

§ 2101. Findings

Congress finds that—

- (1) the safety and integrity of the United States food supply are vital to public health, to public confidence in the food supply, and to the success of the food sector of the Nation's economy;
- (2) illnesses and deaths of individuals and companion animals caused by contaminated food—
 - (A) have contributed to a loss of public confidence in food safety; and
 - (B) have caused significant economic losses to manufacturers and producers not responsible for contaminated food items;
- (3) the task of preserving the safety of the food supply of the United States faces tremendous pressures with regard to—
 - (A) emerging pathogens and other contaminants and the ability to detect all forms of contamination;
 - (B) an increasing volume of imported food from a wide variety of countries; and
 - (C) a shortage of adequate resources for monitoring and inspection;

(4) according to the Economic Research Service of the Department of Agriculture, the United States is increasing the amount of food that it imports such that—

- (A) from 2003 to 2007, the value of food imports has increased from \$45,600,000,000 to \$64,000,000,000; and
- (B) imported food accounts for 13 percent of the average American diet including 31 percent of fruits, juices, and nuts, 9.5 percent of red meat, and 78.6 percent of fish and shellfish; and

(5) the number of full-time equivalent Food and Drug Administration employees conducting inspections has decreased from 2003 to 2007.

(Pub. L. 110-85, title X, §1001, Sept. 27, 2007, 121 Stat. 962.)

§ 2102. Ensuring the safety of pet food**(a) Processing and ingredient standards**

Not later than 2 years after September 27, 2007, the Secretary of Health and Human Services (referred to in this chapter as the “Secretary”), in consultation with the Association of American Feed Control Officials and other relevant stakeholder groups, including veterinary medical associations, animal health organizations, and pet food manufacturers, shall by regulation establish—

- (1) processing standards for pet food; and
- (2) updated standards for the labeling of pet food that include nutritional and ingredient information.

(b) Early warning surveillance systems and notification during pet food recalls

Not later than 1 year after September 27, 2007, the Secretary shall establish an early warning and surveillance system to identify adulteration of the pet food supply and outbreaks of illness associated with pet food. In establishing such system, the Secretary shall—

(1) consider using surveillance and monitoring mechanisms similar to, or in coordination with, those used to monitor human or animal health, such as the Foodborne Diseases Active Surveillance Network (FoodNet) and PulseNet of the Centers for Disease Control and Prevention, the Food Emergency Response Network of the Food and Drug Administration and the Department of Agriculture, and the National Animal Health Laboratory Network of the Department of Agriculture;

(2) consult with relevant professional associations and private sector veterinary hospitals;

(3) work with the National Companion Animal Surveillance Program, the Health Alert Network, or other notification networks as appropriate to inform veterinarians and relevant stakeholders during any recall of pet food; and

(4) use such information and conduct such other activities as the Secretary deems appropriate.

(Pub. L. 110-85, title X, §1002, Sept. 27, 2007, 121 Stat. 963; Pub. L. 115-234, title III, §306(b), Aug. 14, 2018, 132 Stat. 2441.)

Editorial Notes**REFERENCES IN TEXT**

This chapter, referred to in subsec. (a), was in the original “this title”, meaning title X of Pub. L. 110-85, Sept. 27, 2007, 121 Stat. 962, which enacted this chapter and section 350f of this title, amended sections 321 and 331 of this title, and enacted provisions set out as notes under sections 350f and 2110 of this title. For complete classification of title X to the Code, see Tables.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115-234 redesignated pars. (2) and (3) as (1) and (2), respectively, and struck out former par. (1) which read as follows: “ingredient standards and definitions with respect to pet food;”.

§ 2103. Ensuring efficient and effective communications during a recall

The Secretary shall, during an ongoing recall of human or pet food regulated by the Secretary—

(1) work with companies, relevant professional associations, and other organizations to collect and aggregate information pertaining to the recall;

(2) use existing networks of communication, including electronic forms of information dissemination, to enhance the quality and speed of communication with the public; and

(3) post information regarding recalled human and pet foods on the Internet Web site of the Food and Drug Administration in a single location, which shall include a searchable database of recalled human foods and a searchable database of recalled pet foods, that is easily accessed and understood by the public.

(Pub. L. 110-85, title X, §1003, Sept. 27, 2007, 121 Stat. 963.)

§ 2104. State and Federal cooperation**(a) In general**

The Secretary shall work with the States in undertaking activities and programs that assist