

IN THE SENATE OF THE UNITED STATES

A BILL

To improve the health and safety of Americans living with Celiac Disease (greater than 1% of the population), Non-Celiac Gluten Sensitivity and food allergies, including from food protein induced damage to the intestinal lining, malnutrition, permanent immunological scarring, iron deficiency anemia, diarrhea, vomiting, migraines, osteoporosis, additional autoimmune diseases, heart disease, intestinal cancers, and potentially life-threatening anaphylaxis.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Food Allergy Safety, Treatment, Education, and Research Act of 2021” or the “FASTER Act of 2022”.

SEC. 2. FOOD ALLERGY SAFETY AND LABELING.

- (a) IN GENERAL. - Section 201(qq)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(qq)(1)) is amended by striking “wheat” and inserting “Gluten-containing grains (e.g. wheat, rye, barley and oats)”. **[OR, in the alternative, IN GENERAL.- Section 201(qq)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(qq)(1)) is amended by striking “soybeans, and sesame” and inserting “soybeans, sesame, and Gluten-containing grains (e.g. wheat, rye, barley and oats)”.]**
- (b) Update To Compliance Policy Guide. Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall update Compliance Policy Guide, section 555.250, to conform with applicable laws related to major food allergens including Gluten-containing grains and other requirements under this Act.
- (c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to any food that is introduced or delivered for introduction into interstate commerce on or after January 1, 2024.

SEC. 3. DEFINITIONS.

- (a) DEFINITIONS APPLICABLE IN THIS ACT. - The term “Gluten-containing grains” means any one of the following grains (or any crossbred hybrid thereof):
 - 1) Wheat, including any species belonging to the genus *Triticum*.
 - 2) Rye, including any species belonging to the genus *Secale*.
 - 3) Barley, including any species belonging to the genus *Hordeum*.

- 4) Oats, including any species belonging to the genus *Avena sativa*.
- (b) The term “Gluten” means the proteins that:
 - 1) naturally occur in a Gluten-containing grains; and
 - 2) cause adverse health effects in persons with Celiac Disease and/or food hypersensitivities related thereto.

SEC. 4. REPORT TO CONGRESS.

(a) **REPORT.** - Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that includes—

(1) descriptions of ongoing Federal activities related to—

(A) the surveillance and collection of data on the prevalence of Celiac Disease and severity of allergic reactions for specific food or food ingredients, including the identification of any gaps in such activities;

(B) the development of effective Celiac Disease diagnostics;

(C) the prevention of the onset of Celiac Disease;

(D) the reduction of risks related to living with Celiac Disease; and

(E) the development of new therapeutics to prevent, treat, cure, and manage Celiac Disease; and

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

(A) strategies to improve the accuracy of Celiac Disease prevalence data by expanding and intensifying current collection methods, including support for research that includes the identification of biomarkers and tests to validate survey data and the investigation of the use of identified biomarkers and tests in national surveys;

(B) strategies to overcome gaps in surveillance and data collection activities related to Celiac Diseases and specific food allergens; and

(b) **PUBLICATION.**—The Secretary shall make the report under subsection (a) available on the internet website of the Department of Health and Human Services.