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(Original Signature of Member)

118TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend the Federal Food, Drug, and Cosmetic Act to authorize the Secretary of Health and Human Services to share food safety information with State, local, Tribal, and Territorial authorities, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Ms. Ross introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Federal Food, Drug, and Cosmetic Act to authorize the Secretary of Health and Human Services to share food safety information with State, local, Tribal, and Territorial authorities, 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 “Federal and State  
5 Food Safety Information Sharing Act of 2024”.

1 **SEC. 2. SHARING FOOD SAFETY INFORMATION WITH STATE,**  
2 **LOCAL, TRIBAL, AND TERRITORIAL AUTHORI-**  
3 **TIES.**

4 (a) IN GENERAL.—Section 708 of the Federal Food,  
5 Drug, and Cosmetic Act (21 U.S.C. 379) is amended by  
6 adding at the end the following:

7 “(d) SHARING FOOD SAFETY INFORMATION WITH  
8 STATE, LOCAL, TRIBAL, AND TERRITORIAL AUTHORI-  
9 TIES.—

10 “(1) AUTHORIZATION.—Notwithstanding sec-  
11 tion 301(j) and any other law, regulation, or policy,  
12 the Secretary may share, with a State, local, Tribal,  
13 or Territorial authority with counterpart functions  
14 related to the protection of public health, unredacted  
15 information in the possession of the Food and Drug  
16 Administration relating to any of the following:

17 “(A) Foodborne illness surveillance data.

18 “(B) Laboratory sampling testing informa-  
19 tion.

20 “(C) Inspectional information and results.

21 “(D) Distribution lists for recalls and out-  
22 breaks.

23 “(E) Consumer complaints.

24 “(F) Any other information the Secretary  
25 determines will assist such authority in pro-  
26 tecting the public.

1           “(2) TIMING.—The Secretary may share infor-  
2           mation pursuant to paragraph (1) as soon as is rea-  
3           sonably practicable.

4           “(3) LIMITATION ON FURTHER DISCLOSURE.—  
5           A State, local, Tribal, or Territorial authority in re-  
6           ceipt of information provided by the Secretary under  
7           this subsection shall not further disclose such infor-  
8           mation without permission of the Food and Drug  
9           Administration unless such authority determines  
10          that disclosure of such information is necessary to  
11          contain a foodborne illness outbreak, carry out a re-  
12          call or carry out other State enforcement activities.

13          “(4) EFFECT OF SUBSECTION.—Nothing in this  
14          subsection affects the ability of the Secretary to  
15          enter into any written agreement authorized by  
16          other provisions of law to share confidential informa-  
17          tion.”.

18          (b) CONFORMING AMENDMENT.—The first sentence  
19          of section 301(j) of the Federal Food, Drug, and Cosmetic  
20          Act (21 U.S.C. 331(j)) is amended—

21                 (1) by striking “The” and inserting “Except as  
22                 provided in section 708(d), the”; and

23                 (2) by striking the second period at the end.

1 **SEC. 3. GRANTS TO ENHANCE FOOD SAFETY.**

2 (a) IN GENERAL.—Section 1009 of the Federal  
3 Food, Drug, and Cosmetic Act (21 U.S.C. 399) is amend-  
4 ed—

5 (1) in subsection (d)(1), by striking “3” and in-  
6 serting “5”; and

7 (2) in subsection (e)—

8 (A) by striking “3” and inserting “5”; and

9 (B) by amending the second sentence to  
10 read as follows: “In the event the Secretary  
11 conducts a program evaluation, funding in sub-  
12 sequent years of the grant, where applicable,  
13 shall be contingent on a successful program  
14 evaluation by the Secretary after the first year  
15 of the grant.”.

16 (b) APPLICABILITY.—The amendments made by sub-  
17 section (a) apply only with respect to grants awarded  
18 under section 1009 of the Federal Food, Drug, and Cos-  
19 metic Act (21 U.S.C. 399) on or after the date of the en-  
20 actment of this Act.