

110TH CONGRESS  
1ST SESSION

# H. R. 924

To require the Food and Drug Administration to permit the sale of baby turtles as pets so long as the seller uses proven methods to effectively treat salmonella.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2007

Mr. ALEXANDER (for himself, Mr. BAKER, Mr. McCRERY, Mr. BOUSTANY, Mr. JINDAL, Mr. JEFFERSON, and Mr. MELANCON) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To require the Food and Drug Administration to permit the sale of baby turtles as pets so long as the seller uses proven methods to effectively treat salmonella.

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 “Domestic Pet Turtle  
5       Market Access Act of 2007”.

6       **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

1           (1) Pet turtles less than 10.2 centimeters in di-  
2           ameter have been banned for sale in the United  
3           States by the Food and Drug Administration since  
4           1975 due to health concerns.

5           (2) The Food and Drug Administration does  
6           not ban the sale of iguanas or other lizards, snakes,  
7           frogs, or other amphibians or reptiles that are sold  
8           as pets in the United States that also carry sal-  
9           monella bacteria. The Food and Drug Administra-  
10          tion also does not require that these animals be  
11          treated for salmonella bacteria before being sold as  
12          pets.

13          (3) The technology to treat turtles for sal-  
14          monella, and make them safe for sale, has greatly  
15          advanced since 1975. Treatments exist that can  
16          nearly eradicate salmonella from turtles, and individ-  
17          uals are more aware of the causes of salmonella, how  
18          to treat salmonella bacteria, and the seriousness as-  
19          sociated with salmonella bacteria.

20          (4) University research has shown that these  
21          turtles can be treated in such a way that they can  
22          be raised, shipped, and distributed without having a  
23          recolonization of salmonella.

24          (5) University research has also shown that pet  
25          owners can be equipped with a treatment regiment

1       that allows the turtle to be maintained safe from sal-  
2       monella.

3           (6) The Food and Drug Administration should  
4       allow the sale of turtles less than 10.2 centimeters  
5       in diameter as pets as long as the sellers are re-  
6       quired to use proven methods to treat the turtles for  
7       salmonella and maintain a safe pet.

8   **SEC. 3. SALE OF BABY TURTLES.**

9       (a) IN GENERAL.—Notwithstanding any other provi-  
10      sion of law, the Food and Drug Administration shall not  
11      restrict the sale by a turtle farmer or other commercial  
12      retail seller of a turtle that is less than 10.2 centimeters  
13      in diameter as a pet if—

14           (1) the turtle is raised, shipped, and sold using  
15      methods that are proven to keep the turtle free of  
16      salmonella, using salmonella safety standards that  
17      are comparable to such standards relating to other  
18      animals, including reptiles and amphibians, that are  
19      allowed for sale as pets, or animal products that are  
20      allowed for sale as food products;

21           (2) the Administration has approved a plan  
22      submitted by the turtle farmer or commercial retail  
23      seller involved relating to compliance with paragraph  
24      (1); and

1           (3) the farmer or other commercial retail seller  
2 includes, with the sale of such a turtle, a disclosure  
3 to the buyer that includes—

4           (A) information regarding—

5                 (i) the dangers, including possible se-  
6 vere illness or death, especially for at-risk  
7 people who may be susceptible to sal-  
8 monella bacteria, such as children, preg-  
9 nant women, and others who may have  
10 weak immune systems, that could result if  
11 the turtle is not properly handled and safe-  
12 ly maintained;

13               (ii) the proper handling of the turtle,  
14 including an explanation of proper hygiene  
15 such as handwashing after handling a tur-  
16 tle; and

17               (iii) the proven methods of treatment  
18 that, if properly applied, keep the turtle  
19 safe from salmonella;

20           (B) a detailed explanation of how to prop-  
21 erly treat the turtle to keep it safe from sal-  
22 monella, using the proven methods of treatment  
23 referred to under subparagraph (A), and how  
24 the buyer can continue to purchase the tools,

1 treatments, or any other required item to con-  
2 tinually treat the turtle; and

3 (C) a statement that buyers of pet turtles  
4 should not abandon the turtle or abandon it  
5 outside, as the turtle may become an invasive  
6 species to the local community, but should in-  
7 stead return them to a commercial retail pet  
8 seller or other organization that would accept  
9 turtles no longer wanted as pets.

10 (b) PLAN.—

11 (1) IN GENERAL.—A turtle farmer or other  
12 commercial seller that desires to sell a turtle as pro-  
13 vided for under subsection (a) shall submit a plan to  
14 the Food and Drug Administration that details the  
15 manner in which the farmer or seller will ensure  
16 compliance with the requirements of subsection  
17 (a)(1) with respect to the turtles involved. The plan  
18 shall include use of non-antibiotic compounds that  
19 suppress or eliminate the presence of salmonella in  
20 turtle hatchlings.

21 (2) ACTION BY FDA.—Not later than 30 days  
22 after the date on which the Food and Drug Admin-  
23 istration receives a plan under paragraph (1), the  
24 Administration shall accept or reject such plan. If  
25 such plan is rejected, the Administration shall pro-

1       vide clear, specific guidance on the reasons for such  
2       rejection. The Administration may only reject such  
3       a plan if it is determined that the plan fails to  
4       achieve the same salmonella safety standards as  
5       such standards relating to other animals, including  
6       reptiles and amphibians, that are allowed for sale as  
7       pets, or animal products that are allowed for sale as  
8       food products.

9       (c) RULE OF CONSTRUCTION.—Nothing in this sec-  
10      tion shall be construed to permit the Food and Drug Ad-  
11      ministration to hold the sale of turtles less than 10.2 cen-  
12      timeters in diameter as a pet to any greater salmonella  
13      safety standard applicable to other reptiles or amphibians  
14      sold as pets, animals sold as pets, or food products regu-  
15      lated by such Administration.

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