (C) In the case of a product containing
21 technological components that are designed in
22 any way to receive, process, or transmit data,
23 or be connected to the internet, and during any
24 part of the production process that product or
25 product component was made or assembled in

1 the People’s Republic of China or the Russian
2 Federation, or at any facility that is majority-
3 owned by a citizen or agent of such country, the
4 English name of each such country, and any
5 country described in subparagraph (A) or (B),
6 as applicable.

7 (3) ONLINE RETAIL PLATFORM.—The term
8 “online retail platform” means any internet website
9 or other online platform through which products are
10 sold.

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