

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 2379

4
5 By: Representative Lendall
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For An Act To Be Entitled

8
9 AN ACT TO PROTECT FOOD FOR HUMAN CONSUMPTION FROM
10 ANIMAL PRODUCTS INCLUDING NONTHERAPEUTIC
11 ANTIBIOTICS; AND FOR OTHER PURPOSES.
12

Subtitle

13
14 AN ACT TO PROTECT FOOD FOR HUMAN
15 CONSUMPTION FROM ANIMAL PRODUCTS
16 INCLUDING NONTHERAPEUTIC ANTIBIOTICS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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SECTION 1. Findings.

21 The General Assembly finds:

22 (1) Many bacteria can live in both humans and animals;

23 (2) Antibiotic-resistant bacteria can move by various routes from
24 animals to humans, for instance, through:

25 (A) Food, with resistant bacteria contaminating animal carcasses
26 during slaughter, winding up on raw meat that reaches the consumer, and if
27 the meat is not cooked thoroughly, if cutting boards or knives are not
28 thoroughly washed before being used on other food, or if raw meat juices come
29 into contact with other food or utensils, those germs may infect people who
30 eat the food or touch the utensils or household surfaces contaminated by the
31 raw meat;

32 (B) Food-borne illness, with, for example, salmonella from
33 poultry causes one million four hundred thousand (1,400,000) illnesses
34 annually;

35 (C) The environment, where wastes often stored in open-air
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1 lagoons that are prone to leaking, breaking or spreading on fields where they
 2 may contaminate vegetables and fruits, which then can transfer resistant
 3 bacteria to humans; and

4 (D) Workplaces where farm workers may become infected with
 5 resistant germs in the course of caring for animals fed antibiotics and may
 6 then pass those bacteria along to their family and others in the community;
 7 and

8 (3) Use of antimicrobial drugs in food-producing animals may lead to
 9 the emergence of bacterial pathogens that are resistant to drugs used to
 10 treat human illness, potentially making human illnesses more difficult to
 11 treat.

12
 13 SECTION 2 . Arkansas Code Title 2, Chapter 37, Subchapter 1 is amended
 14 to add an additional section to read as follows:

15 2-37-115. Nontherapeutic uses of antibiotics prohibited.

16 (a)(1) After January 1, 2004, no person may sell, buy, or use animal
 17 feed containing fluorquinolones for nontherapeutic use.

18 (2) After January 1, 2005, no person may sell, buy, or use
 19 animal feed containing penicillin, tetracycline, erythromycin, lincomycin,
 20 tylosin, virginiamycin, or other antibiotics used in human medicine for a
 21 nontherapeutic use.

22 (b) The State Plant Board, in consultation with the Department of
 23 Health, shall promulgate rules to prohibit the use of any microbial agents
 24 for growth in animals if the agent is used in human therapies or is known to
 25 be selected for cross-resistance to microbial agents used in human medicine.

26 (c)(1) A person who manufactures, distributes, or sells commercial
 27 feeds containing antibiotics shall pay to the plant board an annual surcharge
 28 of one percent (1%) of the person's annual gross sales of all commercial
 29 feeds sold that contain antibiotics and are used in Arkansas.

30 (2)(A) The moneys from the surcharge shall be deposited into the
 31 State Treasury to the credit of the Plant Board Fund and shall be limited to
 32 the uses specified in subdivision (c)(2)(C) of this section.

33 (B) The principal may not be spent and deposits made shall
 34 be returned to the person who paid the surcharge five (5) years after the
 35 payment.

36 (C) The Director of the State Plant Board shall use the

1 earnings from the deposits to:

2 (i) Monitor antibiotic resistance in animals raised
3 for human consumption;

4 (ii) Survey antimicrobial-resistant salmonella in
5 retail meats;

6 (iii) In consultation with the Arkansas Department
7 of Environmental Quality, monitor bacteria, resistant bacteria, and
8 antibiotic residues in drinking water supplies; and

9 (iv) In consultation with the University of Arkansas
10 Cooperative Extension Service, support on-farm demonstrations of alternatives
11 to antibiotics for growth promotion.

12 (d) Fees collected shall constitute a fund for the payment of the
13 costs of inspection, sampling, analysis, and other expenses necessary for
14 administration of this chapter and shall be deposited into the State Treasury
15 to the credit of the Plant Board Fund.

16 (e) For purposes of this section, "nontherapeutic use" means any use
17 of antimicrobial drug in animals in the absence of disease, including the use
18 for growth promotion, feed efficiency, or disease prevention.

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