117th Congress 1st Session

H. R. ______

To amend the Bill Emerson Good Samaritan Food Donation Act to provide protection for the good faith donation of pet products, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. Raskin introduced the following bill; which was referred to the Committee on __________________________

A BILL

To amend the Bill Emerson Good Samaritan Food Donation Act to provide protection for the good faith donation of pet products, and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

2 SECTION 1. SHORT TITLE.

3 This Act may be cited as the “Bring Animals Relief and Kibble Act of 2021” or as the “BARK Act of 2021”.

4 SEC. 2. AMENDMENT TO DEFINITIONS.

5 Section 22(b) of the Child Nutrition Act of 1966 (42

6 U.S.C. 1791(b)) is amended—
(1) in paragraph (1), by inserting before the period at the end the following: “, and includes pet supplies”;

(2) in paragraph (4), by inserting after “human consumption” and inserting the following: “or pet, emotional support animal, or service animal consumption”;

(3) in paragraph (10), by inserting after “caterer, farmer,” the following “pet food supplier,”;

(4) by adding at the end the following:

“(11) EMOTIONAL SUPPORT ANIMAL.—The term ‘emotional support animal’ means an animal that is covered by the exclusion specified in section 5.303 of title 24, Code of Federal Regulations (or a successor regulation), and that is not a service animal.

“(12) PET.—The term ‘pet’ means a domesticated animal, such as a dog, cat, bird, rodent, fish, turtle, or other animal that is kept for pleasure rather than for commercial purposes.

“(13) PET SUPPLIES.—The term ‘pet supplies’ means tangible personal property used for pets, including pet carriers, crates, kennels, houses, cages, clothing, bedding, toys, collars, leashes, leads, tie-outs, feeders, bowls, dishes, pet gates, or pet doors.
“(14) **SERVICE ANIMAL.**—The term ‘service animal’ has the meaning given the term in section 36.104 of title 28, Code of Federal Regulations (or a successor regulation).”.

**SEC. 3. EXPANSION OF SCOPE OF PURPOSES FOR DONATION.**

Section 22(c) of the Child Nutrition Act of 1966 (42 U.S.C. 1791(c)) is amended—

1. in paragraph (1), by inserting after “donates in good faith to a nonprofit organization” the following: “or, in case only of a donation for ultimate distribution to pets, to a State or unit of local government,”;

2. in paragraph (2), by adding at the end the following: “A unit of local government shall not be subject to liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the unit of local government received as a donation in good faith from a person or gleaner for ultimate distribution to pets.”; and

3. by inserting after “needy individuals” each place it appears the following: “or pets”.