

Requested by SENATE COMMITTEE ON HEALTH CARE

**PROPOSED AMENDMENTS TO
SENATE BILL 785**

1 On page 1 of the printed bill, delete lines 4 through 28 and delete pages
2 2 through 4 and insert:

3 **“SECTION 1. As used in sections 1 to 5 of this 2017 Act:**

4 **“(1) ‘Food-producing animal’ means:**

5 **“(a) All cattle, swine or poultry, regardless of whether the specific**
6 **animal is raised for the purpose of producing food for human con-**
7 **sumption; or**

8 **“(b) Any animal of a type that the State Department of Agriculture**
9 **identifies by rule as livestock typically used to produce food for human**
10 **consumption.**

11 **“(2) ‘Livestock producer’ means a person raising a food-producing**
12 **animal for commercial purposes.**

13 **“(3) ‘Medically important antibiotic’ means a drug that is composed**
14 **in whole or in part of:**

15 **“(a) A form of penicillin, tetracycline, macrolide, lincosamide,**
16 **streptogramin, aminoglycoside, sulfonamide or cephalosporin; or**

17 **“(b) A drug from an antimicrobial class that is categorized as crit-**
18 **ically important, highly important or important in the World Health**
19 **Organization list of Critically Important Antimicrobials for Human**
20 **Medicine (3rd Revision, 2011), or a subsequent revision or successor**
21 **document issued by the World Health Organization that is recognized**

1 by rule by the department.

2 **“SECTION 2. The Legislative Assembly finds and declares:**

3 **“(1) The World Health Organization has stated that ‘without ur-**
4 **gent, coordinated action by many stakeholders, the world is headed for**
5 **a post-antibiotic era, in which common infections and minor injuries**
6 **which have been treatable for decades can once again kill.’**

7 **“(2) The United States Food and Drug Administration and the**
8 **Centers for Disease Control and Prevention have stated that there is**
9 **a definitive link between the routine use of antibiotics for both disease**
10 **prevention and growth promotion on industrial farms and the crisis**
11 **of bacterial antibiotic resistance in humans.**

12 **“(3) The issue of antibiotics overuse, whether on humans or ani-**
13 **mals, is a significant and urgent human health matter.**

14 **“(4) Up to 70 percent of all antibiotics sold in the United States are**
15 **administered to food-producing animals, often in a routine manner for**
16 **the purpose of promoting growth or for the purpose of compensating**
17 **for the effects of insanitary and overcrowded conditions.**

18 **“(5) Many of the antibiotics administered to food-producing animals**
19 **are identical to, or from the same family as, drugs used in human**
20 **medicine to cure serious diseases. According to the Centers for Disease**
21 **Control and Prevention, because the antibiotics are similar, bacteria**
22 **resistant to the antibiotics administered to food-producing animals**
23 **will also be resistant to the antibiotics used in humans.**

24 **“SECTION 3. The purpose of sections 1 to 5 of this 2017 Act is to**
25 **protect public health by preserving the effectiveness of antibiotics now**
26 **and for future generations by eliminating the routine administration**
27 **of those important medicines for growth promotion, feed efficiency or**
28 **disease prevention, resulting in reducing the rise and spread of**
29 **antibiotic-resistant bacteria.**

30 **“SECTION 4. (1) A livestock producer may administer a medically**

1 **important antibiotic to a food-producing animal only if the adminis-**
2 **tration of the antibiotic is:**

3 **“(a) Necessary for treating a disease or infection;**

4 **“(b) Necessary for controlling the spread of a disease or infection**
5 **that is present on the premises; or**

6 **“(c) Necessary in relation to a surgical or other medical procedure**
7 **that exposes a normally sterile body site to infection.**

8 **“(2) A livestock producer may administer a medically important**
9 **antibiotic to a food-producing animal only for the period necessary to**
10 **accomplish the purpose described in subsection (1) of this section for**
11 **administering the antibiotic. In addition to any information described**
12 **in section 5 of this 2017 Act, the livestock producer shall keep a record**
13 **of the specific beginning and ending dates for the administration of**
14 **the antibiotic.**

15 **“SECTION 5. (1) A livestock producer that operates a large con-**
16 **centrated animal feeding operation as defined by the United States**
17 **Environmental Protection Agency must file an annual report under**
18 **this section in a form and manner required by the State Department**
19 **of Agriculture by rule. If the livestock producer and a contracting**
20 **entity enter into an agreement for the contracting entity to assume**
21 **the annual report filing duty, the contracting entity shall include in**
22 **the annual report the name and address of the livestock producer on**
23 **whose behalf it is submitting the annual report. If any medically im-**
24 **portant antibiotics were administered to food-producing animals dur-**
25 **ing the reporting period, the annual report must contain the following**
26 **information:**

27 **“(a) The total number of food-producing animals administered**
28 **medically important antibiotics;**

29 **“(b) The types of medically important antibiotics administered;**

30 **“(c) The amount of each medically important antibiotic adminis-**

1 **tered;**

2 **“(d) The species of food-producing animals that were administered**
3 **medically important antibiotics;**

4 **“(e) The length of time that a medically important antibiotic was**
5 **intended to be administered to the food-producing animals;**

6 **“(f) The dosage of medically important antibiotic that was intended**
7 **to be administered to the food-producing animals;**

8 **“(g) The method for administering the medically important antibi-**
9 **otic to the food-producing animal;**

10 **“(h) The purpose for administering the medically important antibi-**
11 **otic to the food-producing animal; and**

12 **“(i) The type of disease or infection, if any, that was intended to**
13 **be prevented, treated or controlled by the administration of the med-**
14 **ically important antibiotic.**

15 **“(2) For purposes of subsection (1)(h) of this section, the purpose**
16 **for administering a medically important antibiotic to a food-producing**
17 **animal must be reported as:**

18 **“(a) Preventing disease;**

19 **“(b) Treating a disease or infection;**

20 **“(c) Controlling the spread of a disease or infection that is present**
21 **on the premises; or**

22 **“(d) Relating to a surgical or other medical procedure that exposes**
23 **a normally sterile body site to infection.**

24 **“(3) Information reported under this section is a public record and,**
25 **notwithstanding ORS 192.501 and 192.502, is not subject to exemption**
26 **from disclosure. The State Department of Agriculture may not redact,**
27 **withhold or delay the release of information reported under this sec-**
28 **tion.**

29 **“(4) The department shall consult with the Oregon Health Authority**
30 **as necessary to fulfill the requirements of this section.**

1 **“(5) The department may adopt rules for the administration and**
2 **enforcement of this section.**

3 **“SECTION 6.** Section 5 of this 2017 Act is amended to read:

4 **“Sec. 5.** (1) A livestock producer that operates a large concentrated ani-
5 mal feeding operation as defined by the United States Environmental Pro-
6 tection Agency must file an annual report under this section in a form and
7 manner required by the State Department of Agriculture by rule. If the
8 livestock producer and a contracting entity enter into an agreement for the
9 contracting entity to assume the annual report filing duty, the contracting
10 entity shall include in the annual report the name and address of the live-
11 stock producer on whose behalf it is submitting the annual report. If any
12 medically important antibiotics were administered to food-producing animals
13 during the reporting period, the annual report must contain the following
14 information:

15 “(a) The total number of food-producing animals administered medically
16 important antibiotics;

17 “(b) The types of medically important antibiotics administered;

18 “(c) The amount of each medically important antibiotic administered;

19 “(d) The species of food-producing animals that were administered med-
20 ically important antibiotics;

21 “(e) The length of time that a medically important antibiotic was intended
22 to be administered to the food-producing animals;

23 “(f) The dosage of medically important antibiotic that was intended to be
24 administered to the food-producing animals;

25 “(g) The method for administering the medically important antibiotic to
26 the food-producing animal;

27 “(h) The purpose **listed under section 4 of this 2017 Act** for adminis-
28 tering the medically important antibiotic to the food-producing animal; and

29 “(i) **If administered to treat or control the spread of a disease or**
30 **infection**, the type of disease or infection[, *if any,*] that was intended to be

1 *[prevented,] treated or controlled by the administration of the medically im-*
2 *portant antibiotic.*

3 *“(2) For purposes of subsection (1)(h) of this section, the purpose for ad-*
4 *ministering a medically important antibiotic to a food-producing animal must*
5 *be reported as:]*

6 *“[(a) Preventing disease;]*

7 *“[(b) Treating a disease or infection;]*

8 *“[(c) Controlling the spread of a disease or infection that is present on the*
9 *premises; or]*

10 *“[(d) Relating to a surgical or other medical procedure that exposes a*
11 *normally sterile body site to infection.]*

12 *“[(3)] (2) Information reported under this section is a public record and,*
13 *notwithstanding ORS 192.501 and 192.502, is not subject to exemption from*
14 *disclosure. The State Department of Agriculture may not redact, withhold*
15 *or delay the release of information reported under this section.*

16 *“[(4)] (3) The department shall consult with the Oregon Health Authority*
17 *as necessary to fulfill the requirements of this section.*

18 *“[(5)] (4) The department may adopt rules for the administration and*
19 *enforcement of this section and section 4 of this 2017 Act.*

20 **“SECTION 7. Section 4 of this 2017 Act and the amendments to**
21 **section 5 of this 2017 Act by section 6 of this 2017 Act apply to the**
22 **administration of medically important antibiotics to food-producing**
23 **animals on or after January 1, 2019.**

24 **“SECTION 8. Section 5 of this 2017 Act applies to activities con-**
25 **ducted by concentrated animal feeding operations on or after January**
26 **1, 2018.**

27 **“SECTION 9. The amendments to section 5 of this 2017 Act by sec-**
28 **tion 6 of this 2017 Act become operative on January 1, 2019.**

29 **“SECTION 10. This 2017 Act being necessary for the immediate**
30 **preservation of the public peace, health and safety, an emergency is**

1 **declared to exist, and this 2017 Act takes effect on its passage.”.**

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