

TO APPROVE THE ADOPTION AND ENACTMENT OF THE UNITED STATES FOOD AND DRUG
ADMINISTRATION FOOD CODE

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

TO APPROVE and adopt the United States Food and Drug Administration Food Code as the governing food code for the Choctaw Nation of Oklahoma.

WHEREAS, Article IX, Section 4 of the Constitution of the Choctaw Nation of Oklahoma states that the Tribal Council shall enact legislation, rules and regulations consistent with the Constitution and for the general good of the Choctaw Nation and for the administration and regulation of the affairs of the Choctaw Nation;

WHEREAS, the United States Food and Drug Administration (the "FDA") has developed a Food Code (the "Food Code") and encourages state, territorial, local, and tribal governments to adopt the Food Code in its entirety to promote uniform national standards for retail food safety and to reduce complexity;

WHEREAS, by adopting the Food Code, the Choctaw Nation of Oklahoma (the "Nation") is able to ensure that the regulations reflect the most current science available and evolve to reflect new science and knowledge, emerging technologies, and to remain current with other federal laws;

WHEREAS, the Nation adopts the Code to provide effective controls as a means of reducing the risks of foodborne illnesses within retail establishments and protect consumers and industry from potentially devastating health consequences and financial losses;

WHEREAS, the Council has determined that it is in the best interest of the Nation to adopt and enact the Code to protect the health and safety of Nation associates and the general public.

THEREFORE BE IT ENACTED by the Council that this Council Bill be cited as approval to adopt and enact the U.S. Food and Drug Administration Food Code as the governing food code for the Choctaw Nation of Oklahoma effective on February 1, 2021.

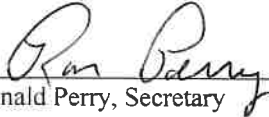
BE IT FURTHER ENACTED by the Tribal Council that this Council Bill be cited as adopting and enacting the current U.S. Federal Drug Administration Food Code as may be amended from time to time by the United States and all such amendments shall become effective immediately.

BE IT FURTHER ENACTED by the Tribal Council that this Council Bill supersede and replace any prior food codes of the Choctaw Nation of Oklahoma on February 1, 2021.


CERTIFICATION

I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that eleven (11) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma, on January 9, 2021. I further certify that the foregoing Council Bill CB- 32 -21 was adopted at such meeting by the affirmative vote of eleven (11) members, zero (0) negative votes, and zero (0) abstaining.

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ADMINISTRATION FOOD CODE



Ronald Perry, Secretary
Choctaw Nation Tribal Council



Thomas Williston, Speaker
Choctaw Nation Tribal Council



Gary Batton, Chief
Choctaw Nation Tribal Council

Date: 1-12-21

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Purpose/Need of Council Bill: This bill adopts the FDA Food Code as the governing food code of the Choctaw Nation of Oklahoma. By adopting the FDA Food Code, the Nation is better able to ensure that the Nation's food standards are current with industry standards, science, and technology. By adopting the FDA Food Code, the Nation will adopt amendments made by the FDA. This ensures a current code and reduces the likelihood that the code will become outdated.

Title of Council Bill: TO APPROVE THE ADOPTION AND ENACTMENT OF THE UNITED STATES
FOOD AND DRUG ADMINISTRATION FOOD CODE

Agency: Risk Management, Legal & Compliance

Match Required: None

Request by/Project Director: Daron Sharp, Executive Director, Risk Management; Brad Mallett, SEO, Legal and Compliance