

SAFE FOOD COALITION

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May 13, 2009

The President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Obama:

For many years Americans were told that we enjoy the safest food supply in the world. If that was true in the past, it is no longer so. The last few years have been marked by widespread, severe outbreaks of foodborne illness caused by common foods contaminated with deadly pathogens. Thousands of Americans have gotten sick after eating contaminated spinach, lettuce, ground beef, chicken, peppers, sprouts, and peanuts. Today, Americans are not able to sit down to dinner confident that the food they feed their children is safe.

According to the Centers for Disease Control and Prevention (CDC) an estimated 76 million people each year suffer a foodborne illness; 325,000 are hospitalized and 5,000 of the victims die. In its most recent FoodNet report, the CDC acknowledges that there has been almost no progress in reducing foodborne illness over the past five years.

Behind each of these statistics are real human beings; children and the elderly are the most frequent victims of our failed system. Two weeks ago foodborne illness victims from across the country came to Washington to ask Congress to take steps to prevent more suffering by addressing the very serious flaws in our food safety system.

The undersigned groups greatly appreciate your commitment to making our food safer. Your March 19, 2009 speech creating the White House Food Safety Working Group and today's meeting in which the working group chairs, Secretaries Sebelius and Vilsack, are seeking views of stakeholders on how to attack the problem are important first steps in that direction. No previous President has acted so early in his Administration or adopted such an open process to address food safety concerns, and for that we are grateful.

Our organizations represent millions of Americans. We have spent years examining the problems in the current system and what is necessary to

resolve the current problems. We are taking this opportunity to ask that you commit your Administration to the following actions:

1. Work with Congress to pass a new law this year that gives the Food and Drug Administration (FDA) the authority and tools to assure the safety of the foods they regulate. There are several bills before Congress that seek to remedy the glaring weaknesses of the FDA's food safety programs. Most of them contain provisions that would help, but we believe that Rep. DeLauro's H.R. 875 deserves extra consideration by the Food Safety Working Group, both because it is the most complete response to the problems at FDA and also because it provides the best roadmap to a modern food safety system.

Congress will likely pass a bill that combines elements of several pending bills. In order to provide adequate public health protection the new law must:

- Provide for regular inspection of food facilities by public food safety officers, sworn to protect public health. Every facility should be inspected at least once a year. Higher-risk facilities should be inspected more frequently.
- Mandate that FDA establish public health based performance standards for all foods, including fresh produce.
- Require food companies to sample and test food products during production and report to the FDA any results that show harmful contamination.
- Require food companies to develop plans that identify points where contamination may occur and take steps to prevent that contamination.
- Take steps to assure that imported foods meet the same safety standards as those applied to foods produced in the U.S.
- Take into consideration organic farming practices and assure that farmers who sell only through farmers markets or CSAs can continue to do so.
- Give FDA authority to require that contaminated food be recalled.

2. Develop legislation to reform and modernize the Federal Meat Inspection Act and the Poultry Products Inspection Act. These laws were created in another century when animals were raised, slaughtered, sold and consumed locally. Now we have intensive animal production and processing and a global food system. Archaic laws make it impossible for USDA to assure that meat and poultry products are safe.

We are eager to help your Department of Agriculture develop proposals for statutory reform. However, we will not support attempts to institute major changes in the current inspection programs through regulatory actions. The courts have rejected certain USDA efforts to establish and enforce public health based performance standards; nothing in the current law specifically authorizes the HACCP programs USDA has applied to all companies. USDA's statutory authority to adopt and enforce such rules must be clarified.

3. Work with Congress to address the need for basic structural reform of the food safety regulatory agencies. After the substantive

reform of the outdated and ineffective food safety statutes, we ask that you work to develop a rational and effective structure for food safety functions across the federal government. The Government Accountability Office, the National Academies of Science and others have all urged substantial structural reform of the food safety system. Having food safety activities spread among some 13 different agencies wastes public resources and reduces government's ability to protect public health.

4. Add several citizen representatives to the White House Food Safety Council. Finally, in the spirit of transparency and public participation, we ask that you add several citizen members to the White House Food Safety Working Group. These should be individuals who broadly represent the many food safety stakeholders and are knowledgeable about the strengths and weaknesses of the federal food safety system. We are confident that these members will not only assure a heightened sensitivity by government officials to public concerns, but we also believe that the interaction of different stakeholders from the beginning of the process will help build consensus among the participants, encourage greater agreement on what government action is necessary and help to move more quickly toward a shared goal of safer food and better health.

Thank you again for your commitment to improving public health.

Sincerely,

Center for Foodborne Illness, Research & Prevention

Center for Science in the Public Interest

Consumer Federation of America

Food & Water Watch

Government Accountability Project

National Consumers League

The Pew Charitable Trusts

Safe Tables Our Priority

Trust for America's Health