

116TH CONGRESS
1ST SESSION

S. 3016

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

DECEMBER 11, 2019

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 Artificially Truthfully Act of 2019” or the “Real MEAT
6 Act of 2019”.

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.
4 343–3) 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, or imitation beef product shall be
11 deemed to be misbranded unless its label bears, in type
12 of uniform size and prominence, the word ‘imitation’ im-
13 mediately before or after the name of the food and a state-
14 ment that clearly indicates the product is not derived
15 from, or does not contain, meat.

16 “(b) COORDINATION WITH SECRETARY OF AGRI-
17 CULTURE.—

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

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

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

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

11 “(d) DEFINITION.—In this section:

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

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

22 “(3) The term ‘imitation beef product’ means
23 any food manufactured to appear as a beef product
24 or any food that approximates the aesthetic qualities
25 (primarily texture, flavor, and appearance) or the

1 chemical characteristics of specific types of beef
2 products but does not contain any meat, meat food
3 product, or meat byproduct ingredients.

4 “(4) The term ‘imitation meat food product’
5 means any food manufactured to appear as a meat
6 food product or any food that approximates the aes-
7 thetic qualities (primarily texture, flavor, and ap-
8 pearance) or chemical characteristics of specific
9 types of meat but does not contain any meat, meat
10 food product, or meat byproduct ingredients.

11 “(5) The term ‘meat’ is within the meaning of
12 the Federal Meat Inspection Act.

13 “(6) The term ‘meat byproduct’ is within the
14 meaning of the Federal Meat Inspection Act.

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

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