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PALLONE STATEMENT AT HEALTH HEARING ON FIXING OUR FOOD SAFETY SYSTEM

Washington, D.C. --- U.S. Rep. Frank Pallone, Jr. (D-NJ), Chairman of the House Energy and Commerce Subcommittee on Health, gave the following opening statement this morning at a subcommittee hearing to review the Food Safety Enhancement Act of 2009.

"Good morning. Today the Subcommittee is meeting to review the 'Food Safety Enhancement Act of 2009' discussion draft. This draft was released by Chairman Waxman, Chairman Emeritus Dingell, Chairman Stupak, Rep. DeGette, Rep. Sutton, and myself early last week. The draft builds on several bills already introduced in this Congress, including HR 759, a bill I, along with Chairmen Dingell and Stupak, introduced earlier this year.

"The Energy and Commerce Committee has done a lot of work on the issue of food safety. In this Subcommittee alone we have had four hearings on this topic in the last two years. The information we learned during those hearings, as well as during the numerous conversations we have had with stakeholder groups and the FDA, has been incorporated into the draft before us today. I believe this draft bill represents a strong, well-thought out approach to improving the FDA and its food safety activities.

"We have heard time and again that our current food safety system is broken. It is a system that relies heavily on the FDA, rather than placing the responsibility on the manufacturers to ensure the safety of their products. It is a system that is geared toward responding to food outbreaks, rather than one that is aimed at preventing them. This system does not work, and recent outbreaks of E.coli in spinach and salmonella in peppers and peanut butter highlight that fact.

"Unfortunately, these are not isolated instances. Each year, 76 million Americans get sick due to unsafe food products; every year 325,000 individuals will be hospitalized and 5,000 will die from food borne hazards. It is estimated that the medical costs and lost productivity due to food borne illnesses cost us \$44 billion annually. And these illnesses are completely preventable.

"The good news is that there seems to be agreement that something must be done and that it must be done quickly. The President has made food safety one of his priorities and has assembled a Food Safety Working Group to come up with principles on this issue. Chairman Waxman, Chairman Dingell, Mr. Stupak and I have worked closely with key stakeholders on this discussion draft and as we move forward with the legislation, we hope to continue those conversations, as well as conversations with our counterparts on this committee.

"The bill we are discussing today will modernize the food safety laws currently in place. It places a strong emphasis on prevention and shifts the responsibility for food safety onto those who actually make the food. It also provides the FDA with the necessary resources and enforcement authorities to ensure that all companies are in compliance with the new requirements.

"This draft bill would require all food manufacturing companies to register annually with the FDA so that the agency has an up-to-date list of all facilities who sell products in the United States. It focuses on prevention by requiring companies to conduct thorough hazard and risk analyses of the products they are making. It mandates that companies put in place preventive controls to mitigate and minimize those identified hazards and it requires companies to document all the steps they have taken to implement and verify the controls to ensure they are effectively minimizing hazards.

"The bill also addresses the shortfalls of our current traceback system by requiring the FDA to establish an electronic, interoperable recordkeeping system that manufacturers would be required to use. This measure will allow the agency to quickly trace the source of an outbreak back to its origin and prevent and minimize the number of individuals affected by a food borne illness.

"While shifting responsibility for food safety onto the manufacturers, this draft also recognizes the crucial role the FDA needs to play in this realm. This draft requires the agency to set standards for food safety and hold the food industry accountable for meeting those standards. It provides the FDA with stronger enforcement authorities, such as recall authority and access to records. The bill also increases the inspection frequency for food facilities, requiring that the FDA inspect facilities at an established minimum frequency.

"We will hear today from industry experts about the various provisions in this discussion draft and I look forward to the conversation. I hope that we all can continue to work in this collaborative manner as we move to mark-up food safety legislation in this committee.

"I am very pleased to welcome Dr. Margaret Hamburg of the FDA today. This is the first time she will be testifying before this Committee and I thank her for being here.

"I would also like to thank our other witnesses for appearing before us today to share their expertise and I would especially like to welcome back Mike Ambrosio. Thank you for coming down from my home state of New Jersey to testify."