

119TH CONGRESS
1ST SESSION

S. _____

To amend the Agricultural Trade Act of 1978 to preserve foreign markets for goods using common names, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. THUNE (for himself, Ms. BALDWIN, Mr. MARSHALL, and Ms. SMITH) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Agricultural Trade Act of 1978 to preserve foreign markets for goods using common names, 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 “Safeguarding Amer-
5 ican Food and Export Trade Yields Act of 2025” or the
6 “SAFETY Act of 2025”.

1 **SEC. 2. PRESERVING FOREIGN MARKETS FOR GOODS**
2 **USING COMMON NAMES.**

3 (a) DEFINITIONS.—Section 102 of the Agricultural
4 Trade Act of 1978 (7 U.S.C. 5602) is amended—

5 (1) in the matter preceding paragraph (1), by
6 striking “As used in this Act—” and inserting “In
7 this Act:”;

8 (2) by redesignating paragraphs (2) through
9 (8) as paragraphs (3), (5), (6), (7), (8), (9), and
10 (4), respectively, and reordering accordingly;

11 (3) by inserting after paragraph (1) the fol-
12 lowing:

13 “(2) COMMON NAME.—

14 “(A) IN GENERAL.—The term ‘common
15 name’ means a name that—

16 “(i) is ordinarily or customarily used
17 for an agricultural commodity or food
18 product;

19 “(ii) is typically placed on the pack-
20 aging and product label of the agricultural
21 commodity or food product;

22 “(iii) with respect to wine—

23 “(I) is—

24 “(aa) ordinarily or custom-
25 arily used for a wine grape vari-
26 etal name; or

1 “(bb) a traditional term or
2 expression that is typically placed
3 on the packaging and label of the
4 wine; and

5 “(II) does not mean any appella-
6 tion of origin for wine listed in sub-
7 part C of part 9 of title 27, Code of
8 Federal Regulations (or successor reg-
9 ulations); and

10 “(iv) the use of which is consistent
11 with standards of the Codex Alimentarius
12 Commission.

13 “(B) EXAMPLES.—The following names
14 shall be considered common names under sub-
15 paragraph (A):

16 “(i) With respect to food products:

17 “(I) American.

18 “(II) Asiago.

19 “(III) Basmati.

20 “(IV) Black forest ham.

21 “(V) Bologna.

22 “(VI) Bratwurst.

23 “(VII) Chevre.

24 “(VIII) Chorizo.

25 “(IX) Colby.

- 1 “(X) Feta.
- 2 “(XI) Fontina.
- 3 “(XII) Gorgonzola.
- 4 “(XIII) Grana.
- 5 “(XIV) Gruyere.
- 6 “(XV) Kielbasa.
- 7 “(XVI) Limburger and
- 8 Limburgo.
- 9 “(XVII) Mascarpone.
- 10 “(XVIII) Monterey and Monterey
- 11 jack.
- 12 “(XIX) Mortadella.
- 13 “(XX) Munster and muenster.
- 14 “(XXI) Neufchatel.
- 15 “(XXII) Parmesan.
- 16 “(XXIII) Pecorino.
- 17 “(XXIV) Pepper Jack.
- 18 “(XXV) Prosciutto.
- 19 “(XXVI) Ricotta.
- 20 “(XXVII) Romano.
- 21 “(XXVIII) Salami.
- 22 “(XXIX) Swiss.
- 23 “(ii) With respect to wine:
- 24 “(I) The list of grape varietal
- 25 terms in section 4.91 of title 27, Code

1 of Federal Regulations (or a successor
2 regulation).

3 “(II) The grape variety designa-
4 tions administratively approved by the
5 Alcohol and Tobacco Tax and Trade
6 Bureau.

7 “(III) The following nonvarietal
8 descriptors:

9 “(aa) Chateau.

10 “(bb) Classic.

11 “(cc) Clos.

12 “(dd) Cream.

13 “(ee) Crusted and Crusting.

14 “(ff) Noble.

15 “(gg) Ruby.

16 “(hh) Sur lie.

17 “(ii) Tawny.

18 “(jj) Vintage.

19 “(kk) Vintage character.

20 “(iii) With respect to beer:

21 “(I) Bitter.

22 “(II) Pale Ale.

23 “(III) India Pale Ale.

24 “(IV) Mild.

25 “(V) Porter.

6

- 1 “(VI) Stout.
- 2 “(VII) Barleywine.
- 3 “(VIII) Dubbel.
- 4 “(IX) Quadrupel.
- 5 “(X) Witbier.
- 6 “(XI) Saison.
- 7 “(XII) Biere de Garde.
- 8 “(XIII) Oud Red.
- 9 “(XIV) Altbier.
- 10 “(XV) Weisse.
- 11 “(XVI) Gose.
- 12 “(XVII) Hefeweizen.
- 13 “(XVIII) Dunkel.
- 14 “(XIX) Helles.
- 15 “(XX) Rauchbier.
- 16 “(XXI) Pilsener.
- 17 “(XXII) Maerzen.
- 18 “(XXIII) Schwarzbier.
- 19 “(XXIV) Doppelbock.
- 20 “(XXV) Bock.
- 21 “(XXVI) Kellerbier.
- 22 “(XXVII) Munchener and Mu-
23 nich style.
- 24 “(XXVIII) Oktoberfest.
- 25 “(XXIX) Dortmunder.

1 “(XXX) Kolsch and Koelsch.

2 “(XXXI) Budejovick’e pivo
3 (Budweiser beer).

4 “(XXXII) Cream.

5 “(XXXIII) Grodziskie.

6 “(XXXIV) Jerez and sherry.

7 “(XXXV) Lager.

8 “(C) CONSIDERATIONS.—In making a de-
9 termination under subparagraph (A), the Sec-
10 retary may take into account—

11 “(i) competent sources, such as die-
12 tionaries, newspapers, professional journals
13 and literature, and information posted on
14 websites that are determined by the Sec-
15 retary to be reliable in reporting market
16 information;

17 “(ii) the use of the common name in
18 a domestic, regional, or international prod-
19 uct standard, including a standard promul-
20 gated by the Codex Alimentarius Commis-
21 sion, for the agricultural commodity or
22 food product; and

23 “(iii) the ordinary and customary use
24 of the common name in the production or
25 marketing of the agricultural commodity or

1 food product in the United States or in
2 other countries.”; and

3 (4) in paragraph (7) (as so redesignated), in
4 subparagraph (A)—

5 (A) in clause (v), by striking “or” at the
6 end;

7 (B) in clause (vi), by striking the period at
8 the end and inserting “; or”; and

9 (C) by adding at the end the following:

10 “(vii) prohibits or disallows the use of
11 the common name of an agricultural com-
12 modity or food product of the United
13 States.”.

14 (b) **NEGOTIATIONS TO DEFEND USE OF COMMON**
15 **NAMES.**—Title III of the Agricultural Trade Act of 1978
16 (7 U.S.C. 5652 et seq.) is amended by adding at the end
17 the following:

18 **“SEC. 303. NEGOTIATIONS TO DEFEND THE USE OF COM-**
19 **MON NAMES.**

20 “(a) **IN GENERAL.**—The Secretary shall coordinate
21 efforts with the United States Trade Representative to se-
22 cure the right of United States agricultural producers,
23 processors, and exporters to use common names for agri-
24 cultural commodities or food products in foreign markets
25 through the negotiation of bilateral, plurilateral, or multi-

1 lateral agreements, memoranda of understanding, or ex-
2 changes of letters that assure the current and future use
3 of each common name in connection with United States
4 agricultural commodities or food products.

5 “(b) BRIEFING.—The Secretary and the United
6 States Trade Representative shall jointly provide to the
7 Committee on Agriculture, Nutrition, and Forestry of the
8 Senate, the Committee on Finance of the Senate, the
9 Committee on Agriculture of the House of Representa-
10 tives, and the Committee on Ways and Means of the
11 House of Representatives a semi-annual briefing on their
12 efforts and success in carrying out subsection (a).”.