HB3567

LRB10330049RLC56472b

103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3567

Introduced 2/17/2023, by Rep. Norma Hernandez

SYNOPSIS AS INTRODUCED:

New Act

Creates the Administration of the Transparent and Responsible Antibiotic Use Act. Provides that, on or after January 1, 2025, feed distributors shall report to the Department of Agriculture all veterinary feed directives associated with medicated feed distributed to producers along with associated feed distribution records. Provides that the Department shall set a target for reducing the use of medically important antibiotics in food processing by 50%. Provides that the Attorney General has exclusive authority to enforce the provisions of this Act and each violation of this Act is punishable by a civil penalty not to exceed $1,000 to be paid to the Department and deposited into the Agricultural Premium Fund in the State treasury. Provides that the Attorney General may seek injunctive relief to prevent further violations of the Act. Defines terms.

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A BILL FOR

AN ACT concerning animals.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Transparent and Responsible Antibiotic Use Act.

Section 5. Findings; purpose.

(a) The General Assembly finds and declares that:

(1) In 2019, deaths associated with drug-resistant infections ranked as the third-leading cause of death globally.

(2) Experts warn that without swift action to reduce antibiotic use, drug-resistant infections could claim 10 million lives across the world annually by 2050.

(3) The Centers for Disease Control and Prevention has stated that, "You and I are living in a time when some miracle drugs [antibiotics] no longer perform miracles and families are being ripped apart by a microscopic enemy. The time for action is now and we can be part of the solution".

(4) The issue of antibiotic overuse, whether on humans or animals, is a significant and urgent human health matter.

(5) The United States Food and Drug Administration and

the Centers for Disease Control and Prevention have stated that there is a definitive link between the use of antibiotics on industrial farms and the crisis of antibiotic resistance in humans.

(6) National targets are in place to reduce antibiotic use in human health care, and hospitals that participate in Medicare and Medicaid are required to implement antibiotic stewardship programs and collect antibiotic use data. That level of focus and accountability doesn't exist in agriculture.

(7) Nearly two-thirds of medically important antibiotics sold in the United States are given to food-producing animals, often to compensate for the effects of unsanitary and overcrowded living conditions.

(8) Many of the antibiotics provided to food-producing animals are identical to, or from the same family as, drugs used in human medicine to cure serious diseases; therefore, bacterial resistance to these drugs poses a threat to human health because these drugs may not work to treat human disease when needed.

(9) Producers often use medically important antibiotics to compensate for industrial farming conditions. The World Health Organization recommends "complete restriction of use of all classes of medically important antimicrobials in food-producing animals for prevention of infectious diseases that have not yet been

clinically diagnosed".

(10) Passing this Act is necessary to protect the health and safety of Illinois consumers from antibiotic resistant bacteria spreading through the food supply.

(b) The purpose of this Act is to protect public health by preserving the effectiveness of antibiotics now and for future generations by reducing antibiotic use in food animal production.

Section 10. Definitions. In this Act:

"Department" means the Illinois Department of Agriculture.

"Disease control" means the use of a medically important antibiotic to stop the transmission of a documented disease or infection present in:

(1) a group of animals in contact with each other; or

(2) a barn or equivalent animal housing unit.

"Disease prevention" means the administration of a medically important antibiotic to an animal or multiple animals in the absence of contact with animals with a clinically diagnosed disease for the purpose of avoiding illness.

"Food-producing animal" means:

(1) cattle, swine, or poultry, regardless of whether the specific animal is raised for the purpose of producing food for human consumption; or

(2) any type of animal that the Department identifies

by rule as livestock typically used to produce food for human consumption.

"Medically important antibiotic" means a drug that is composed in whole or in part of a drug from an antimicrobial class that is categorized as critically important, highly important, or important in the World Health Organization list of Critically Important Antimicrobials for Human Medicine (5th Revision, 2017), or a subsequent revision or successor document issued by the World Health Organization.

"Producer" means a person or entity that establishes management and production standards for the maintenance, care, and raising of food-producing animals and that:

(1) operates a business raising food-producing animals that are used to produce any product group sold by a grocer; or

(2) purchases or otherwise obtains live food-producing animals that it slaughters, or sells for slaughter, for production of any product group sold by a grocer.

"Disease treatment" means administering a medically important antibiotic to infected individual animals or populations of animals to resolve clinical signs of infection or illness.

"Growth maintenance" means administering a medically important antibiotic to food-producing animals for the purpose of maintaining weight.

"Veterinary feed directive (VFD)" means a written

(nonverbal) statement issued by a licensed veterinarian in the course of the veterinarian's professional practice that orders the use of a VFD drug or combination VFD drug in or on an animal feed. This written statement authorizes the client (the owner of the animal or animals or other caretaker) to obtain and use animal feed bearing or containing a VFD drug or combination VFD drug to treat the client's animals only in accordance with the conditions for use approved, conditionally approved, or indexed by the Food and Drug Administration.

"Veterinary feed directive (VFD) drug" is a drug intended for use in or on animal feed which is limited by an approved application filed pursuant to Section 512(b) of the Federal Food, Drug, and Cosmetic Act, a conditionally approved application filed pursuant to Section 571 of the Federal Food, Drug, and Cosmetic Act, or an index listing under Section 572 of the Federal Food, Drug, and Cosmetic Act to use under the professional supervision of a licensed veterinarian. Use of animal feed bearing or containing a VFD drug must be authorized by a lawful veterinary feed directive.

"Feed distributor" means any person who distributes a medicated feed containing a VFD drug to another person. Such other person may be another distributor or the client-recipient of a VFD.

Section 15. Collecting and reporting antibiotic use data.

(a) This Section applies to the collection and reporting

of antibiotic use data on or after January 1, 2025.

(b) Feed distributors shall report to the Department all Veterinary Feed Directives associated with medicated feed distributed to producers along with associated feed distribution records. The distribution records shall indicate:

(1) the rate of inclusion of active ingredients;

(2) the dates the feed was distributed; and

(3) the total volume of feed shipped to clients (final users) for each VFD.

(c) The Department shall compile data submitted by feed distributors on antibiotic use into a publicly available report issued annually. In each annual report, the following summary information on distributed medicated feeds collected from the aforementioned feed mills shall be included:

(1) the quantity of antibiotic active ingredients present in distributed feeds;

(2) the indications or reasons for use of each medicated feed product;

(3) the type of use such as disease treatment, disease control, disease prevention, and growth maintenance;

(4) the duration of use;

(5) the animal species and animal production class receiving the feed; and

(6) the approximate number of animals receiving antibiotics.

Section 20. Setting targets for reducing antibiotic use. The Department shall set a target for reducing the use of medically important antibiotics in food-producing animals by 50%. The Department shall:

(1) use the first full year of antibiotic use reported as its baseline;

(2) begin to measure progress against that reduction target annually;

(3) set a deadline for meeting that reduction target within 5 years after the first antibiotic use data is reported; and

(4) work with relevant stakeholders in implementing antibiotic stewardship practices that will result in overall antibiotic use reductions.

Section 25. Violations. The Attorney General has exclusive authority to enforce the provisions of this Act. Each violation of this Act is punishable by a civil penalty not to exceed $1,000 to be paid to the Department and deposited into the Agricultural Premium Fund in the State treasury. The Attorney General may seek injunctive relief to prevent further violations of this Act.