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(Original Signature of Member)

119TH CONGRESS  
2D SESSION

**H. R.**

To provide the Food and Drug Administration needed authorities to carry out its regulatory mission with respect to human foods, to provide additional resources and authorities with respect to human foods research, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

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

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**A BILL**

To provide the Food and Drug Administration needed authorities to carry out its regulatory mission with respect to human foods, to provide additional resources and authorities with respect to human foods research, 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. TABLE OF CONTENTS.**

4 The table of contents for this Act is as follows:

- Sec. 1. Table of contents.
- Sec. 2. Sense of Congress on funding food sector innovation projects.
- Sec. 3. Advisory Committee on Human Foods.

- Sec. 4. Critical research grant program.
- Sec. 5. HFP and CDER center of excellence.
- Sec. 6. Paperwork Reduction Act exemption for FDA research.
- Sec. 7. Recordkeeping requirements for processed food recipes.
- Sec. 8. Public-private partnership for information sharing and chemical limits in foods.

1 **SEC. 2. SENSE OF CONGRESS ON FUNDING FOOD SECTOR**  
2 **INNOVATION PROJECTS.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that an account, to be known as the “Human Foods  
5 Innovation Account”, should be established for purposes  
6 of the Food and Drug Administration carrying out the ac-  
7 tivities described in subsection (b).

8 (b) FDA ACTIVITIES.—The activities described in  
9 this subsection are—

10 (1) the critical research grants under section 4;

11 (2) the establishment and maintenance of the  
12 center of excellence described in section 5;

13 (3) the public-private partnership under section  
14 8;

15 (4) the development of modernized standards  
16 for human foods, including foods for infants and  
17 young children;

18 (5) the development of modernized standards  
19 for enhanced human food safety and supply chain  
20 continuity;

21 (6) advances in human foods nutrition innova-  
22 tion;

1 (7) the development of strengthened dietary  
2 supplement authorities;

3 (8) research relating to human foods bio-  
4 technology;

5 (9) the development of modernized regulatory  
6 tools for chemicals in human foods;

7 (10) modernizing risk assessment and enhanced  
8 risk-informed decision making with respect to  
9 human foods;

10 (11) enhanced technical capacity using hiring  
11 authority provided by the Food and Drug Omnibus  
12 Reform Act of 2022 (title III of division FF of Pub-  
13 lic Law 117–328); and

14 (12) such projects enabling innovation and  
15 technological advancements in the human foods sec-  
16 tor and a fuller understanding of nutrition, as the  
17 Commissioner determines appropriate.

18 **SEC. 3. ADVISORY COMMITTEE ON HUMAN FOODS.**

19 (a) IN GENERAL.—The Secretary of Health and  
20 Human Services (in this section referred to as the “Sec-  
21 retary”) shall establish and maintain a permanent advi-  
22 sory committee to be known as the “Advisory Committee  
23 on Human Foods” (referred to in this section as the  
24 “Committee”).

1 (b) DUTIES OF COMMITTEE.—The Committee shall  
2 advise the Commissioner on issues related to food science,  
3 nutrition, and food safety.

4 (c) MEMBERS.—The Secretary shall ensure that the  
5 Committee is composed of experts on nutrition, experts  
6 on food safety, and representatives of consumer, producer,  
7 and health professional organizations.

8 **SEC. 4. CRITICAL RESEARCH GRANT PROGRAM.**

9 (a) CRITICAL RESEARCH GRANTS.—The Secretary of  
10 Health and Human Services (in this section referred to  
11 as the “Secretary”), acting through the Commissioner of  
12 Food and Drugs and the Director of the National Insti-  
13 tutes of Health, shall award grants, on a competitive basis,  
14 to eligible entities to promote research in critical areas,  
15 including—

- 16 (1) food biotechnology;
- 17 (2) nutrition initiatives to promote greater ac-  
18 cess to healthier foods and information about foods;
- 19 (3) infant and maternal nutrition;
- 20 (4) health impacts of ultra-processed foods;
- 21 (5) safety and reliability of specialty foods such  
22 as infant formula;
- 23 (6) health impacts of dietary supplements; and

1           (7) public understanding of the risks and bene-  
2           fits of ultra-processed foods, dietary supplements,  
3           and other nutrition sources.

4           (b) COLLABORATION.—In awarding grants under  
5           subsection (a), the Secretary shall prioritize projects that  
6           foster collaboration among a broad range of partners.

7           (c) APPLICATIONS.—To be eligible to receive a grant  
8           under this section, an entity shall submit to the Secretary  
9           an application at such time, in such manner, and con-  
10          taining such information as the Secretary may determine  
11          appropriate.

12          (d) ELIGIBLE ENTITY DEFINED.—In this section,  
13          the term “eligible entity” means a public or private non-  
14          profit organization with recognized capacity and expertise  
15          in one or more of the areas described in subsection (a).

16          **SEC. 5. HFP AND CDER CENTER OF EXCELLENCE.**

17          (a) IN GENERAL.—The Commissioner of Food and  
18          Drugs, acting through the Deputy Commissioner of  
19          Human Foods and the Director of the Center for Drug  
20          Evaluation and Research, shall establish and maintain a  
21          center of excellence to improve nutrition science and how  
22          nutrition relates to medicine.

23          (b) ACTIVITIES OF CENTER OF EXCELLENCE.—The  
24          center of excellence established under subsection (a)  
25          shall—

1           (1) coordinate the programs and activities of  
2           the Food and Drug Administration relating to areas  
3           of convergence between the Human Foods Program  
4           and the programs and activities of the Center for  
5           Drug Evaluation and Research, including related  
6           to—

7                   (A) the rise of medical drug use in weight  
8           loss;

9                   (B) medications to mitigate the effects of  
10           allergic reactions from exposure to certain  
11           foods;

12                   (C) the role of nutrition in maintaining  
13           overall health along or in conjunction with  
14           pharmaceutical interventions, physical activity,  
15           and other activities; and

16                   (D) programs that support healthy eating  
17           through the medical system, such as produce  
18           prescription programs; and

19           (2) act as a platform for agency-wide collabora-  
20           tion and communication to drive research and inno-  
21           vation in the food-as-medicine field.

1 **SEC. 6. PAPERWORK REDUCTION ACT EXEMPTION FOR FDA**  
2 **RESEARCH.**

3 Chapter X of the Federal Food, Drug, and Cosmetic  
4 Act (21 U.S.C. 391 et seq.) is amended by adding at the  
5 end the following:

6 **“SEC. 1015. PAPERWORK REDUCTION ACT EXEMPTION.**

7 “Subchapter I of chapter 35 of title 44, United States  
8 Code, (commonly referred to as the ‘Paperwork Reduction  
9 Act’) shall not apply to the voluntary collection of informa-  
10 tion during the conduct of research by the Food and Drug  
11 Administration.”.

12 **SEC. 7. RECORDKEEPING REQUIREMENTS FOR PROCESSED**  
13 **FOOD RECIPES.**

14 Section 414(a) of the Federal Food, Drug, and Cos-  
15 metic Act (21 U.S.C. 350c(a)) is amended—

16 (1) by redesignating paragraph (3) as para-  
17 graph (5);

18 (2) by inserting after paragraph (2) the fol-  
19 lowing:

20 “(3) PROCESSED FOOD RECIPES.—With respect  
21 to an article of food that is a processed food, each  
22 person (excluding farms and restaurants) who man-  
23 ufactures, processes, packs, distributes, receives,  
24 holds, or imports such article shall, at the request of  
25 an officer or employee duly designated by the Sec-  
26 retary, permit such officer or employee, upon presen-

1 tation of appropriate credentials and a written notice  
2 to such person, at reasonable times and within rea-  
3 sonable limits and in a reasonable manner, to have  
4 access to and copy all records relating to the recipe  
5 and contents of such article, including—

6 “(A) the labeled and nonlabeled ingredi-  
7 ents;

8 “(B) the amounts of each ingredient; and

9 “(C) listings of all relevant authorizations  
10 by product.

11 “(4) NONLABELED INGREDIENTS.—

12 “(A) IN GENERAL.—With respect to an ar-  
13 ticle of food that is a processed food that in-  
14 cludes contents which are not declared on the  
15 label, the manufacturer (excluding farms and  
16 restaurants) of such article shall submit to the  
17 Commissioner the contents, including flavors,  
18 colors, spices, and incidental additives, of such  
19 article.

20 “(B) DISCLOSURE.—The Commissioner  
21 shall publish on a website a list of articles de-  
22 scribed in subparagraph (A) and their con-  
23 tents.”; and

24 (3) in paragraph (5), as so redesignated, by  
25 striking “The requirement under paragraphs (1) and

1 (2) applies” and inserting “The requirements under  
2 paragraphs (1) through (3) apply”.

3 **SEC. 8. PUBLIC-PRIVATE PARTNERSHIP FOR INFORMATION**

4 **SHARING AND CHEMICAL LIMITS IN FOODS.**

5 (a) IN GENERAL.—The Commissioner of Food and  
6 Drugs (in this section referred to as the “Commissioner”)  
7 shall enter into a partnership with 1 or more appropriate  
8 nongovernmental entities—

9 (1) to facilitate information sharing across in-  
10 dustry, academia, and consumer groups about the  
11 composition, use, and long-term impacts of food  
12 packaging materials; and

13 (2) to recommend to the Commissioner appro-  
14 priate limits for chemicals in food and food-contact  
15 substances.

16 (b) REPORTS TO CONGRESS.—Not later than 18  
17 months after the date on which the Commissioner enters  
18 into the partnership described in subsection (a), and annu-  
19 ally thereafter, the Commissioner shall submit to Congress  
20 a report describing the work completed by the partnership  
21 and any ongoing work of the partnership.