

The National Grocers Association (NGA) represents 21,000 independent community grocers and wholesalers across the United States. Independent community grocers account for 33 percent of all grocery sales, exceeding \$250 billion, and more than 1 million American jobs.

What is Traceability?

In 2022, the FDA issued a Food Traceability Rule that is complex and virtually impossible to implement in the given 3-year timeframe. It requires the tracking of a large list of foods from the exact spot in the field where ingredients are grown through every single step in the food supply chain until the food is sold to consumers. It requires a complex web of communication between technological systems that do not currently talk to each other and some that do not even exist.

What can Congress do to help?

Pass the **Food Traceability Enhancement Act**, introduced by Reps. Scott Franklin (R-FL), Sanford Bishop (D-GA), and Jimmy Panetta (D-CA), to help strengthen grocers' ability to comply with FDA's Food Traceability Rule and enhance the FDA foodborne illness outbreak investigation process.

Support — Food Traceability Enhancement Act (H.R. 7563)

- ✦ **Recordkeeping** – Reduces the record keeping requirement timeframe from two (2) years to one (1) year.
- ✦ **Traceability Lot Codes** – Removes the requirement for downstream grocers to maintain or provide traceability lot codes to FDA or others in the supply chain.
- ✦ **Pilot Projects** – Requires FDA to conduct pilot projects in coordination with the food industry to: (1) measure the effectiveness of conducting outbreak investigations without the use of traceability lot code information and (2) identify and evaluate the effectiveness of low-cost food tracing technologies.
- ✦ **Report** – Requires FDA to provide a report to Congress on the findings from the pilots.
- ✦ **Extension of Rule Compliance Date** – Extends the compliance date of the rule to at least two (2) years after the pilot projects.
- ✦ **Information Sharing** – Within 90 days of enactment of the bill FDA, must provide a report to Congress outlining any legal and other barriers that prevent sharing information on foodborne illness outbreak investigations with the food industry.

At the HEART of the community.



Strengthen Food Safety Through Effective Traceability

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Support --- FY 2025 Appropriations Language

FY25 House Language (Bill Text)

SEC. 768. No funds appropriated by this Act may be

- ◆ Used to implement, administer, or enforce the Requirements for Additional Traceability Records for Certain Foods published on November 21, 2022 (87 Fed. Reg. 70910), or any other rule promulgated in accordance with section 204 of the FDA Food Safety Modernization Act (21 U.S.C. 2223) until the U.S. Food and Drug Administration:
 - 1) completes at least 4 pilot projects using numerous products on the Food Traceability List, in coordination with farms and with food industry members operating restaurants, retail food establishments, warehouses distributing to retail food establishments, farms, and restaurants, to
 - (A) measure the effectiveness of foodborne illness outbreak investigations conducted without requiring tracing to a single lot code; and
 - (B) identify and evaluate the feasibility and effectiveness of low-cost food tracing technologies; and
 - (2) extends the compliance date for such rule to at least two years after the date on which the pilot projects required by section (A) are successfully completed allowing FDA to retrieve the information they need for an investigation/recall.

FY25 Senate Language (Report Only)

Traceability Rule.—The Committee encourages the FDA, before implementing or enforcing the compliance requirements of the “Requirements for Additional Traceability Records for Certain Foods” published on November 21, 2022 (87 Fed. Reg. 70910), or any other rule promulgated in accordance with section 204 of the FDA Food Safety Modernization Act (21 U.S.C. 2223), to conduct multiple pilot projects, using numerous products on the Food Traceability List, with the regulated entities, including farms, restaurants, retail food establishments, and warehouses distributing to retail food establishments and restaurants to: (1) measure the effectiveness of foodborne illness outbreak investigations conducted without requiring tracing to a single lot code; and (2) identify and evaluate the feasibility and effectiveness of low-cost food tracing technologies. Furthermore, the Committee expects the FDA to provide the Committee with a report following the completion of the pilot projects and to extend the compliance date of the rule by at least 2 years after the completion of the pilot projects

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