

119TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to ensure that consumers can make informed decisions in choosing between meat and poultry products and cell-cultivated protein products, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

---

Mr. RICKETTS (for himself and Mr. FETTERMAN) introduced the following bill; which was read twice and referred to the Committee on

---

**A BILL**

To amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to ensure that consumers can make informed decisions in choosing between meat and poultry products and cell-cultivated protein 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 “Fair and Accurate In-  
5 gredient Representation on Labels Act of 2026” or the  
6 “FAIR Labels Act of 2026”.

1 **SEC. 2. REVISED MEMORANDUM OF UNDERSTANDING BE-**  
2 **TWEEN SECRETARY OF AGRICULTURE AND**  
3 **SECRETARY OF HEALTH AND HUMAN SERV-**  
4 **ICES REGARDING REGULATION OF CELL-CUL-**  
5 **TIVATED PROTEIN PRODUCT.**

6 Not later than 90 days after the date of the enact-  
7 ment of this Act, the Secretary of Agriculture and the Sec-  
8 retary of Health and Human Services shall jointly revise  
9 the Memorandum of Understanding entitled “Formal  
10 Agreement Between FDA and USDA Regarding Over-  
11 sight of Human Food Produced Using Animal Cell Tech-  
12 nology Derived from Cell Lines of USDA-amenable Spe-  
13 cies” entered into March 7, 2019, so that with respect  
14 to the regulation of cell-cultivated protein products—

15 (1) the Secretary of Agriculture shall conduct  
16 such activities as are necessary to implement the  
17 amendments made by this Act; and

18 (2) the Secretary of Health and Human Serv-  
19 ices shall—

20 (A) conduct premarket consultation proc-  
21 esses to evaluate production materials and proc-  
22 esses and manufacturing controls, including  
23 oversight of tissue collection, cell lines and  
24 banks, and all components and inputs;

1 (B) oversee the initial cell collection and  
2 the development and maintenance of qualified  
3 cell banks;

4 (C) oversee the proliferation and differen-  
5 tiation of cells up to the time of harvest;

6 (D) ensure that the appropriate entities  
7 comply with applicable requirements of the  
8 Food and Drug Administration, including facil-  
9 ity registration, the current good manufacturing  
10 practices and preventive controls regulation,  
11 and requirements applicable to substances that  
12 become a component of food or otherwise affect  
13 the characteristics of food;

14 (E) develop additional requirements for cell  
15 bank and cell culturing facility conditions and  
16 processes to ensure that biological material  
17 exiting the culture process is safe; and

18 (F) conduct appropriate inspections and  
19 follow-up activities, including taking enforce-  
20 ment action if necessary, to ensure that cell  
21 bank and cell culturing facilities are in compli-  
22 ance with applicable laws (including regula-  
23 tions).

1 **SEC. 3. REGULATION OF CELL-CULTIVATED PROTEIN**  
2 **PRODUCTS BY SECRETARY OF AGRICULTURE.**

3 (a) CELL-CULTIVATED PROTEIN PRODUCTS.—

4 (1) DEFINITION.—Section 1 of the Federal  
5 Meat Inspection Act (21 U.S.C. 601) is amended by  
6 adding at the end the following:

7 “(x) The term ‘cell-cultivated protein product’ means  
8 any product capable of use as human food that—

9 “(1) is made wholly or in part from any cell  
10 culture or the DNA of an amenable species using  
11 animal cell culture technology; and

12 “(2) is grown or cultivated outside of the live  
13 animal from which the cell culture or DNA was ac-  
14 quired.”.

15 (2) MISBRANDING.—Section 1(n)(3) of the  
16 Federal Meat Inspection Act (21 U.S.C. 601(n)(3))  
17 is amended to read as follows:

18 “(3) if it is a cell-cultivated protein, unless its  
19 label—

20 “(A) clearly indicates in a prominent, con-  
21 spicuous, and legible manner the words ‘cell-  
22 cultivated’, in type of uniform size and promi-  
23 nence, immediately adjacent to the name of the  
24 food so as to render it likely to be read and un-  
25 derstood by the ordinary individual under cus-  
26 tomary conditions of purchase and use;

1           “(B) bears a statement that the cell-cul-  
2           tivated protein product is derived from sources  
3           other than meat, in type of uniform size and  
4           prominence, immediately adjacent to the name  
5           of the food; and

6           “(C) bears a disclaimer that clearly indi-  
7           cates that the cell-cultivated protein product in  
8           its final product form is not derived from, or  
9           does not contain, naturally produced meat from  
10          a live amenable species;”.

11          (3) APPLICABILITY.—Section 25 of the Federal  
12          Meat Inspection Act (21 U.S.C. 625) is amended—

13                 (A) by striking “Notwithstanding” and in-  
14                 serting “(a) Notwithstanding”; and

15                 (B) by adding at the end the following:

16                 “(b) The requirements of this Act shall apply with  
17                 respect to cell-cultivated protein products in the same  
18                 manner as such requirements apply to meat and meat food  
19                 products.”.

20          (b) CELL-CULTIVATED POULTRY PRODUCTS.—

21                 (1) DEFINITION.—Section 4 of the Poultry  
22                 Products Inspection Act (21 U.S.C. 453) is amended  
23                 by adding at the following:

24                 “(cc) The term ‘cell-cultivated protein product’  
25                 means any product capable of use as human food that—

1           “(1) is made wholly or in part from any cell  
2           culture or the DNA of a live bird using animal cell  
3           culture technology; and

4           “(2) is grown or cultivated outside of the live  
5           bird from which the cell culture or DNA was ac-  
6           quired.”.

7           (2) MISBRANDING.—Section 4(h)(3) of the  
8           Poultry Products Inspection Act (21 U.S.C.  
9           453(h)(3)) is amended to read as follows:

10           “(3) if it is a cell-cultivated protein product,  
11           unless its label—

12                   “(A) clearly indicates in a prominent, con-  
13                   spicuous, and legible manner the words ‘cell-  
14                   cultivated’, in type of uniform size and promi-  
15                   nence, immediately adjacent to the name of the  
16                   food so as to render it likely to be read and un-  
17                   derstood by the ordinary individual under cus-  
18                   tomary conditions of purchase and use;

19                   “(B) bears a statement that the cell-cul-  
20                   tivated protein product is derived from sources  
21                   other than poultry, in type of uniform size and  
22                   prominence, immediately adjacent to the name  
23                   of the food; and

24                   “(C) bears a disclaimer that clearly indi-  
25                   cates that the cell-cultivated protein product in

1           its final product form is not derived from, or  
2           does not contain, a live amenable bird;”.

3           (3) APPLICABILITY.—Section 18 of the Poultry  
4           Products Inspection Act (21 U.S.C. 467a) is amend-  
5           ed by adding at the end the following:

6           “(d) The requirements of this Act shall apply with  
7           respect to cell-cultivated protein products in the same  
8           manner as such requirements apply to poultry and poultry  
9           products.”.

10          (c) PLANT-BASED ALTERNATIVE PROTEIN PROD-  
11          UCT.—The Federal Food, Drug, and Cosmetic Act (21  
12          U.S.C. 301 et seq.) is amended—

13                 (1) in section 201 (21 U.S.C. 321), by adding  
14                 at the end the following:

15                 “(tt) The term ‘plant-based alternative protein prod-  
16                 uct’ means any food product that—

17                         “(1) is made wholly or in part from any plant  
18                         species;

19                         “(2) approximates the aesthetic qualities (pri-  
20                         marily texture, flavor, and appearance) of meat,  
21                         poultry, or a food product thereof; and

22                         “(3) is manufactured to appear as meat, poul-  
23                         try, or a food product thereof.”; and

24                 (2) in section 403 (21 U.S.C. 343), by adding  
25                 at the end the following:

1 “(z) If it is a plant-based alternative protein product,  
2 unless its label—

3 “(1) bears, in type of uniform size and promi-  
4 nence, the phrase ‘plant-based alternative protein  
5 product’ and, immediately thereafter, the name of  
6 the food; and

7 “(2) in a prominently placed, conspicuous, and  
8 legible manner so as to render it likely to be read  
9 and understood by the ordinary individual under  
10 customary conditions of purchase and use, bears a  
11 statement that clearly indicates that the product is  
12 not derived from, or does not contain, naturally pro-  
13 duced meat or poultry from a live animal or bird  
14 species.”.

15 (d) STANDARDS OF IDENTITY.—Not later than 180  
16 days after the date of the enactment of this Act, the Sec-  
17 retary of Agriculture, in consultation with the Secretary  
18 of Health and Human Services, shall develop common  
19 standards of identity for cell-cultivated protein products  
20 and plant-based alternative protein products that are con-  
21 sistent with the definitions specified in section 1 of the  
22 Federal Meat Inspection Act (21 U.S.C. 601), section 4  
23 of the Poultry Products Inspection Act (21 U.S.C. 453),  
24 and section 201 of the Federal Food, Drug, and Cosmetic

1 Act (21 U.S.C. 301), respectively, as amended by this sec-  
2 tion.