

Memorandum

To: President Bill Clinton

From: S.T.O.P. -- Safe Tables Our Priority -- *representing the families and friends of food poisoning victims*

Center for Science in the Public Interest -- *representing over 900,000 consumers who are concerned about food safety and nutrition*

Consumer Federation of America

Public Voice for Food and Health Policy

Government Accountability Project

United States Humane Society

Re: The President's Food Safety Initiative

Date: April 2, 1997

Consumers trust that government has measures in place to assure the safety of the food they feed their families. However, many families have learned through personal tragedy that their trust was misplaced after suffering devastating illnesses and the deaths of loved ones from contaminated food.

The fact is, with the exception of meat and poultry products, the government rarely inspects our food. And in the case of meat and poultry, the inspection is based on turn-of-the-century techniques rather than on modern science. Fortunately, your administration has recognized these inadequacies and has made food safety a priority, beginning with new regulations to modernize the meat, poultry and seafood inspection systems. But these piecemeal reforms are not enough.

Mr. President, we are grateful that you have recognized the gaps in our nation's food safety regulation with the introduction of your Food Safety Initiative. While this initiative makes much-needed incremental reforms in the current systems, it contains a fundamental flaw. It relies on the existing system in which multiple agencies share joint responsibility for food safety: USDA inspecting meat, poultry, and egg products; FDA inspecting and overseeing the safety of all other products; and EPA setting tolerances for certain chemicals in food. These food safety

Checked
- Kessler
- Taylor
- O'Brien
Shelton

Waldman
Strategic
Planning
Process

Food Safety - STOP
Pallone
FDA Food Bill
1) registers plants
2) qualified inspections of plant
3) imports standards.
inspect
GAO Sept. 7, 000 - USDA
6300 meat/p
300 - FDA
- 53,000
families

agencies each have other competing responsibilities. In addition, the agencies compete with each other for jurisdiction and fail to coordinate food safety activities. This system is so filled with inefficiencies and inconsistencies that it does not adequately protect consumers from the hazards in the food supply.

We need fundamental reform if we are to benefit from a more effective food safety system. We need a single federal food agency to address the unacceptably high rate of foodborne illness and inconsistent food safety policies across the federal government. We need the government to adopt food safety assurance systems that are proactive in identifying and preventing contamination rather than waiting until large food poisoning outbreaks and public outcry make action a political necessity.

As taxpayers and citizens, we invest nearly one billion dollars in the government programs for assuring food safety. What do we get for our money?

An unacceptably high rate of foodborne illness.

- Each year, contaminated food causes huge numbers of foodborne illnesses. Between 6.5 million and 81 million cases of foodborne illness and as many as 9,100 deaths occur annually.¹
- Secretary Donna Shalala stated at a March public meeting on the Food Safety Initiative that the incidence of foodborne illnesses and deaths is likely to increase between 10% and 15% over the next decade. This is because new and more virulent bacteria are emerging. In addition, established pathogens are showing up in new and unexpected places. For example, in 1996, we experienced numerous outbreaks from *E. coli* O157:H7 in lettuce and unpasteurized juice.
- As our population ages, we are becoming more vulnerable to foodborne diseases. The two groups most likely to suffer the severest forms of foodborne illness are children and the elderly. In addition, many more people are living with chronic illnesses or with impaired immune systems that make them especially susceptible to foodborne disease.
- The economic cost of inaction is exorbitant. The annual cost of foodborne illnesses may be as high as \$22 billion per year.² Even this estimate is understated, however, because it includes only the cost of deaths from a limited number of pathogens. It fails to include the human toll of pain and suffering from illness experienced not only by the victims but by their families and extended communities.

¹ U.S. General Accounting Office, *Food Safety: Information on Foodborne Illnesses*, (Washington, D.C.: U.S. General Accounting Office, May 1996), p. 4 [hereinafter *Food Safety: Information on Foodborne Illnesses*.]

² *Food Safety: Information on Foodborne Illnesses*, p. 7.

Weak, reactive, and industry-oriented food safety programs.

- FDA's program for food safety assurance is operated more like a recall management program than a program to prevent food safety problems from occurring. The agency has failed in its responsibility to address known hazards in shellfish, eggs and cider through research and action. The agency waits until foodborne illness outbreaks and public outcry occur before ever considering needed policy changes. And sometimes even then, the FDA refuses to act.
- USDA's program for inspecting meat and poultry has for decades served the needs of the meat and poultry industry rather than the needs of consumers. While recent changes have attempted to shift the program's focus more toward consumer health and safety, its placement in the Department of Agriculture makes this change highly vulnerable to reversal. Because of USDA's joint responsibility for safety and promotion of US products, safety concerns can easily play second fiddle to other missions of the agency.
- Programs at both FDA and USDA focus too much on cleaning up contamination after it is on the food, rather than on developing sure-fire methods to keep contamination off the food to begin with. A comprehensive approach to identify sources of contamination and prevent their entry into the food supply is needed if we are to stop the spread of deadly pathogens, such as *E. coli* O157:H7, to new segments of the food supply. These agencies have been unable to coordinate this type of effort with respect to specific food products, much less for the entire food supply.

The bottom line is that consumers are paying a terrible price for the inefficiencies and ineffectiveness of the existing system of foodborne illness prevention. It is time to reinvent and rationalize the system.

RECOMMENDATION

Combine the inspection, food safety, food additive approval and labeling functions of the federal government into a single federal food agency. The agency should be an independent oversight agency, which would be given the functions of USDA's Food Safety and Inspection Service, FDA's Center for Food Safety and Applied Nutrition, the Department of Commerce's Seafood Inspection Program and the food safety functions of USDA's APHIS and ARS and EPA's Offices of Pesticide and Water Programs. The agency should be funded with the combined budgets from all of these agencies.

Vice President Al Gore promised us a government that works better and costs less. At a time of federal government downsizing and reorganization, we cannot afford to continue to have multiple systems for food safety. The only way to achieve a successful hazard-based system of food safety regulation is to combine these programs into a single agency with uniform standards for addressing food hazards. There are many benefits to this approach:

- The development of uniform safety standards for foods that represent comparable risks would rationalize the existing haphazard system. You recognized this when you signed the Food Quality Protection Act (Public Law 104-170) in August 1996, which established a uniform safety standard for pesticide residues for both processed and raw foods.
- Food safety inspections could be based on food hazards rather than on which agency has jurisdiction over the food product. This is especially important as the Administration proceeds with implementation of new reforms in the meat, poultry and seafood programs. Inspection resources should be applied in a uniform manner to all hazardous food products. Resources could be shifted from fully processed products that represent a minimal safety hazard.
- A single food agency with uniform food safety standards and regulations based on food hazards would provide an easier framework for implementing our standards in an international context. Recent agreements governing international trade call for the US government to allow foods to be imported that meet an equivalent safety standard to our own. However, when our own agencies don't have uniform safety and inspection standards for all potentially hazardous foods, the establishment of uniform international standards will be impossible.
- Food safety measures should be applied farm-to-table, where appropriate. A single food safety agency should be empowered to apply measures wherever along the food chain they can be most effective, including at the animal or plant production level.
- Research could be better coordinated within a single agency than among multiple programs. Currently, federal funding for food safety research is spread over at least 20 federal agencies, and coordination among those food safety agencies is ad hoc at best. At least one of the principal food safety agencies, USDA's Food Safety and Inspection

Service, is barred from doing research and must rely on other agencies to fund projects that meet its needs.

- New technologies to improve food safety could be approved more rapidly with one food safety agency. Currently, food safety technologies can go through multiple agencies for approval, often unnecessarily adding years of delay.

Mr. President, we appreciate the tremendous leadership that you have shown in recognizing the very real gaps in our food safety assurance systems and giving them your personal attention. However, it is time to look beyond piecemeal reform and to consider the fundamental reform that we are recommending.

Food is mass-produced and shipped all over the country and the world like no other time in history. It is every bit as important today as it was in 1906 for consumers to trust that the government is watching over the food industry to assure the safety of the food they produce. Only a single federal food agency using uniform standards to address true food hazards can restore some of the trust we have lost in the safety of the American food supply.