

117<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1202

To improve the health and safety of Americans living with food allergies and related disorders, including potentially life-threatening anaphylaxis, food protein-induced enterocolitis syndrome, and eosinophilic gastrointestinal diseases, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 22, 2021

Ms. MATSUI (for herself, Mr. MCHENRY, Mrs. LURIA, and Mr. GONZALEZ of Ohio) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To improve the health and safety of Americans living with food allergies and related disorders, including potentially life-threatening anaphylaxis, food protein-induced enterocolitis syndrome, and eosinophilic gastrointestinal diseases, 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. SHORT TITLE.**

4 This Act may be cited as the “Food Allergy Safety,  
5 Treatment, Education, and Research Act of 2021” or the  
6 “FASTER Act of 2021”.

1 **SEC. 2. FOOD ALLERGY SAFETY.**

2 (a) IN GENERAL.—Section 201(qq)(1) of the Federal  
3 Food, Drug, and Cosmetic Act (21 U.S.C. 321(qq)(1)) is  
4 amended by striking “and soybeans” and inserting “soy-  
5 beans, and sesame”.

6 (b) EFFECTIVE DATE.—The amendment made by  
7 subsection (a) shall apply to any food that is introduced  
8 or delivered for introduction into interstate commerce on  
9 or after January 1, 2023.

10 **SEC. 3. REPORT TO CONGRESS.**

11 (a) REPORT.—Not later than 18 months after the  
12 date of enactment of this Act, the Secretary of Health and  
13 Human Services (referred to in this section as the “Sec-  
14 retary”) shall submit to the Committee on Health, Edu-  
15 cation, Labor, and Pensions of the Senate and the Com-  
16 mittee on Energy and Commerce of the House of Rep-  
17 resentatives a report that includes—

18 (1) descriptions of ongoing Federal activities re-  
19 lated to—

20 (A) the surveillance and collection of data  
21 on the prevalence of food allergies and severity  
22 of allergic reactions for specific food or food in-  
23 gredients, including the identification of any  
24 gaps in such activities;

25 (B) the development of effective food al-  
26 lergy diagnostics;

1 (C) the prevention of the onset of food al-  
2 lergies;

3 (D) the reduction of risks related to living  
4 with food allergies; and

5 (E) the development of new therapeutics to  
6 prevent, treat, cure, and manage food allergies;  
7 and

8 (2) specific recommendations and strategies to  
9 expand, enhance, or improve activities described in  
10 paragraph (1), including—

11 (A) strategies to improve the accuracy of  
12 food allergy prevalence data by expanding and  
13 intensifying current collection methods, includ-  
14 ing support for research that includes the iden-  
15 tification of biomarkers and tests to validate  
16 survey data and the investigation of the use of  
17 identified biomarkers and tests in national sur-  
18 veys;

19 (B) strategies to overcome gaps in surveil-  
20 lance and data collection activities related to  
21 food allergies and specific food allergens; and

22 (C) recommendations for the development  
23 and implementation of a regulatory process and  
24 framework that would allow for the timely,  
25 transparent, and evidence-based modification of

1 the definition of “major food allergen” included  
2 in section 201(qq) of the Federal Food, Drug  
3 and Cosmetic Act (21 U.S.C. 321(qq)), includ-  
4 ing with respect to—

5 (i) the scientific criteria for defining a  
6 food or food ingredient as a “major food  
7 allergen” pursuant to such process, includ-  
8 ing recommendations pertaining to evi-  
9 dence of the prevalence and severity of al-  
10 lergic reactions to a food or food ingredient  
11 that would be required in order to establish  
12 that such food or food ingredient is an al-  
13 lergen of public health concern appropriate  
14 for such process; and

15 (ii) opportunities for stakeholder en-  
16 gagement and comment, as appropriate, in  
17 considering any such modification to such  
18 definition.

19 (b) PUBLICATION.—The Secretary shall make the re-  
20 port under subsection (a) available on the internet website  
21 of the Department of Health and Human Services.

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