

H.R.2419

Food and Energy Security Act of 2007 (Engrossed Amendment as Agreed to by Senate)

Subtitle C--DOMESTIC PET TURTLE MARKET ACCESS

SEC. 11101. SHORT TITLE.

This title may be cited as the `Domestic Pet Turtle Equality Act'.

SEC. 11102. FINDINGS.

Congress makes the following findings:

(1) Pet turtles less than 10.2 centimeters in diameter have been banned for sale in the United States by the Food and Drug Administration since 1975 due to health concerns.

(2) The Food and Drug Administration does not ban the sale of iguanas or other lizards, snakes, frogs, or other amphibians or reptiles that are sold as pets in the United States that carry salmonella bacteria. The Food and Drug Administration also does not require that these animals be treated for salmonella bacteria before being sold as pets.

(3) The technology to treat turtles for salmonella, and make them safe for sale, has greatly advanced since 1975. Treatments exist that can eradicate salmonella from turtles up until the point of sale, and individuals are more aware of the causes of salmonella, how to treat salmonella poisoning, and the seriousness associated with salmonella poisoning.

(4) University research has shown that these turtles can be treated in such a way that they can be raised, shipped, and distributed without having a recolonization of salmonella.

(5) University research has also shown that pet owners can be equipped with a treatment regimen that allows the turtle to be maintained safe from salmonella.

(6) The Food and Drug Administration and the Department of Agriculture should allow the sale of turtles less than 10.2 centimeters in diameter as pets as long as the sellers are required to use proven methods to treat these turtles for salmonella.

SEC. 11103. REVIEW, REPORT, AND ACTION ON THE SALE OF BABY TURTLES.

(a) Pet Turtle- In this section, the term `pet turtle' means a turtle that is less than 10.2 centimeters in diameter.

(b) Prevalence of Salmonella- Not later than 60 days after the date of enactment of this title, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall determine the prevalence of salmonella in each species of reptile and amphibian sold legally as a pet in the United States in order to determine whether the prevalence of salmonella in reptiles and amphibians sold legally as pets in the United States on average is not more than 10 percent less than the percentage of salmonella in pet turtles.

(c) Action if Prevalence Is Similar- If the prevalence of salmonella in reptiles and amphibians sold legally as pets in the United States on average is not more than 10 percent less than the percentage of salmonella in pet turtles--

(1) the Secretary of Agriculture shall--

(A) conduct a study to determine how pet turtles can be sold safely as pets in the United States and provide recommendations to Congress not later than 150 days after the date of such determination;

(B) in conducting such study, consult with all relevant stakeholders, such as the Centers for Disease Control and Prevention, the turtle farming industry, academia, and the American Academy of Pediatrics; and

(C) examine the safety measures taken to protect individuals from salmonella-related dangers involved with reptiles and amphibians sold legally in the United States that contain a similar or greater presence of salmonella than that of pet turtles; and

(2) the Secretary of Agriculture--

(A) may not prohibit the sale of pet turtles in the United States; or

(B) shall prohibit the sale in the United States of any reptile or amphibian that contains a similar or greater prevalence of salmonella than that of pet turtles.