

Fact Sheet: Senate Bill 52 (S. 52)

American Beef Labeling Act of 2023 (S. 52)

Background: Congress originally passed mandatory country of origin labeling (MCOOL) for beef and other foods in the 2002 Farm Bill. Canada, Mexico and the largest U.S. beef packers have fought against MCOOL for beef ever since. Canada and Mexico filed a complaint at the World Trade Organization (WTO) in 2009 and the WTO eventually ruled that MCOOL treated imported livestock less favorably than domestic livestock. Rather than seek a diplomatic solution to address Canada and Mexico’s concerns – as the U.S. has done for several other adverse WTO rulings affecting other products – Congress conceded to the WTO’s ruling and repealed MCOOL for beef in late 2015. Specifically, Congress used the Consolidated Appropriations Act of 2016 to remove the terms “beef” and “ground beef” from the existing MCOOL law, which continues today to require country of origin labels on other foods, such as lamb, chicken, fish, and fruits and vegetables.

The New MCOOL Bill (S. 52): The bipartisan “American Beef Labeling Act of 2023” (S. 52) was reintroduced in the U.S. Senate on January 24, 2023, by Senators John Thune (R-SD), Jon Tester (D-MT), Mike Rounds (R-SD), and Cory Booker (D-NJ). The bill was referred to U.S. Senate Committee on Agriculture, Nutrition, and Forestry.

Senate Bill 52 undoes the repeal that Congress did in the Consolidated Appropriations Act of 2016 by simply reinserting the terms “beef” and “ground beef” back into the existing MCOOL law, and it requires MCOOL to be implemented no later than one year after the bill’s enactment.

During the one year after enactment, S. 52 directs the U.S. Trade Ambassador and U.S. Agriculture Secretary to determine a means of reinstating MCOOL in a manner that complies with WTO rules. The two cabinet members are then directed to implement such “means” within one year of enactment. However, if they have not implemented such “means” by the one year anniversary date of enactment, MCOOL for beef will automatically go into effect.

Thus, MCOOL for beef will become a reality no later than one year after S.52 is passed into law.