

# Congressman Rothman Votes for Food Safety Enhancement Act

## Bill Gives FDA New Powers to Protect Americans from Contaminated Food

(Washington, DC) — Today, Congressman Steve Rothman (D — NJ), voted to give the Food and Drug Administration (FDA) new powers to protect Americans from contaminated food. H.R. 2749, the Food Safety Enhancement Act passed the U.S. House 283 to 142. The Bill includes several long-overdue improvements to our food safety system, including, more frequent inspecting of food processing facilities, an up-to-date registry of food facilities selling to American consumers, strong and enforceable performance standards and tools, and better record keeping to help control and prevent food-related contamination occurrences.

“This Act will fundamentally change the way we protect the safety of our food supply. Each year, 76 million Americans are sickened from consuming contaminated food and 5,000 of these people die,” said Rothman. “These changes will help close the gaps in our food safety regulations and give the FDA new authorities, new tools, and a new source of funding to carry out this vital mission. Keeping Americans protected from food-related illnesses is paramount and these repairs to our food safety system are a positive step in providing that protection.”

In just the last few years, there has been a string of food-borne illness outbreaks in foods consumed by millions of Americans each day — like spinach, peppers, peanuts, pistachios and even cookie dough. This recent series of outbreaks of food-borne illnesses has demonstrated that they are not random, unpreventable occurrences, but are due to widespread problems with our current food safety system.

The Act includes several long-overdue repairs to our food safety system, in order to protect our children and families from contaminated food:

- Implementing preventive systems. One of the most important changes that will occur under this bill is a new focus on prevention, and a shared responsibility between FDA and food manufacturers to keep the food supply safe. The bill requires food manufacturers to implement preventive systems to stop outbreaks before they occur. All food facilities will have to conduct hazard analyses, assess potential food safety risks, and develop plans to keep the food supply safe.

- Up-to-date registry of all domestic and foreign food facilities selling to American consumers. The bill requires all food facilities operating within the U.S. or importing food to the U.S. to register with FDA annually.

- Dedicated source of funding for enhanced FDA oversight of food safety. The bill also requires all domestic and foreign food facilities selling to American consumers to pay an annual registration fee of \$500 per facility. These annual fees will be used to defray the cost of the heightened inspection regime mandated by the bill.

- Strong, enforceable performance standards. Under the bill, the FDA will have clear authority to issue and require food facilities to meet strong, enforceable performance standards to ensure the safety of various types of food.

- More frequent inspection of food processing facilities. The bill requires the FDA to inspect high-risk food processing facilities at least once every 6-12 months, inspect lower-risk facilities at least once every 18 months to 3 years; and warehouses at least once every 5 years. (The FDA currently inspects all facilities on average only about once every 10 years.)

• Food trace-back system. Under the bill, the FDA will establish a food trace-back system, building upon and improving the voluntary food trace-back systems put in place by the produce industry, so that public health officials can more easily determine the source of food-borne illness outbreaks. The bill directs FDA to issue trace-back regulations that enable it to identify the history of the food in as short a timeframe as practicable. Prior to issuing the regulations, FDA would be required to conduct a feasibility study. There are also exemptions for certain foods and facilities.

• Ensuring imported foods are safe. The bill directs FDA to require certain foreign foods to be certified as meeting all U.S. food safety requirements by third parties accredited by FDA. In addition, the bill directs FDA to develop voluntary safety and security guidelines for imported foods. Importers meeting the guidelines would receive expedited processing.

• Better access to records in order to prevent outbreaks. The bill gives FDA access to the records of food producers and manufacturers during routine inspections. Under current law, FDA must wait for food-borne illnesses to occur before the agency can access records. In the recent case of contaminated peanuts, FDA was unable to access records that might have prevented the outbreak from occurring in the first place.

• Strong, flexible enforcement tools. The bill strengthens penalties imposed on food facilities that fail to comply with safety requirements.

• Authority to order a food recall. The bill gives FDA the authority to order a recall if a company fails to do so when requested.

• Country-of-origin labeling. The bill requires all processed food labels to indicate the country in which final processing occurred. It also requires country-of-origin labeling for all produce.

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