



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1891

Introduced 2/9/2023, by Sen. David Koehler

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.

LRB103 28852 RLC 55237 b

1 AN ACT concerning animals.

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

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

6 Section 5. Findings; purpose.

7 (a) The General Assembly finds and declares that:

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

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

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

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

23 (5) The United States Food and Drug Administration and

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

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

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

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

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

1 clinically diagnosed".

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

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

9 Section 10. Definitions. In this Act:

10 "Department" means the Illinois Department of Agriculture.

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

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

15 (2) a barn or equivalent animal housing unit.

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

21 "Food-producing animal" means:

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

25 (2) any type of animal that the Department identifies

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

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

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

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

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

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

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

26 "Veterinary feed directive (VFD)" means a written

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

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

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

24 Section 15. Collecting and reporting antibiotic use data.

25 (a) This Section applies to the collection and reporting

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

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

- 6 (1) the rate of inclusion of active ingredients;
7 (2) the dates the feed was distributed; and
8 (3) the total volume of feed shipped to clients (final
9 users) for each VFD.

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

- 15 (1) the quantity of antibiotic active ingredients
16 present in distributed feeds;
17 (2) the indications or reasons for use of each
18 medicated feed product;
19 (3) the type of use such as disease treatment, disease
20 control, disease prevention, and growth maintenance;
21 (4) the duration of use;
22 (5) the animal species and animal production class
23 receiving the feed; and
24 (6) the approximate number of animals receiving
25 antibiotics.

1 Section 20. Setting targets for reducing antibiotic use.
2 The Department shall set a target for reducing the use of
3 medically important antibiotics in food-producing animals by
4 50%. The Department shall:

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

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

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

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

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