

117TH CONGRESS
1ST SESSION

H. R. 5684

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

OCTOBER 22, 2021

Mr. RASKIN (for himself, Mrs. MCBATH, Mr. UPTON, Mrs. KIM of California, Mr. BLUMENAUER, Mr. SMITH of Washington, Mr. POCAN, Mr. LIEU, Ms. NORTON, Ms. ROYBAL-ALLARD, Ms. MCCOLLUM, Mr. POSEY, Mr. TRONE, Mr. QUIGLEY, Mr. COHEN, Mrs. HAYES, Ms. TENNEY, Ms. ROSS, Ms. SALAZAR, Ms. SPEIER, and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Education and Labor

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 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 “Bring Animals Relief
5 and Kibble Act of 2021” or as the “BARK Act of 2021”.

1 **SEC. 2. AMENDMENT TO DEFINITIONS.**

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

4 (1) in paragraph (1), by inserting before the pe-
5 riod at the end the following: “, and includes pet
6 supplies”;

7 (2) in paragraph (4), by inserting after “human
8 consumption” and inserting the following: “or pet,
9 emotional support animal, or service animal con-
10 sumption”;

11 (3) in paragraph (10), by inserting after “ca-
12 terer, farmer,” the following “pet food supplier,”;

13 (4) by adding at the end the following:

14 “(11) EMOTIONAL SUPPORT ANIMAL.—The
15 term ‘emotional support animal’ means an animal
16 that is covered by the exclusion specified in section
17 5.303 of title 24, Code of Federal Regulations (or a
18 successor regulation), and that is not a service ani-
19 mal.

20 “(12) PET.—The term ‘pet’ means a domes-
21 ticated animal, such as a dog, cat, bird, rodent, fish,
22 turtle, or other animal that is kept for pleasure rath-
23 er than for commercial purposes.

24 “(13) PET SUPPLIES.—The term ‘pet supplies’
25 means tangible personal property used for pets, in-
26 cluding pet carriers, crates, kennels, houses, cages,

1 clothing, bedding, toys, collars, leashes, leads, tie-
2 outs, feeders, bowls, dishes, pet gates, or pet doors.

3 “(14) SERVICE ANIMAL.—The term ‘service
4 animal’ has the meaning given the term in section
5 36.104 of title 28, Code of Federal Regulations (or
6 a successor regulation).”.

7 **SEC. 3. EXPANSION OF SCOPE OF PURPOSES FOR DONA-**
8 **TION.**

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

11 (1) in paragraph (1), by inserting after “do-
12 nates in good faith to a nonprofit organization” the
13 following: “or, in case only of a donation for ulti-
14 mate distribution to pets, to a State or unit of local
15 government,”;

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

- 1 (3) by inserting after “needy individuals” each
- 2 place it appears the following: “or pets”.

○