

(f) Transparency and reporting.—The Secretary of Agriculture shall publish an annual public report describing—

(1) categories of research funded under agricultural research programs;

(2) licensing status of resulting research outputs;

(3) the use of nonexclusive licensing arrangements; and

(4) actions taken to expand open-source, farmer-accessible, and publicly available research outcomes.

(g) Applicability and background intellectual property.—

(1) Applicability.—This section shall apply to all grants, cooperative agreements, and contracts entered into after the date of enactment of this Act.

(2) Background intellectual property.—Except as provided in paragraph (3), nothing in this section shall require the licensing, transfer, or disclosure of intellectual property, germplasm, biological material, data, or technical innovation developed independently of and without the use of funds provided under agricultural research programs, including any such property developed before the commencement of a grant, cooperative agreement, or contract subject to this section. Each such grant, cooperative agreement, or contract shall identify, to the extent reasonably practicable, any such background property expected to be used in carrying out the agreement.

(3) Necessary access.—If a research output subject to subsection (d) cannot reasonably be used or practiced without access to background property identified under paragraph (2), the grant, cooperative agreement, or contract shall require a nonexclusive, fair, and reasonable license to such background property to the extent necessary to prevent the material limitations described in subsection (d)(2).

#### Subtitle B—Transparency and Fairer Competition in Grocery Markets

### **SEC. 721. PROHIBITING ALGORITHMIC COORDINATION IN THE FOOD SUPPLY.**

(a) In this section:

(1) Chair.—The term "Chair" means the Chair of the Commission.

(2) Commission.—The term "Commission" means the Federal Trade Commission.

(3) Consciously parallel pricing coordination.—The term "consciously parallel pricing coordination" means a tacit agreement between 2 or more food producers to raise, lower, change, maintain, or manipulate pricing for the purchase or sale of reasonably interchangeable food products.

(4) Coordinating function.—The term "coordinating function" means—

(A) collecting historical or contemporaneous food product prices or supply levels from 2 or more food producers;

(B) analyzing or processing the information described in subparagraph (A) using a system, software, or process that uses computation, including by using that information to train an algorithm; and

(C) recommending food prices, supply or output, or other commercial term to a food producer.

(5) Coordinator.—The term "coordinator" means any person that operates a software or data analytics service that performs a coordinating function for any food producer, including a food producer performing a coordinating function for their own benefit.

(6) Food.—The term "food" has the meaning given the term in section 321 of the Food, Drug and Cosmetic Act ([21 U.S.C. 321](#)).

(7) Food producer.—The term "food producer" means any individual, corporation, or entity engaged in the manufacturing, processing, or production of food products for commercial distribution.

(8) Person.—The term "person" has the meaning given the term in section 1 of the Clayton Act ([15 U.S.C. 12](#)).

(9) State.—The term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

(b) Unlawful conduct.—

(1) Contract or conspiracy in restraint of trade.—It is unlawful for a food producer, in or affecting commerce, or any agent or subcontractor thereof, to subscribe to, contract with, otherwise exchange anything of value for, or use the services of, a coordinator, and such action shall be deemed to be a per se violation of the Sherman Act ([15 U.S.C. 1 et seq.](#)).

(2) Facilitation.—It is unlawful for a coordinator, in or affecting commerce, to facilitate an agreement among food producers to not compete with respect to food prices, supply or output, or other commercial term, including by performing a coordinating function.

(c) Enforcement.—

(1) In general.—

(A) Federal Trade Commission.—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms of the Federal Trade Commission Act ([15 U.S.C. 41 et seq.](#)) were incorporated into and made a part of this section.

(B) Attorney General.—The Attorney General shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms of the Sherman Act ([15 U.S.C. 1 et seq.](#)), Clayton Act ([15 U.S.C. 12 et seq.](#)), and Antitrust Civil Process Act ([15 U.S.C. 1311 et seq.](#)) were incorporated into and made a part of this section.

(C) State attorneys general.—Any attorney general of a State shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms of the Sherman Act ([15 U.S.C. 1 et seq.](#)) and the Clayton Act ([15 U.S.C. 12 et seq.](#)) were incorporated into and made a part of this section.

(2) Unfair methods of competition.—A violation of this section shall also constitute an unfair method of competition under section 5 of the Federal Trade Commission Act ([15 U.S.C. 45](#)).

(3) Independent litigation authority.—If the Commission has reason to believe that a person violated this section, the Commission may commence a civil action, in its own name by any of its attorneys designated by it for such purpose, to recover, for each violation, a civil penalty not exceeding the maximum amount provided under [section 5\(m\)\(1\)\(A\) of the Federal Trade Commission Act \(15 U.S.C. 45\(m\)\(1\)\(A\)\)](#), as adjusted under the Federal Civil Penalties Inflation Adjustment Act of 1990, and seek other appropriate relief in any district court of the United States.

(4) Standards of pleading.—In a civil action under this subsection, a complaint—

(A) plausibly pleads a violation of section 1 or 3(a) of the Sherman Act ([15 U.S.C. 1](#), 3(a)) if the complaint contains factual allegations, including allegations of consciously parallel pricing coordination, demonstrating that the existence of a contract, or conspiracy in restraint of trade or commerce is among the realm of plausible possibilities; and

(B) need not allege facts tending to exclude the possibility of independent action.

(d) Civil actions by injured persons.—

(1) Civil action authorized.—Any person who is aggrieved by a violation of this section may bring a civil action in an appropriate district court of the United States, without respect to the amount in controversy, to recover an amount described in paragraph (2).

(2) Award amount.—

(A) In general.—The court shall award to the plaintiff threefold the damages sustained by the plaintiff and the reasonable cost of litigation, including a reasonable attorney fee.

(B) Interest on damages.—Pursuant to a motion by the plaintiff promptly made, the court may award simple interest on actual damages sustained by the plaintiff for the period beginning on the date of service of the pleading of the plaintiff setting forth a claim under this section and ending on the date of judgment, or for any shorter period therein.

(e) Relationship to Federal antitrust laws.—Nothing in this section, or any amendment made by this section, shall be construed to modify, impair, or supersede the operation of any of the antitrust laws.

(f) Relationship to State and local laws.—Nothing in this section may be construed to preempt any State, Tribal, city, or local law, regulation, or ordinance that supplements this section.

## **SEC. 722. ANTICOMPETITIVE GROCERY RETAIL RESTRICTIONS.**

(a) Definitions.—In this section:

(1) Grocery store.—The term "grocery store" means a self-service retail establishment that occupies at least 2,500 square feet and that sells household foodstuffs for offsite consumption, including fresh produce, meat, poultry, fish, deli products, dairy products, canned foods, dry foods, beverages, baked foods, or prepared foods, but does not include an establishment that handles only prepackaged food that does not require time or temperature controls for food safety.

(2) Grocery use restriction.—The term "grocery use restriction" means any covenant, lease provision, deed restriction, contract term, or other agreement that restricts the use of a vacated grocery store location for operation of a grocery store.

(3) Vacated grocery store location.—The term "vacated grocery store location" means a retail location at which a grocery store has ceased operations.

(b) Unfair method of competition.—

(1) In general.—The imposition or inclusion of a grocery use restriction shall constitute an unfair method of competition in or affecting commerce, in violation of section 5 of the Federal Trade Commission Act ([15 U.S.C. 45](#)).

(2) Per se treatment.—Conduct described in paragraph (1) shall be treated as an unfair method of competition without regard to market share, market power, or anticompetitive effects.

(c) Existing restrictions.—

(1) In general.—Any grocery use restriction that was imposed before the effective date of this section shall be void and unenforceable as a matter of law.

(2) Violation.—Any attempt to enforce a grocery use restriction shall be deemed a violation of subsection (b).

(d) Enforcement.—

(1) Federal Trade Commission.—The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms of the Federal Trade Commission Act ([15 U.S.C. 45 et seq.](#)) were incorporated into and made a part of this section.

(2) State attorneys general.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by a violation of this section, the attorney general may bring a civil action on behalf of the residents of the State in an appropriate district court of the United States to obtain injunctive relief or other appropriate relief. The attorney general shall provide prior written notice of such action to the Federal Trade Commission, unless it is not feasible to do so, in which case such notice shall be provided contemporaneously with the filing of the action.

(3) Private cause of action.—Any person injured by a violation of this section may bring a civil action in an appropriate district court of the United States for injunctive relief and may recover reasonable attorney's fees and costs.

(4) Authority preserved.—Nothing in this section shall be construed to limit the authority of the Federal Trade Commission or a State under any other provision of law.

## **SEC. 723. COUNTRY OF ORIGIN LABELING FOR BEEF, PORK, AND DAIRY PRODUCTS.**

(a) Definitions.—Section 281 of the Agricultural Marketing Act of 1946 ([7 U.S.C. 1638](#)) is amended—

(1) by redesignating paragraphs (1), (2) through (5), (6), and (7) as paragraphs (2), (4) through (7), (9), and (10), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following:

"(1) Beef.—The term 'beef' means meat produced from cattle, including veal.";

(3) in paragraph (2), as so redesignated—

(A) in subparagraph (A)—

(i) in clause (i), by striking "lamb" and inserting "beef, lamb, pork,";

(ii) in clause (ii), by striking "ground lamb" and inserting "ground beef, ground lamb, ground pork,";

(iii) in clause (x), by striking "and" at the end;

(iv) in clause (xi), by striking the period at the end and inserting "; and"; and

(v) by adding at the end the following:

"(xii) dairy products."; and

(B) in subparagraph (B), by inserting "(other than clause (xii) of that subparagraph)" after "subparagraph (A)";

(4) by inserting after paragraph (2), as so redesignated, the following:

"(3) Dairy product.—The term 'dairy product' means—

"(A) fluid milk;

"(B) cheese, including cottage cheese and cream cheese;

"(C) yogurt;

"(D) ice cream;

"(E) butter; and

"(F) any other dairy product."; and

(5) by inserting after paragraph (7), as so redesignated, the following:

"(8) Pork.—The term 'pork' means meat produced from hogs."

(b) Notice of country of origin.—Section 282(a) of the Agricultural Marketing Act of 1946 ([7 U.S.C. 1638a\(a\)](#)) is amended by adding at the end the following:

"(5) Designation of country of origin for dairy products.—

"(A) In general.—A retailer of a covered commodity that is a dairy product shall designate the origin of the covered commodity as—

"(i) each country in which or from which the 1 or more dairy ingredients or dairy components of the covered commodity were produced, originated, or sourced; and

"(ii) each country in which the covered commodity was processed.

"(B) State, region, or locality of the United States.—With respect to a covered commodity that is a dairy product produced exclusively in the United States, designation by a retailer of the State, region, or locality of the United States where the covered commodity was produced shall be sufficient to identify the United States as the country of origin."

(c) Truth in labeling for meat and meat food products.—Section 7 of the Federal Meat Inspection Act ([21 U.S.C. 607](#)) is amended by adding at the end the following:

"(g) Product of the United States.—The label of a meat or meat food product may bear the phrase 'Product of U.S.A.', or any substantially similar word or phrase, only if the meat or meat food product is exclusively derived from animals exclusively born, raised, and slaughtered in the United States."

(d) Implementation.—

(1) Effective dates.—

(A) Beef, pork, and Product of U.S.A. labeling.—The amendments made by paragraphs (1), (2), (3)(A)(i) and (ii), and (5) of subsection (a), and subsection (c), shall take effect on January 1, 2027.

(B) Dairy products.—The amendments made by subsection (a)(3)(A)(iii) through (v), subsection (a)(3)(B), subsection (a)(4), and subsection (b) shall take effect on July 1, 2027.

(2) Interim final rules.—Not later than 60 days after the date of enactment of this Act, the Secretary of Agriculture shall issue interim final rules to carry out the amendments relating to dairy products made by subsections (a) and (b). The interim final rules shall take effect upon publication in the Federal Register, shall have the force and effect of law, and may be issued without regard to [section 553 of title 5, United States Code](#). The Secretary shall provide a public comment period of not less than 60 days after publication and shall issue final rules not later than 210 days after the date of enactment of this Act.

### Subtitle C—Managing Meat Markets

## **SEC. 731. STRUCTURAL DECONCENTRATION OF MEATPACKING MARKETS.**

(a) Definitions.—In this section: