

(8) by adding at the end the following:

"(b) Acquisition creating a monopoly.—

"(1) In general.—For purposes of subsection (a)(5), it shall be a rebuttable presumption that an acquisition would create a monopoly if the acquisition would—

"(A) result in a Herfindahl-Hirschman Index greater than 1,800 in any relevant market;
or

"(B) increase the Herfindahl-Hirschman Index by more than 100 in any relevant market.

"(2) Clayton Act violation.—Any acquisition deemed to create a monopoly under paragraph (1) shall be considered a violation of section 7 of the Clayton Act ([15 U.S.C. 18](#)).".

SEC. 737. PRESERVATION OF STATE AUTHORITY OVER ANIMAL WELFARE AND FOOD STANDARDS.

(a) Preservation of State authority.—Notwithstanding any other provision of Federal law, a State may establish, enforce, or apply a law or regulation that—

(1) sets standards for the raising, housing, treatment, transport, or slaughter of animals used for food in such State;

(2) conditions the sale or offering for sale of an animal product in such State on compliance with standards described in paragraph (1), including standards that would apply if the animal from which the product is derived were raised, housed, treated, transported, or slaughtered in such State; or

(3) restricts the importation, sale, or offering for sale of an animal or animal product in such State to protect animal health, food safety, or public health.

(b) Place of production.—A law or regulation described in subsection (a)(2) or (a)(3) may apply without regard to whether the animal, animal product, or ingredient was raised, produced, processed, or packaged in the State.

(c) Rule of construction.—Nothing in this section shall be construed to alter any Federal inspection requirement applicable to meat, poultry, egg products, or other food products, except that such requirement shall not be construed to preempt, displace, invalidate, or render unenforceable a law or regulation preserved by this section.

Subtitle D—Environmental and Externality Reform

SEC. 741. PROHIBITION OF CERTAIN HAZARDOUS PESTICIDES.

(a) Cancellation of registration of atrazine.—

(1) In general.—Pursuant to section 6(b) of the Federal Insecticide, Fungicide, and Rodenticide Act ([7 U.S.C. 136d\(b\)](#)), effective on the date of enactment of this Act—

(A) atrazine shall be deemed to generally cause unreasonable adverse effects to humans;

(B) the Administrator shall cancel the registration of all uses of atrazine; and

(C) following such cancellation, the Administrator shall, in accordance with section 408(l)(2) of the Federal Food, Drug, and Cosmetic Act ([21 U.S.C. 346a\(l\)\(2\)](#)), revoke any tolerance or exemption that allows the presence of atrazine or any pesticide chemical residue resulting from its use, in or on food.

(2) Existing stocks prohibited.—Effective on the date of enactment of this section, the continued sale or use of existing stocks of atrazine is prohibited.

(3) No reregistration.—The Administrator may not reregister atrazine under section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act ([7 U.S.C. 136a–1](#)).

(b) Cancellation of registration of paraquat.—

(1) In general.—Pursuant to section 6(b) of the Federal Insecticide, Fungicide, and Rodenticide Act ([7 U.S.C. 136d\(b\)](#)), effective on the date of enactment of this Act—

(A) paraquat shall be deemed to generally cause unreasonable adverse effects to humans due to acute systemic toxicity and neurotoxicity;

(B) the Administrator shall cancel the registration of all uses of paraquat; and

(C) following such cancellation, the Administrator shall, in accordance with section 408(l)(2) of the Federal Food, Drug, and Cosmetic Act ([21 U.S.C. 346a\(l\)\(2\)](#)), revoke any tolerance or exemption that allows the presence of paraquat or any pesticide chemical residue resulting from its use, in or on food.

(2) Existing stocks prohibited.—Effective on the date of enactment of this section, the continued sale or use of existing stocks of paraquat is prohibited.

(3) No reregistration.—The Administrator may not reregister paraquat under section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act ([7 U.S.C. 136a–1](#)).

(c) Review of whole pesticide formulations.—

(1) Requirement.—In evaluating, registering, reregistering, or reviewing a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act ([7 U.S.C. 136 et seq.](#)), the Administrator shall assess the safety of the pesticide as a whole formulation, including inert ingredients, adjuvants, synergists, and degradation products.

(2) Prohibition.—The Administrator may not approve or maintain a registration based solely on evaluation of an active ingredient in isolation.

(d) Child safety factor protections.—Section 408(b)(2)(C) of the Federal Food, Drug, and Cosmetic Act ([21 U.S.C. 346a\(b\)\(2\)\(C\)](#)) is amended by striking the final sentence.

(e) Preservation of State authority and liability.—

(1) Addressing Monsanto Co. v. Durnell.—Section 24(b) of the Federal Insecticide, Fungicide, and Rodenticide Act ([7 U.S.C. 136v\(b\)](#)) is amended to read as follows:

"(b) Uniformity.—A State may impose or continue in effect any requirements for labeling or packaging in addition to or different from those required under this subchapter, but only if and to the extent such labeling or packaging provides protection equal to or greater than the requirements of this subchapter."

(2) Preservation of state authority.—The Federal Insecticide, Fungicide, and Rodenticide Act shall be construed to affirmatively permit States and political subdivisions to enact and enforce laws regulating pesticides, agricultural chemicals, and related production practices that provide protections equal to or greater than Federal law.

(3) No liability shield.—No provision of Federal law may grant pesticide manufacturers immunity from civil liability arising under State or Federal law for harms caused by pesticide products or formulations, including claims based on failure to warn, inadequate labeling, defective design, negligence, fraud, misrepresentation, public nuisance, or consumer protection law.

(f) Farmer transition assistance.—

(1) Trigger.—Upon cancellation of a pesticide under this section, the Secretary of Agriculture shall make available additional technical assistance, research support, and transition assistance to affected producers under the National Organic Program.

(2) Eligible assistance.—Assistance under this subsection may include support for—

(A) transition to regenerative, organic, or input-reducing production systems;

(B) soil health practices and diversified crop systems;

(C) region-specific agronomic research and extension services; and

(D) education and training relating to alternative pest management strategies.

(3) Coordination.—The Secretary shall coordinate assistance under this subsection through section 712.

SEC. 742. SURTAX ON MEGA CONCENTRATED ANIMAL FEEDING OPERATIONS.

(a) In general.—Chapter 38 of subtitle D of the Internal Revenue Code of 1986 is amended by adding at the end the following:

"Subchapter E—Mega concentrated animal feeding operations

"SEC. 4691. Surtax on mega concentrated animal feeding operations.

"Sec. 4691. Surtax on mega concentrated animal feeding operations.

"(a) Definitions.—In this section:

"(1) Applicable Large CAFO threshold.—The term 'applicable Large CAFO threshold' means, with respect to animals counted within a taxable animal class, the numerical threshold

specified for such animals in [section 122.23\(b\)\(4\) of title 40](#), Code of Federal Regulations, or any successor regulation.

"(2) Average daily threshold-equivalent inventory.—The term 'average daily threshold-equivalent inventory' means, with respect to a taxable animal class for a calendar year, the quotient obtained by dividing—

"(A) the sum of the daily threshold-equivalent inventories for that taxable animal class for each day during the calendar year; by

"(B) the number of days in the calendar year.

"(3) Concentrated animal feeding operation; CAFO.—The term 'concentrated animal feeding operation' or 'CAFO' has the meaning given the term 'concentrated animal feeding operation' in [section 122.23 of title 40](#), Code of Federal Regulations, or any successor regulation.

"(4) Coordinated operation.—The term 'coordinated operation' means 2 or more facilities, lots, sites, animal houses, feeding areas, production areas, or operations that are operated, managed, contracted for, or controlled as part of an integrated animal confinement operation.

"(5) Daily threshold-equivalent inventory.—The term 'daily threshold-equivalent inventory' means, with respect to a taxable animal class for a day, the sum, for each category of animals described in [section 122.23\(b\)\(4\) of title 40](#), Code of Federal Regulations, or any successor regulation, that is included in such taxable animal class, of the quotient obtained by dividing—

"(A) the number of animals in such category stabled or confined and fed or maintained at the CAFO or coordinated operation on such day; by

"(B) the applicable Large CAFO threshold for animals in such category.

"(6) Mega CAFO.—The term 'Mega CAFO' means, with respect to a taxable animal class, a CAFO or coordinated operation for which the daily threshold-equivalent inventory for such class equals or exceeds 10 on at least 45 days during a calendar year.

"(7) Operator.—The term 'operator' means the person that exercises ultimate production control over a CAFO or coordinated operation. For purposes of this paragraph, a person exercises ultimate production control if the person has final contractual or practical authority over the scale and material terms of animal confinement, including authority to determine or direct animal placement, animal removal, or flock or herd size. If 2 or more persons jointly exercise such authority, each such person shall be treated as an operator.

"(8) Production control.—The term 'production control' means contractual or practical authority to determine or materially influence animal placement, animal removal, flock or herd size, feed supply, production protocols, veterinary protocols, waste handling, or other material terms of animal confinement.

"(9) Secretary.—The term 'Secretary' means the Secretary of the Treasury or the delegate of the Secretary.

"(10) Taxable animal class.—The term 'taxable animal class' means—

"(A) cattle, consisting of animals described in clause (i), (ii), or (iii) of [section 122.23\(b\)\(4\) of title 40](#), Code of Federal Regulations, or the corresponding provisions of any successor regulation;

"(B) swine, consisting of animals described in clause (iv) or (v) of such section or the corresponding provisions of any successor regulation; or

"(C) poultry, consisting of animals described in clause (viii), (ix), (x), (xi), (xii), or (xiii) of such section or the corresponding provisions of any successor regulation.

"(b) Imposition of tax.—

"(1) In general.—There is imposed for each calendar year 1 tax on the operator of each Mega CAFO with respect to each taxable animal class for which the operation is a Mega CAFO.

"(2) Multiple operators.—If 2 or more persons are treated as operators under subsection (a)(7), such persons shall be jointly and severally liable for the tax imposed under paragraph (1), but only 1 tax shall be imposed with respect to the Mega CAFO, taxable animal class, and calendar year.

"(c) Amount of tax.—

"(1) In general.—The amount of the tax imposed under subsection (b) for a taxable animal class for a calendar year shall be the product of—

"(A) \$300,000;

"(B) the annual escalation factor determined under paragraph (2); and

"(C) the concentration factor determined under paragraph (3).

"(2) Annual escalation factor.—The annual escalation factor shall equal the number of calendar years elapsed since calendar year 2026, beginning with a factor of 1 for calendar year 2027.

"(3) Concentration factor.—The concentration factor for a taxable animal class for a calendar year shall equal the quotient obtained by dividing—

"(A) the average daily threshold-equivalent inventory for such taxable animal class during the calendar year; by

"(B) 10.

"(4) Phase-in limitation.—Before January 1, 2030, the concentration factor under paragraph (3) shall not exceed the annual escalation factor determined under paragraph (2).

"(d) Counting rules.—

"(1) In general.—For purposes of this section, an animal shall be included in the daily threshold-equivalent inventory for each day or portion of a day during which the animal is stabled or confined and fed or maintained at the CAFO or coordinated operation.

"(2) Ownership disregarded.—An animal shall be counted under paragraph (1) without regard to whether the animal is owned by the operator, an integrator, a contractor, a grower, or any other person.

"(e) Aggregation.—

"(1) In general.—For purposes of determining whether a CAFO or coordinated operation is a Mega CAFO and calculating average daily threshold-equivalent inventory, the Secretary shall aggregate facilities, lots, sites, animal houses, feeding areas, production areas, or operations if—

"(A) such facilities, lots, sites, animal houses, feeding areas, production areas, or operations are under common ownership or common control, are subject to production control by the same person or group of persons, or are part of a coordinated operation; and

"(B) such facilities, lots, sites, animal houses, feeding areas, production areas, or operations—

"(i) adjoin each other;

"(ii) use a common area or system for manure, litter, process wastewater, waste storage, waste treatment, waste disposal, land application, or mortality management;

"(iii) share a production area, waste containment area, labor system, equipment system, feed system, animal placement system, animal removal system, or other material operational system; or

"(iv) are structured, divided, leased, contracted, or operated in a manner that has the purpose or effect of avoiding the application of this section.

"(2) No broad regional aggregation.—Aggregation under this subsection shall be limited to concentrated or operationally integrated animal confinement and shall not be based solely on the fact that multiple facilities, lots, sites, animal houses, feeding areas, production areas, or operations have animals owned, supplied, purchased, or processed by the same person.

"(f) Regulations and verification.—

"(1) In general.—The Secretary, in consultation with the Secretary of Agriculture and the Administrator of the Environmental Protection Agency, shall prescribe such regulations and other guidance as are necessary to carry out this section, including rules for determining the operator, returns, estimated payments, reconciliation, partial-year operations, and preventing evasion.

"(2) No delay.—A delay in the issuance or finalization of regulations or guidance under paragraph (1) shall not delay, limit, extinguish, or reduce any tax liability, duty, enforcement authority, or other obligation established by this section.

"(g) Transfer of revenues.—There are appropriated, out of amounts in the Treasury not otherwise appropriated, amounts equivalent to the revenues received under this section, which shall be transferred to the USDA Field Capacity Restoration Fund established under section 712 of

the POPULIST Act and shall remain available until expended for the purposes specified in such section.

"(h) Rule of construction.—Nothing in this section shall be construed to limit any requirement, permit obligation, enforcement authority, or remedy under any other Federal, State, or local law."

(b) Clerical amendment.—The table of subchapters for chapter 38 of subtitle D of the Internal Revenue Code of 1986 is amended by adding at the end the following:

"Subchapter E. Mega concentrated animal feeding operations."

(c) Effective date.—The amendments made by this section shall apply beginning January 1, 2027.

SEC. 743. UNTRUSTING SUGAR.

(a) Transition period.—In this section, the term "transition period" means the 4-year period beginning on the effective date of this section.

(b) Sugar supports repealed.—Sections 1359bb, 1359cc, and 1359kk of title 7, United States Code, are repealed.

(c) Suspension of antitrust immunity.—Notwithstanding [sections 291 and 292 of title 7](#), United States Code, the antitrust immunity provided under such sections shall not apply during the transition period to any agreement, coordination, or collective conduct relating to the processing, refining, or marketing of sugar derived from sugarcane or sugar beets for human consumption in the United States.

(d) Enforcement authority.—During the transition period, the Federal Trade Commission shall have authority to investigate and enforce antitrust laws with respect to conduct relating to the processing, refining, or marketing of sugar derived from sugarcane or sugar beets for human consumption in the United States.

(e) Report to Congress.—Not later than 3 years after the beginning of the transition period, the Federal Trade Commission shall submit to the Committee on the Judiciary and the Committee on Agriculture of the House of Representatives and the Committee on the Judiciary and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report evaluating—

- (1) the state of competition in sugar processing, refining, and marketing markets;
 - (2) whether any anticompetitive conduct has occurred during the transition period;
 - (3) the effectiveness of the temporary suspension of antitrust immunity under this section;
- and
- (4) whether the public interest would be served by extending, modifying, or allowing the expiration of such suspension.

(f) Effective date.—This section shall be effective January 1, 2027.

SEC. 744. RESTRUCTURING CORN SUBSIDIES AND ETHANOL MANDATES.

(a) Limitation on commodity program payments for corn.—

(1) In general.—Notwithstanding any other provision of law, no person or legal entity shall receive, directly or indirectly, more than \$50,000 in aggregate payments per crop year with respect to corn under title I of the Agricultural Act of 2014 ([7 U.S.C. 9011 et seq.](#)) or any successor provision.

(2) Attribution.—For purposes of applying the limitation under paragraph (1), the attribution rules under section 1001 of the Food Security Act of 1985 ([7 U.S.C. 1308](#)) and section 1001A of such Act ([7 U.S.C. 1308–1](#)) shall apply.

(3) No waiver.—The Secretary of Agriculture may not waive or adjust the limitation under this subsection.

(b) Cap on crop insurance premium subsidies attributable to corn.—

(1) In general.—Section 508(e) of the Federal Crop Insurance Act ([7 U.S.C. 1508\(e\)](#)) is amended by adding at the end the following:

"(10) Cap on corn.—

"(A) In general.—No premium subsidy shall be paid for a crop year to any person or legal entity to the extent that the portion of such subsidy attributable to acreage planted to corn exceeds \$40,000.

"(B) Attribution.—For purposes of subparagraph (A), the portion of a premium subsidy attributable to corn shall be determined based on the ratio of—

"(i) the total insured acreage planted to corn; to

"(ii) the total insured acreage of all crops covered by the applicable policy or policies for the crop year.

"(C) Attribution and aggregation.—For purposes of applying this paragraph, the attribution and aggregation rules under section 1001 of the Food Security Act of 1985 ([7 U.S.C. 1308](#)) and section 1001A of such Act ([7 U.S.C. 1308–1](#)) shall apply, including rules treating interests held by related persons, legal entities, or arrangements under common control as attributable to a single person or legal entity."

(2) Application of attribution rules.—The attribution rules under section 1001 of the Food Security Act of 1985 ([7 U.S.C. 1308](#)) and section 1001A of such Act ([7 U.S.C. 1308–1](#)) shall apply for purposes of determining the person or legal entity receiving the subsidy.

(3) Rule of construction.—Nothing in this subsection shall be construed to limit access to crop insurance coverage; this subsection applies solely to the Federal share of premium subsidies attributable to corn.

(c) Phase-out of corn ethanol mandate.—

(1) Separate conventional biofuel standard.—Section 211(o)(2)(A)(i) of the Clean Air Act ([42 U.S.C. 7545\(o\)\(2\)\(A\)\(i\)](#)) is amended in the second sentence by inserting "conventional biofuel," after "renewable fuel,".

(2) Applicable volumes.—Section 211(o)(2)(B)(i) of the Clean Air Act ([42 U.S.C. 7545\(o\)\(2\)\(B\)\(i\)](#)) is amended by adding at the end the following:

"(V) Phase-down of conventional biofuel.—

"(aa) For calendar year 2027, the applicable volume of conventional biofuel shall equal 15,000,000,000 gallons.

"(bb) For calendar year 2028, the applicable volume of conventional biofuel shall equal 11,250,000,000 gallons.

"(cc) For calendar year 2029, the applicable volume of conventional biofuel shall equal 7,500,000,000 gallons.

"(dd) For calendar year 2030, the applicable volume of conventional biofuel shall equal 3,750,000,000 gallons.

"(ee) For calendar year 2031 and each calendar year thereafter, the applicable volume of conventional biofuel shall be zero.

"(ff) Separate percentage standard.—The Administrator shall establish and enforce a separate annual percentage standard for conventional biofuel based on the applicable volume under this subclause. Only conventional biofuel may be counted toward compliance with that standard, and no advanced biofuel, cellulosic biofuel, biomass-based diesel, or other renewable fuel may be used to satisfy it.";

(3) Savings clause.—Nothing in this subsection shall be construed to affect the applicable volumes of advanced biofuel, cellulosic biofuel, or biomass-based diesel under section 211(o)(2)(B).

(4) Prohibition on backfilling.—The Administrator may not increase the applicable volumes of any renewable fuel category other than conventional biofuel for the purpose of offsetting reductions required under subclause (V) of section 211(o)(2)(B)(i).

(d) Conforming amendments and implementation.—

(1) Regulations.—Not later than 60 days after the date of enactment of this Act, the Secretary of Agriculture and the Administrator of the Environmental Protection Agency shall issue interim final rules to carry out this section. 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 and the Administrator shall provide a public comment period of not less than 60 days after publication and shall issue final rules not later than 180 days after the date on which the interim final rules are issued.

(2) No preemption of antitrust law.—Nothing in this section shall be construed to limit the application of the antitrust laws (as defined in section 1 of the Clayton Act ([15 U.S.C. 12](#))) to the production, processing, or marketing of corn or corn-derived products.

(e) Effective date.—This section shall take effect beginning with the first crop year or calendar year, as applicable, that begins after the date of enactment of this Act.

Subtitle E—Working Waterfronts

SEC. 751. SEAFOOD FINANCE, MARKET DEVELOPMENT, AND INNOVATION.

(a) Department of Agriculture loans and grants for fishing and mariculture businesses.—

(1) Definitions of farmer and farming.—Section 343(a) of the Consolidated Farm and Rural Development Act ([7 U.S.C. 1991\(a\)](#)) is amended—

(A) in paragraph (1), by striking "farming." and inserting "farming, commercial fishing, or fish processing.";

(B) in paragraph (2), by striking "farming." and inserting "farming, commercial fishing, and fish processing."; and

(C) by adding at the end the following:

"(14) Commercial fishing.—The term 'commercial fishing' means fishing (as defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act ([16 U.S.C. 1802](#))) in which the fish harvested, either in whole or in part, are intended to enter commerce or enter commerce through sale, barter, or trade.

"(15) Commercial fishing vessel.—The term 'commercial fishing vessel' means a fishing vessel and a fish processing vessel (as those terms are defined in [section 2101 of title 46](#), United States Code).

"(16) Fish.—The term 'fish' has the meaning given the term in [section 2101 of title 46](#), United States Code.

"(17) Fish processing.—The term 'fish processing' means the processing of fish for commercial use or consumption.

"(18) Fish processing facility.—The term 'fish processing facility' means a facility or vessel, boat, ship, or other craft used or equipped for fish processing."

(2) Farm ownership loans.—

(A) Eligibility.—Section 302(a) of the Consolidated Farm and Rural Development Act ([7 U.S.C. 1922\(a\)](#)) is amended by adding at the end the following:

"(3) Eligibility of wild-caught fish and shellfish.—For purposes of direct and guaranteed farm loans under this subtitle—

"(A) the terms 'farmer' and 'rancher' shall include an individual or entity engaged in commercial fishing or fish processing; and