

118TH CONGRESS
1ST SESSION

S. 258

To provide clarification regarding the common or usual name for bison and compliance with section 403 of the Federal Food, Drug, and Cosmetic Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 2, 2023

Mr. HOEVEN (for himself, Mr. BENNET, Mr. CRAMER, Mr. TESTER, Mr. BRAUN, Ms. SMITH, Ms. ROSEN, Mr. THUNE, Mr. MORAN, and Mr. MARSHALL) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide clarification regarding the common or usual name for bison and compliance with section 403 of the Federal Food, Drug, and Cosmetic Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMMON OR USUAL NAME FOR NORTH AMERICAN BISON.

Section 403 of the Federal Food, Drug, and Cosmetic Act ([21 U.S.C. 343](#)) is amended by adding at the end the following:

“(z) (1) Subject to subparagraph (2), if it is a food that is or contains any animal in the genus *Bubalus* and the labeling uses the term ‘buffalo’ as a common or usual name for the food, unless the term used in the labeling is ‘water buffalo’.

“(2) Subparagraph (1) shall not be construed as prohibiting the use of the term ‘buffalo’ as a common or usual name for the animal *Bison bison bison* (commonly known as the plains bison), or the animal *Bison bison athabasca* (commonly known as the wood bison).”.