

117TH CONGRESS
1ST SESSION

H. R. 5246

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

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 2021

Ms. CHENEY (for herself and Mrs. MILLER of West Virginia) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Federal Meat Inspection Act to allow the interstate sale of State-inspected meat, 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 “Expanding Markets
5 for State-Inspected Meat Processors Act of 2021”.

6 **SEC. 2. STATE-INSPECTED MEAT.**

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

9 (1) by striking the section designation and in-
10 serting the following:

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

3 (2) in subsection (a)—

4 (A) by striking “In furtherance of this pol-
5 icy” in the matter preceding paragraph (1) and
6 all that follows through “(1) The Secretary” in
7 paragraph (1) and inserting the following:

8 “(B) STATE PROGRAMS.—

9 “(i) IN GENERAL.—The Secretary”;

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

12 “(a) STATE MEAT INSPECTION PROGRAM.—

13 “(1) IN GENERAL.—

14 “(A) POLICY.—It is”; and

15 (C) in paragraph (1)(B) (as so des-
16 ignated)—

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

21 (ii) by adding at the end the fol-
22 lowing:

23 “(ii) INTERSTATE COMMERCE.—

24 “(I) IN GENERAL.—Notwith-
25 standing any other provision of this
26 Act, the Secretary may allow, subject

1 to subclause (III), the shipment in
2 interstate commerce of carcasses,
3 parts of carcasses, meat, and meat
4 food products inspected under the
5 State meat inspection program de-
6 scribed in clause (i).

7 “(II) ACCEPTANCE OF INTER-
8 STATE SHIPMENTS OF MEAT AND
9 MEAT FOOD PRODUCTS.—Notwith-
10 standing any provision of State law, a
11 State or local government shall not
12 prohibit or restrict the movement or
13 sale of meat or meat food products
14 that have been inspected and passed
15 in accordance with this Act for inter-
16 state commerce.

17 “(III) STATE-ASSIGNED OFFICIAL
18 NUMBER.—

19 “(aa) IN GENERAL.—Any
20 establishment designated by a
21 State to ship meat and meat food
22 products pursuant to subclause
23 (I) shall include in the labeling of
24 such products the State-assigned

1 official number that identifies the
2 establishment and the State.

3 “(bb) UPDATED LIST.—
4 Each State with a State meat in-
5 spection program described in
6 clause (i) shall submit, and up-
7 date as necessary, to the Sec-
8 retary a list of each such estab-
9 lishment and the corresponding
10 State-assigned official number
11 for such establishment.”;

12 (3) in subsection (b), by striking “(b) The ap-
13 propriate” and inserting the following:

14 “(b) COOPERATION OF STATE AGENCY.—The appro-
15 priate”;

16 (4) in subsection (c)—

17 (A) by striking “(c)(1) If the Secretary”
18 and inserting the following:

19 “(c) ENFORCEMENT OF FEDERAL REQUIRE-
20 MENTS.—

21 “(1) DESIGNATION OF STATES.—

22 “(A) IN GENERAL.—If the Secretary”;

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

24 (i) in subparagraph (A) (as so des-
25 ignated)—

1 (I) in the first sentence, by strik-
2 ing “solely for distribution within
3 such State” and inserting “for dis-
4 tribution”; and

5 (II) in the second sentence, by
6 striking “If the Secretary” and insert-
7 ing the following:

8 “(B) DESIGNATION OF STATES.—

9 “(i) IN GENERAL.—Except as pro-
10 vided under clause (ii), if the Secretary”;

11 (ii) in subparagraph (B) (as so des-
12 ignated)—

13 (I) in clause (i) (as so des-
14 ignated)—

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

17 (bb) by striking “State; *Pro-*
18 *vided*, That if” and inserting the
19 following: “State.

20 “(ii) EXCEPTION.—If”; and

21 (II) in clause (ii) (as so des-
22 ignated)—

23 (aa) in the first sentence—

24 (AA) by striking “such
25 designation” and inserting

1 “a designation made under
2 clause (i)”; and
3 (BB) by striking “he”
4 each place it appears and in-
5 serting “the Secretary”; and
6 (bb) in the second sentence,
7 by striking “The Secretary shall”
8 and inserting the following:

9 “(C) PUBLICATION OF DESIGNATION.—
10 The Secretary shall”;

11 (iii) in subparagraph (C) (as so des-
12 ignated)—

13 (I) in the first sentence—

14 (aa) by striking “if such”;
15 and

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

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

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

23 (iv) in subparagraph (D) (as so des-
24 ignated)—

1 (I) in the first sentence, by strik-
 2 ing “such designation” and inserting
 3 “a designation made under subpara-
 4 graph (B)(i)”; and

5 (II) by striking “title IV of this
 6 Act: *And provided further*, That, not-
 7 withstanding”; and inserting the fol-
 8 lowing: “title IV.

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

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

13 (v) in subparagraph (E) (as so des-
 14 ignated)—

15 (I) in clause (i) (as so des-
 16 ignated)—

17 (aa) in the first sentence—

18 (AA) by striking “with-
 19 in such State”; and

20 (BB) by striking “sec-
 21 tion 301 of the Act” and in-
 22 serting “this section”; and

23 (bb) in the second sentence,
 24 by striking “If the State” and in-
 25 serting the following:

1 “(ii) ENFORCEMENT.—If the State”;

2 and

3 (II) in clause (ii) (as so des-
4 ignated), by striking “as though en-
5 gaged in commerce”;

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

8 “(2) EXCEPTIONS TO INSPECTION.—The provi-
9 sions”;

10 (D) in paragraph (3)—

11 (i) by striking “(3) Whenever” and in-
12 serting the following:

13 “(3) TERMINATION OF DESIGNATION.—If”; and

14 (ii) by striking “he” and inserting
15 “the Secretary”; and

16 (E) in paragraph (4), by striking “(4) The
17 Secretary” and inserting the following:

18 “(4) REPORT.—The Secretary”; and

19 (5) in subsection (d), by striking “(d) As used
20 in” and inserting the following:

21 “(d) DEFINITION OF STATE.—In”.

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