

117TH CONGRESS
1ST SESSION

S. 2860

To prohibit mandatory or compulsory checkoff programs.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2021

Mr. LEE (for himself and Mr. PAUL) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To prohibit mandatory or compulsory checkoff programs.

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 “Voluntary Checkoff
5 Program Participation Act”.

6 **SEC. 2. PROHIBITION ON MANDATORY OR COMPULSORY**
7 **CHECKOFF PROGRAMS.**

8 (a) **DEFINITION OF CHECKOFF PROGRAM.**—The
9 term “checkoff program” means a program to promote
10 and provide research and information for a particular
11 commodity without reference to specific producers or

1 brands, including a program carried out under any of the
2 following:

3 (1) The Cotton Research and Promotion Act (7
4 U.S.C. 2101 et seq.).

5 (2) The Potato Research and Promotion Act (7
6 U.S.C. 2611 et seq.).

7 (3) The Egg Research and Consumer Informa-
8 tion Act (7 U.S.C. 2701 et seq.).

9 (4) The Beef Research and Information Act (7
10 U.S.C. 2901 et seq.).

11 (5) The Wheat and Wheat Foods Research and
12 Nutrition Education Act (7 U.S.C. 3401 et seq.).

13 (6) The Floral Research and Consumer Infor-
14 mation Act (7 U.S.C. 4301 et seq.).

15 (7) Subtitle B of the Dairy Production Sta-
16 bilization Act of 1983 (7 U.S.C. 4501 et seq.).

17 (8) The Honey Research, Promotion, and Con-
18 sumer Information Act (7 U.S.C. 4601 et seq.).

19 (9) The Pork Promotion, Research, and Con-
20 sumer Information Act of 1985 (7 U.S.C. 4801 et
21 seq.).

22 (10) The Watermelon Research and Promotion
23 Act (7 U.S.C. 4901 et seq.).

24 (11) The Pecan Promotion and Research Act of
25 1990 (7 U.S.C. 6001 et seq.).

1 (12) The Mushroom Promotion, Research, and
2 Consumer Information Act of 1990 (7 U.S.C. 6101
3 et seq.).

4 (13) The Lime Research, Promotion, and Con-
5 sumer Information Act of 1990 (7 U.S.C. 6201 et
6 seq.).

7 (14) The Soybean Promotion, Research, and
8 Consumer Information Act (7 U.S.C. 6301 et seq.).

9 (15) The Fluid Milk Promotion Act of 1990 (7
10 U.S.C. 6401 et seq.).

11 (16) The Fresh Cut Flowers and Fresh Cut
12 Greens Promotion and Information Act of 1993 (7
13 U.S.C. 6801 et seq.).

14 (17) The Sheep Promotion, Research, and In-
15 formation Act of 1994 (7 U.S.C. 7101 et seq.).

16 (18) Section 501 of the Federal Agriculture Im-
17 provement and Reform Act of 1996 (7 U.S.C.
18 7401).

19 (19) The Commodity Promotion, Research, and
20 Information Act of 1996 (7 U.S.C. 7411 et seq.).

21 (20) The Canola and Rapeseed Research, Pro-
22 motion, and Consumer Information Act (7 U.S.C.
23 7441 et seq.).

1 (21) The National Kiwifruit Research, Pro-
 2 motion, and Consumer Information Act (7 U.S.C.
 3 7461 et seq.).

4 (22) The Popcorn Promotion, Research, and
 5 Consumer Information Act (7 U.S.C. 7481 et seq.).

6 (23) The Hass Avocado Promotion, Research,
 7 and Information Act of 2000 (7 U.S.C. 7801 et
 8 seq.).

9 (24) The Propane Education and Research Act
 10 of 1996 (15 U.S.C. 6401 et seq.).

11 (25) The Concrete Masonry Products Research,
 12 Education, and Promotion Act of 2018 (15 U.S.C.
 13 8701 et seq.).

14 (26) The National Oilheat Research Alliance
 15 Act of 2000 (42 U.S.C. 6201 note; Public Law 106–
 16 469).

17 (b) PROHIBITION.—No checkoff program shall be
 18 mandatory or compulsory.

19 (c) VOLUNTARY PARTICIPATION.—Producer partici-
 20 pation in a checkoff program shall be voluntary at the
 21 point of sale.

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