

Administration of Barack Obama, 2015

Memorandum on Creating a Preference for Meat and Poultry Produced According to Responsible Antibiotic-Use Policies

June 2, 2015

Memorandum for the Heads of Executive Departments and Agencies

Subject: Creating a Preference for Meat and Poultry Produced According to Responsible Antibiotic-Use Policies

Antibiotics support nearly all of modern medicine—including care for premature babies, cancer patients, and people who need surgery. Yet, overuse and misuse can reduce the effectiveness of these miracle drugs. Antibiotic resistance—when bacteria change so that they are able to grow in the presence of an antibiotic that would normally kill them or limit their growth—threatens to return us to a time when many people died from common infections, posing a serious threat to public health and the economy. Reducing antibiotic resistance will require stewardship practices in the use of antibiotics in medical and agricultural settings, including eliminating the practice of feeding medically important antibiotics to food-producing animals for growth promotion.

It is the policy of the Federal Government to encourage responsible uses of medically important antibiotics in the meat and poultry supply chain by supporting the emerging market for meat that has been produced according to responsible antibiotic-use policies. This policy will build on the important work of the Food and Drug Administration (FDA) and antibiotic manufacturers, which are already taking substantial steps to phase out the use of medically important antibiotics in food animals.

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to protect the health of the American people, I hereby direct as follows:

Section 1. Making Available in Certain Federal Cafeterias Meat and Poultry Produced According to Responsible Antibiotic-Use Policies. The Administrator of General Services, in consultation with the Secretary of Agriculture, the Secretary of Health and Human Services, and the Director of the Office of Management and Budget (OMB), shall take the following steps to make meat and poultry produced according to responsible antibiotic-use policies available in Federal cafeterias that the General Services Administration (GSA) manages (GSA cafeterias):

(a) within 120 days of the date of this memorandum, GSA shall initiate a process in which vendors, under new contract awards (including renewals), offer in GSA cafeterias, as an option, meat and poultry from animals that have been raised according to responsible antibiotic-use policies, to the extent such an option is available and cost effective.

(b) In conducting this effort, GSA shall:

(i) take steps to minimize price impact through:

(A) using competitive procedures, consistent with law, in the selection of vendors; and

(B) continuing to make available alternative food options, in addition to meat and poultry from animals that have been raised according to responsible antibiotic-use policies;

(ii) work to develop, for inclusion in food-service contracts in GSA cafeterias, appropriate contractual requirements to verify that vendors are providing meat and poultry produced according to responsible antibiotic-use policies;

(iii) analyze, in consultation with the Department of Agriculture and the Department of Health and Human Services, customer demand, product supply, and market prices; and

(iv) ensure that GSA cafeteria vendors appropriately identify meat and poultry items from animals that have been raised according to responsible antibiotic-use policies.

(c) For 3 years after the initiation of the process described in this section, GSA shall report annually on the customer demand, product supply, and market prices of meat and poultry produced according to responsible antibiotic-use policies to the Director of OMB and the Task Force for Combating Antibiotic-Resistant Bacteria (Task Force) established by Executive Order 13676 of September 18, 2014.

(d) During this 3-year period, executive departments and agencies (agencies) that contract for food in their own cafeterias and make meat and poultry produced according to responsible antibiotic-use policies available in their own cafeterias, may choose to similarly submit customer demand, product supply, and market price information to the Director of OMB and the Task Force, subject to the requirements of this section and under their own authorities.

Sec. 2. Broadening the Availability of Meat and Poultry Produced According to Responsible Antibiotic-Use Policies in Federal Cafeterias. By 2020, each agency shall develop and implement a strategy that creates a preference for awarding contracts to vendors that offer, as an option, meat and poultry produced according to responsible antibiotic-use policies for sale in domestic Federal cafeterias to civilian Federal employees and visitors, to the extent such an option is available and cost effective. In furtherance of this requirement, I hereby direct that:

(a) The Task Force shall:

(i) on an ongoing basis, review the data received pursuant to section 1 of this memorandum as it becomes available and, considering such data and other relevant data sources, conduct an ongoing analysis of the customer demand, product supply, and market prices of meat and poultry produced according to responsible antibiotic-use policies; and

(ii) develop a recommended strategy for creating the preference described in the opening paragraph of this section.

(b) Agencies operating cafeterias in the United States for the primary purpose of serving civilian employees and visitors shall:

(i) consider the recommended strategy developed by the Task Force and, subject to their own authorities, develop a strategy that creates a preference as described in the opening paragraph of this section; and

(ii) implement the strategy developed under section 2(b)(i) of this memorandum for poultry by 2018 and for meats by 2020.

Sec. 3. Developing a Strategy for Federal Acquisition of Meat and Poultry Produced According to Responsible Antibiotic-Use Policies. (a) The Task Force shall recommend a strategy for consideration by the Federal Acquisition Regulatory Council (FAR Council) for applying a preference in Federal acquisitions for meat and poultry produced according to responsible antibiotic-use policies served or sold in all Federal facilities. The strategy shall include criteria for appropriate exceptions, including exceptions to ensure acquisitions of such products can be made at fair and reasonable prices and within a reasonable timeframe.

(b) By 2020, to the extent permitted by law, the FAR Council shall issue a proposed rule to amend the Federal Acquisition Regulation to implement a preference, with appropriate exceptions, for acquisitions of meat and poultry produced according to responsible antibiotic-use policies served or sold in all Federal facilities.

Sec. 4. Definitions. (a) "Medically important antibiotics" shall have the meaning it is given in FDA's Guidance for Industry (GFI) 213, Appendix A.

(b) "Responsible antibiotic-use policies," such as FDA GFI 209 and 213, are those policies under which meat and poultry producers use medically important antibiotics only under veterinary oversight and only when needed to prevent, control, and treat disease—but not for growth promotion.

Sec. 5. General Provisions. (a) This memorandum shall be implemented consistent with applicable law, including international trade obligations, and subject to the availability of appropriations.

(b) Nothing in this memorandum shall be construed to impair or otherwise affect:

- (i) the authority granted by law to a department, agency, or the head thereof; or
- (ii) the functions of the Director of OMB relating to budgetary, administrative, or legislative proposals.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA

Categories: Communications to Federal Agencies : Meat and poultry produced according to antibiotic-use policies, Federal Government preference, memorandum.

Subjects: Agriculture : Meat and poultry production policies, strengthening efforts; Diseases : Antibiotic-resistant bacteria.

DCPD Number: DCPD201500413.