

119TH CONGRESS  
1ST SESSION

# H. R. 3732

To provide protections for good faith donations of pet food and supplies.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2025

Mr. RASKIN (for himself, Mrs. KIM, Mrs. MCBATH, Mr. FITZPATRICK, Mrs. DINGELL, and Ms. MALLIOTAKIS) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To provide protections for good faith donations of pet food and supplies.

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 “Bring Animals Relief  
5 and Kibble Act of 2025” or the “BARK Act of 2025”.

6 **SEC. 2. LIABILITY FOR DAMAGES FROM GOOD FAITH DONA-**  
7 **TIONS OF PET FOOD AND SUPPLIES.**

8 (a) IN GENERAL.—

9 (1) LIABILITY OF PERSONS.—A person shall  
10 not be subject to civil or criminal liability arising

1 from the nature, age, packaging, or condition of an  
2 apparently fit pet-related product that the person  
3 donates in good faith to a State or unit of local gov-  
4 ernment or a nonprofit organization for ultimate dis-  
5 tribution to qualified animals.

6 (2) LIABILITY OF NONPROFIT ORGANIZA-  
7 TIONS.—A nonprofit organization shall not be sub-  
8 ject to civil or criminal liability arising from the na-  
9 ture, age, packaging, or condition of an apparently  
10 fit pet-related product that the nonprofit organiza-  
11 tion received as a donation from a person in good  
12 faith for ultimate distribution to qualified animals.

13 (3) LIABILITY OF STATE AND LOCAL GOVERN-  
14 MENTS.—A State or unit of local government shall  
15 not be subject to liability arising from the nature,  
16 age, packaging, or condition of an apparently fit pet-  
17 related product that the State or unit of local gov-  
18 ernment received as a donation from a person in  
19 good faith for ultimate distribution to qualified ani-  
20 mals.

21 (4) WAIVER NOT APPLICABLE TO GROSS NEG-  
22 LIGENCE OR INTENTIONAL MISCONDUCT.—Para-  
23 graphs (1), (2), and (3) shall not apply to an injury  
24 to, or death of, an ultimate user or recipient of the  
25 apparently fit pet-related product that results from

1 an act or omission of the person, nonprofit organiza-  
2 tion, or State or unit of local government, as appli-  
3 cable, constituting gross negligence or intentional  
4 misconduct.

5 (b) PARTIAL COMPLIANCE.—If a person donates in  
6 good faith pet food or pet supplies that do not meet all  
7 quality and labeling standards imposed by Federal, State,  
8 and local laws and regulations, such person shall not be  
9 subject to civil or criminal liability in accordance with this  
10 section if the State or unit of local government or non-  
11 profit organization to which the food or supplies are do-  
12 nated—

13 (1) is informed by such person of the distressed  
14 or defective condition of the food or supplies;

15 (2) agrees to recondition such food or supplies  
16 to comply with such quality and labeling standards  
17 prior to distribution of such food or supplies; and

18 (3) is knowledgeable of such quality and label-  
19 ing standards to properly recondition such food or  
20 supplies.

21 (c) CONSTRUCTION.—Nothing in this section shall be  
22 construed to—

23 (1) create any liability; or

24 (2) supercede State or local health regulations.

25 (d) DEFINITIONS.—In this section:

1           (1) APPARENTLY FIT PET-RELATED PROD-  
2           UCT.—The term “apparently fit pet-related product”  
3           means any pet food or pet supply that meets all  
4           quality and labeling standards imposed by Federal,  
5           State, and local laws and regulations even though  
6           the product may not be readily marketable due to  
7           appearance, age, freshness, grade, size, surplus, or  
8           other conditions.

9           (2) CHILD NUTRITION ACT OF 1966 TERMS.—  
10          The terms “donate”, “gross negligence”, “inten-  
11          tional misconduct”, “nonprofit organization”, and  
12          “person” have the meanings given such terms in sec-  
13          tion 22(b) of the Child Nutrition Act of 1966 (42  
14          U.S.C. 1791(b)).

15          (3) EMOTIONAL SUPPORT ANIMAL.—The term  
16          “emotional support animal” means an animal that—

17                 (A) is covered by the exclusion specified in  
18                 section 5.303 of title 24, Code of Federal Regu-  
19                 lations (or successor regulation); and

20                 (B) is not a service animal.

21          (4) PET.—The term “pet” means a domes-  
22          ticated animal, such as a dog, cat, bird, rodent, fish,  
23          turtle, or other animal that is kept for pleasure rath-  
24          er than for commercial purposes.

1           (5) PET FOOD.—The term “pet food” means  
2           any raw, cooked, processed, or prepared edible sub-  
3           stance, ice, beverage, or ingredient used or intended  
4           for use in whole or in part for consumption by a  
5           qualified animal.

6           (6) PET SUPPLY.—The term “pet supply”  
7           means tangible personal property used for qualified  
8           animals, including pet carriers, crates, kennels,  
9           houses, cages, clothing, bedding, toys, collars,  
10          leashes, leads, tie-outs, feeders, bowls, dishes, pet  
11          gates, or pet doors.

12          (7) QUALIFIED ANIMAL.—The term “qualified  
13          animal” means a pet, an emotional support animal,  
14          or a service animal.

15          (8) SERVICE ANIMAL.—The term “service ani-  
16          mal” has the meaning given the term in section  
17          36.104 of title 28, Code of Federal Regulations (or  
18          successor regulation).

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