

H.R. 2117, Food Allergy Safety, Treatment, Education, and Research Act of 2020

As passed by the House of Representatives on November 17, 2020

By Fiscal Year, Millions of Dollars	2021	2021-2025	2021-2030
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	2	18	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2031?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	Yes, Under Threshold

H.R. 2117 would authorize the Director of the Centers for Disease Control and Prevention (CDC) and the Food and Drug Administration (FDA) to carry out a number of activities related to identifying and tracking food allergens. CBO estimates implementing this act would cost \$18 million over the 2021-2025 period; such spending would be subject to the availability of appropriated funds.

The act would require the Director of the CDC to expand the collection of data on food allergies through the National Health and Nutrition Examination Survey and the National Health Interview Survey. Using information from CDC, CBO expects that CDC would need to identify persons to interview, conduct interviews, and process biological specimens. Based on historical spending, CBO estimates that expanding data collection activities would cost \$13 million over the 2021-2025 period.

H.R. 2117 also would add sesame to the definition of major allergens, would permit the Secretary of Health and Human Services to add food ingredients to that definition, and would require FDA to add a section to a report that the agency produces under current law. Using information from FDA, CBO expects the agency would require, on average, the equivalent of three additional full-time employees in each fiscal year from 2021-2025 to implement regulations and guidance that add sesame as a major food allergen and to evaluate

whether new ingredients should be added to the list of major allergens. CBO estimates the new staffing and related expenses would cost about \$5 million over the 2021-2025 period.

H.R. 2117 would impose a private-sector mandate as defined in the Unfunded Mandates Reform Act (UMRA) by requiring manufacturers of food products containing sesame to include additional information on the products' label. Because the mandate would require a minor change to existing labels, CBO estimates that the cost of the mandate would not exceed the annual private-sector threshold established in UMRA (\$168 million in 2020, adjusted annually for inflation).

The act contains no intergovernmental mandates.

The CBO staff contacts for this estimate are Sarah Sajewski, Ellen Werble, and Andrew Laughlin. The estimate was reviewed by Leo Lex, Deputy Director of Budget Analysis.