



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2015-4678  
**Type:** Ordinance  
**Status:** Failed to Pass  
**File created:** 6/17/2015  
**In control:** City Council  
**Final action:**  
**Title:** Amendment of Municipal Code Chapter 7-38 by adding new Section 7-38-007 prohibiting antibiotics in food products  
**Sponsors:** Burke, Edward M.  
**Indexes:** Ch. 38 Food Establishments-Sanitary Operating Requirements  
**Attachments:** 1. O2015-4678.pdf

Date	Ver.	Action By	Action	Result
5/29/2019	1	City Council	Failed to Pass	
6/17/2015	1	City Council	Referred	

### ORDINANCE

WHEREAS, the City of Chicago is a home rule unit government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

WHEREAS, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the rapid emergence of infections caused by antibiotic resistant bacteria has become a public health crisis; and

WHEREAS, according to the Centers for Disease Control and Prevention, each year in the United States, at least 2 million people become infected with bacteria that are resistant to antibiotics and at least 23,000 people die each year as a direct result of these infections; and

WHEREAS, any overuse or misuse of antibiotics, whether in human medicine or in agriculture, contributes to the spread of antibiotic resistance; and

WHEREAS, approximately 80 percent of antibacterial drugs disseminated in the United States in 2010 were sold for use on food animals, rather than humans; and

WHEREAS, for more than two decades, scientific experts have concluded that there is a connection between antibiotic use in animals and the loss of effectiveness of these drugs in human medicine; and

WHEREAS, in 1977, the Food and Drug Administration concluded that feeding livestock low doses of antibiotics used in human disease treatment could promote the development of antibiotic-resistance in bacteria; and

WHEREAS, a 1999 study by the Government Accountability Office concluded that resistant strains of 3 microorganisms that cause food-borne illnesses or disease in humans (Salmonella, Campylobacter, and E. coli) are linked to the use of antibiotics in animals; and

WHEREAS, surveys by the U.S. Department of Agriculture's Animal and Plant Health Inspection service in 1999, 2001, and 2006 revealed that: (1) 84 percent of grower-finisher swine farms, 83 percent of cattle feedlots, and 84 percent of sheep farms administer antimicrobials in the feed or water for health or growth promotion reasons; and (2) many of the antimicrobials identified are identical or closely related to drugs used in human medicine, including tetracyclines, macrolides, Bacitracin, penicillins, and sulfonamides; and

WHEREAS, these drugs are used to treat people for serious diseases such as pneumonia, scarlet fever, rheumatic fever, sexually transmitted infections, skin

infections, and even pandemics like malaria and plague, as well as bioterrorism agents like smallpox and anthrax; and

WHEREAS, in 2001 a federal task force: (1) released an action plan to address the continuing effectiveness of antibiotics against common bacterial infections, referred to as antibiotic resistance; (2) determined that antibiotic resistance is a growing menace to all people and poses a serious threat to public health; and (3) cautioned that if current trends continue, treatments for common infections will become increasingly limited and expensive, and, in some cases, nonexistent: and

WHEREAS, the peer-reviewed journal "Clinical Infections Diseases" published a report in 2002 recommending that antimicrobial agents should no longer be used in agriculture in the absence of disease, but should be limited to therapy for diseased individual animals and prophylaxis when disease is documented in a herd or flock; and

WHEREAS, in 2010, the peer-reviewed journal "Molecular Cell" published a study demonstrating that low-dosage use of antibiotics causes a dramatic increase in genetic mutation, raising new concerns about the agricultural practice of using low-dosage antibiotics in order to stimulate growth promotion and routinely prevent disease; and

WHEREAS, in 2012, Chicago Public Schools began serving its approximately 360,000 students fresh chicken drumsticks from local farms that raised their poultry without antibiotics; and

WHEREAS, Cook County 1 hospital studied the economic impact of antibiotic resistant infections of 188 patients and determined that they resulted in \$5 million of added medical care and \$9 million due to mortality; and

WHEREAS, a Danish ban on antibiotics in food animals has resulted in little change in animal morbidity and mortality, and only a modest increase in production cost; and

WHEREAS, the City of Chicago intends to regulate for the public health by prohibiting the sale of food products made from animals that have been administered a medical antimicrobial for a nontherapeutic use, such as growth promotion, feed efficiency, weight gain, or disease prevention in order to preserve the effectiveness of medically important antimicrobials used in the treatment of human and animal diseases; NOW

THEREFORE

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

SECTION 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

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SECTION 2. Chapter 7-38 of the Municipal Code of Chicago is hereby amended by adding a new section 7-38-007 as follows:

**7-38-007 Antibiotics in Food Products - Prohibited.**

a) Unlawful act. It shall be unlawful for any person to sell, offer for sale, give away, barter, exchange, or otherwise furnish in the City of Chicago any food product made wholly or in part from any livestock or poultry that has been administered a medically important antimicrobial for a nontherapeutic use.

b) Definitions. As used in this section:

"Food product" means any raw, cooked or processed edible substance used or intended for human consumption.

"Medically important antimicrobial" means a drug that:

- 1) is intended for use in food-producing animals; and
- 2) is composed wholly or partly of:
  - A) any kind of penicillin, tetracycline, macrolide, lincosamide, streptogramin, aminoglycoside, sulfonamide, cephalosporin, or fluoroquinolone; or
  - B) a drug from an antimicrobial class that is listed as "highly important," "critically important," or "important" by the World Health Organization in the latest edition of its publication entitled "Critically Important Antimicrobials for Human Medicine" or a successor publication.

"Noncustomary situation" does not include normal or standard practice and conditions on the premises that facilitate the transmission of disease.

"Nonroutine disease control" means the use of antimicrobials on an animal that is not sick, but where a particular disease or infection is, or is likely to be, present on the premises because of a specific, noncustomary situation.

"Nontherapeutic use" means administration of antibiotics to an animal for a purpose (such as growth

promotion, feed efficiency, weight gain, or disease prevention) other than therapeutic use or nonroutine disease control.

"Therapeutic use" means the use of a medically important antimicrobial for the specific purpose of treating an animal with a documented disease or infection. Therapeutic use does not include the continued use after the disease or infection has been resolved.

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(c) **Penalty.** The board of health shall promulgate rules and regulations classifying violations of this section as critical.

**SECTION 3.** This ordinance shall be in full force and effect 60 days after passage and publication.

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