

National Restaurant Association

National Restaurant Association Educational Foundation

Produce Safety & the Foodservice Industry

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**A Farm-to-Table
Conference**





Produce Safety and the Congressional Agenda

- A New Political Dynamic
- A New Focus on Food Safety
- One Proposal: Single Food Safety Agency



Changes in Congress

- Democrats regained control of House and Senate for first time since 1994
- House balance: 233 Democrats; 202 Republicans
- Senate balance: 49 Democrats, 2 Independents; 49 Republicans (51-49)



Changes in Congress

- Six for '06 Agenda
- A New Direction for America
- Democrats' criteria for evaluating constituencies – what unifies them



A New Focus on Food Safety

Produce Safety gets more attention



Food Safety Hearings in the 109th Congress

- **Food Safety: Current Challenges and New Ideas to safeguard Consumers**
 - November 15, 2006; Senate Health, Education, Labor and pensions Committee



Food Safety Hearings in Congress

- **Food Safety: Shedding Light on a Broken System**
 - February 8, 2007: House Agriculture Appropriations Subcommittee
 - Why have there been so many E.coli outbreaks?
 - What should government agencies do about it?
 - Is it a “budget shortfall” or lack of “enforcement authority” problem?
 - Congresswoman DeLauro: Single Food Safety Agency



Food Safety Hearings in Congress

- **Field Hearing on Food Safety - Wisconsin**
 - March 12, 2007: Senate Agriculture Appropriations Subcommittee
 - What must we do to prevent more E.coli outbreaks in the U.S.?
 - Senator Kohl: funding for additional research and rapid response teams to help prevent and contain contamination of produce.



Produce Industry Calls Safety Standards Based on Science

- January 20, 2007 Statement of Principles and Policy Support for Strong Federal Oversight of Produce Safety
- National Restaurant Association supports produce industry's call for science-based, produce safety standards through guiding principles, with goal of incorporating them into the regulatory framework.



Legislative Proposals

Safe Food Act of 2007



Legislative Proposals

- **Safe Food Act of 2007**
 - H.R. 1148, introduced by Congresswoman Rosa DeLauro (D-CT-3rd), February 16, 2007
 - S. 654, introduced by Richard Durbin (D-IL), February 15, 2007



Safe Food Act of 2007: What would it do?

- Independent Executive Branch agency lead by an Administrator, appointed by President, confirmed by Senate.
- Consolidate 12 federal agency functions into one regulatory body for all human food and animal food, except dietary supplements.



Safe Food Act of 2007

- Consolidates Food Safety Law:
 - Certain provisions of the Federal Food, Drug, and Cosmetic Act (FFDCA)
 - Poultry Products Inspection Act (PPIA)
 - Federal Meat Inspection Act (FMIA)
 - Egg Products Inspection Act (EPIA)
 - Sanitary Food Transportation Act of 1990
 - Sanitary Food transportation Act of 2005
 - Relevant provisions of the Human Methods of Slaughter Act of 1978 (administered by FSIS)
 - Safe Food Act of 2007
 - Any other provisions of law related as designated by Executive order of the President



Safe Food Act of 2007

- Establishment of Advisory Committees
 - scientific expert bodies, academics, industry specialists and consumers
- Food Establishment Registration/Inspection
 - 5 categories; farms/ranches nor restaurants not included
 - Regular unannounced inspections, based on risk



Safe Food Act of 2007

- Identify food-borne contaminants and establish performance standards
- Federal/State Coordination:
 - Service Agreements, support State action, Audits
- Imports
 - Audits/inspections done in foreign country
- Traceback
 - Tracing food and food producing animals from point of origin to retail sale.



Safe Food Act of 2007

Enforcement:

- Expanded authority for food detention, seizure and condemnation under FFDCA
- Increased Recall Authority
 - Voluntary first, but if not adequate mandatory
 - “All those who have handled food shall provide records to Administrator”
- Civil and Criminal Penalties



Single Food Safety Agency

Arguments For and Against



Single Food Safety Agency Proponents Arguments

- Efficiency; uniform food safety, labeling, inspection, and enforcement functions .
- Greater Accountability.
- National traceback system to find the food safety problem in order to protect public health.



Single Food Safety Agency Opponent Arguments

- The current system isn't perfect and needs improvement, but it's unclear if consolidation into one agency with increased authority is the solution
Example: DHS
- Different regulatory philosophy: prevention vs. finding problem after outbreak.



Single Food Safety Agency Opponent Arguments

- Increased regulatory costs with unstable regulatory environment and increased authorities – mandatory recall authority



Thank you!

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