

Fact Sheet: Senate Bill 2716 (S.2716)

American Beef Labeling Act of 2021 (S.2716)

Background: Congress originally passed mandatory country of origin labeling (M-COOL) for beef and other foods in the 2002 Farm Bill. Canada, Mexico and the largest U.S. beef packers have fought against M-COOL for beef ever since. Canada and Mexico filed a complaint at the World Trade Organization (WTO) in 2009 and the WTO eventually ruled that M-COOL 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has done for several other adverse WTO rulings affecting other products – Congress conceded to the WTO’s ruling and repealed M-COOL for beef in late 2015.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 M-COOL law, which continues today to require country of origin labels on other foods, such as lamb, chicken, fish, and fruits and vegetables.

The New M-COOL Bill (S.2716): The bipartisan “American Beef Labeling Act of 2021” (S.2716) was introduced in the U.S. Senate on September 13, 2021, by Senators John Thune (R-S.D.), Jon Tester (D-Mont.), Mike Rounds (R-S.D.), and Cory Booker (D-N.J.). The bill was referred to U.S. Senate Committee on Agriculture, Nutrition, and Forestry.

Senate Bill 2716 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 M-COOL law, and it requires M-COOL to be implemented no later than 1-year after the bill’s enactment.

During the 1-year after enactment, S.2716 directs the U.S. Trade Ambassador and U.S. Agriculture Secretary to determine a means of reinstating M-COOL in a manner that complies with WTO rules. The two cabinet members are then directed to implement such “means” within 1-year of enactment. However, if they have not implemented such “means” by the 1-year anniversary date of enactment, M-COOL for beef will automatically go into effect.

Thus, M-COOL for beef will become a reality no later than 1-year after S.2716 is passed into law.