

115TH CONGRESS
2D SESSION

H. R. 7336

To amend the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act to provide that meat, poultry, and egg products containing certain pathogens or contaminants are adulterated, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2018

Ms. DELAURO introduced the following bill; which was referred to the
Committee on Agriculture

A BILL

To amend the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act to provide that meat, poultry, and egg products containing certain pathogens or contaminants are adulterated, 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 “Pathogen Reduction
5 and Testing Reform Act of 2018”.

1 **SEC. 2. PRODUCTS CONTAINING CERTAIN PATHOGENS OR**
2 **CONTAMINANTS ADULTERATED.**

3 (a) MEAT AND MEAT FOOD PRODUCTS.—Section
4 1(m) of the Federal Meat Inspection Act (21 U.S.C.
5 601(m)) is amended—

6 (1) in paragraph (1)—

7 (A) by inserting “or a microbial pathogen
8 that is associated with serious illness or death”
9 after “which may render it injurious to health”;
10 and

11 (B) by inserting “or such a microbial
12 pathogen” after “added substance”; and

13 (2) in paragraph (2)—

14 (A) by redesignating subparagraphs (B),
15 (C), and (D) as subparagraphs (C), (D), and
16 (E), respectively;

17 (B) by inserting after subparagraph (A)
18 the following new subparagraph:

19 “(B) if it bears or contains a strain of a
20 microbial pathogen, such as *Campylobacter* or
21 *Salmonella*, that is resistant to not fewer than
22 two critically important antibiotics for human
23 medicine (as specified in the World Health Or-
24 ganization’s list of Critically Important Antimi-
25 crobials);”; and

1 (C) in subparagraph (E) (as redesignated
2 by subparagraph (A)) by striking “clause (B),
3 (C), or (D)” and inserting “this subparagraph
4 or subparagraph (C) or (D)”.

5 (b) POULTRY AND POULTRY PRODUCTS.—Section
6 4(g) of the Poultry Products Inspection Act (21 U.S.C.
7 453(g)) is amended—

8 (1) in paragraph (1)—

9 (A) by inserting “or a microbial pathogen
10 that is associated with serious illness or death”
11 after “which may render it injurious to health”;
12 and

13 (B) by inserting “or such a microbial
14 pathogen” after “added substance”; and

15 (2) in paragraph (2)—

16 (A) by redesignating subparagraphs (B),
17 (C), and (D) as subparagraphs (C), (D), and
18 (E), respectively;

19 (B) by inserting after subparagraph (A)
20 the following new subparagraph:

21 “(B) if it bears or contains a strain of a
22 microbial pathogen, such as *Campylobacter* or
23 *Salmonella*, that is resistant to not fewer than
24 two critically important antibiotics for human
25 medicine (as specified in the World Health Or-

ganization’s list of Critically Important Antimicrobials);” and

(C) in subparagraph (E) (as redesignated by subparagraph (A)) by striking “clause (B), (C), or (D)” and inserting “this subparagraph or subparagraph (C) or (D)”.

(c) EGGS AND EGG PRODUCTS.—Section 4(a) of the Egg Products Inspection Act (21 U.S.C. 1033(a)) is amended—

(1) in paragraph (1)—

(A) by inserting “or a microbial pathogen that is associated with serious illness or death” after “which may render it injurious to health”; and

(B) by inserting “or such a microbial pathogen” after “added substance”; and

(2) in paragraph (2)—

(A) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively;

(B) by inserting after subparagraph (A) the following new subparagraph:

“(B) if it bears or contains a strain of a microbial pathogen, such as *Campylobacter* or *Salmonella*, that is resistant to not fewer than

two critically important antibiotics for human medicine (as specified in the World Health Organization’s list of Critically Important Antimicrobials);” and

(C) in subparagraph (E) (as redesignated by subparagraph (A)) by striking “clause (B), (C), or (D)” and inserting “this subparagraph or subparagraph (C) or (D)”.

SEC. 3. TESTING FOR CERTAIN PATHOGENS OR CONTAMINANTS REQUIRED.

(a) MEAT AND MEAT FOOD PRODUCTS.—The Federal Meat Inspection Act is amended by inserting after section 9 (21 U.S.C. 609) the following new section:

“SEC. 9A. TESTING FOR CERTAIN PATHOGENS OR CONTAMINANTS REQUIRED.

“Not later than one year after the date of the enactment of this section, the Secretary shall, for purposes of examinations or inspections conducted under this Act, establish sampling protocols and testing procedures using the methods and technologies the Secretary determines are most appropriate—

“(1) to determine if meat and meat food products are adulterated within the meaning of paragraph (1) or (2)(B) of section 1(m); and

1 “(2) to prevent the use in commerce of any
2 product that is determined to be so adulterated.”.

3 (b) POULTRY AND POULTRY PRODUCTS.—The Poul-
4 try Products Inspection Act is amended by inserting after
5 section 8 (21 U.S.C. 457) the following new section:

6 **“SEC. 8A. TESTING FOR CERTAIN PATHOGENS OR CON-**
7 **TAMINANTS REQUIRED.**

8 “Not later than one year after the date of the enact-
9 ment of this section, the Secretary shall, for purposes of
10 examinations or inspections conducted under this Act, es-
11 tablish sampling protocols and testing procedures using
12 the methods and technologies the Secretary determines
13 are most appropriate—

14 “(1) to determine if poultry and poultry prod-
15 ucts are adulterated within the meaning of para-
16 graph (1) or (2)(B) of section 4(g); and

17 “(2) to prevent the entry into or flow or move-
18 ment in commerce of, or the burdening of commerce
19 by, any such product that is determined to be so
20 adulterated.”.

21 (c) EGG AND EGG PRODUCTS.—The Egg Products
22 Inspection Act is amended by inserting after section 7 (21
23 U.S.C. 1036) the following new section:

1 **“SEC. 7A. TESTING FOR CERTAIN PATHOGENS OR CON-**
 2 **TAMINANTS REQUIRED.**

3 “Not later than one year after the date of the enact-
 4 ment of this section, the Secretary shall, for purposes of
 5 examinations or inspections conducted under this Act, es-
 6 tablish sampling protocols and testing procedures using
 7 the methods and technologies the Secretary determines
 8 are most appropriate—

9 “(1) to determine if eggs and egg products are
 10 adulterated within the meaning of paragraph (1) or
 11 (2)(B) of section 4(a); and

12 “(2) to prevent the entry into or flow or move-
 13 ment in commerce of, or the burdening of commerce
 14 by, any such product that is determined to be so
 15 adulterated.”.

16 **SEC. 4. REGULATIONS; EFFECTIVE DATE.**

17 (a) **REGULATIONS.**—Not later than 18 months after
 18 the date of the enactment of this Act, the Secretary of
 19 Agriculture shall issue regulations to carry out the amend-
 20 ments made by this Act.

21 (b) **EFFECTIVE DATE.**—The amendments made by
 22 this Act shall apply with respect to meat and meat food
 23 products, poultry and poultry products, and eggs and egg
 24 products entering into interstate or foreign commerce on
 25 or after the date of the enactment of this Act.