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Measure to Improve Food Safety Approved by House

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By Brian Faler

The U.S. House approved the biggest overhaul of food-safety laws in decades in the wake of outbreaks of food-borne illnesses that sickened, killed and left industries fighting to woo back wary consumers.

The chamber [voted](#) 283 to 142 yesterday to approve a \$3.5 billion measure that would direct the [Food and Drug Administration](#) to write new regulations to safeguard the food supply, require more frequent inspections of processing plants and force companies to keep better records to help regulators trace outbreaks. The plan would be partly financed by a \$500 annual fee on food producers.

“It will fundamentally change the way in which we ensure the safety of our food supply and protect American consumers, farmers and business,” said Representative [John Dingell](#), a Michigan Democrat. “A series of food-borne disease outbreaks has laid bare unacceptable gaps in our food safety laws.”

Critics said the bill would impose too many rules along with a tax that would probably be passed on to consumers through higher food prices.

“The bill still goes too far in the direction of trying to produce food from a bureaucrat’s chair in Washington,” said Representative [Frank Lucas](#) of Oklahoma, the top Republican on the House [Agriculture Committee](#). “Has anyone thought about how this would increase the cost of food?”

Recall Authority

[Leslie G. Sarasin](#), president of the Arlington, Virginia- based Food Marketing Institute, which represents companies such as [Kroger Co.](#), the largest U.S. supermarket chain, and [Safeway Inc.](#), the third-largest grocery chain, said her organization was pleased that the bill would give the Food and Drug Administration new powers, including mandatory recall authority.

“We urge the Senate to approve companion legislation quickly so the industry and government can take the actions required to enhance our nation’s food safety system,” Sarasin said in a written statement.

Pamela G. Bailey, who leads the Washington, D.C.-based Grocery Manufacturers Association, said the legislation would give the FDA the resources it needs to better ensure food safety.

“Combined with increased industry resources and vigilance, this legislation represents a once in a lifetime opportunity to modernize our food safety system and restore the public’s faith in the safety and security of the food supply,” Bailey said in a written statement.

‘Major Step’

Twenty Democrats voted against the bill; 54 Republicans supported it. The measure now heads to the Senate where a food- safety [bill](#) introduced by [Dick Durbin](#), an Illinois Democrat, is awaiting committee approval.

President [Barack Obama](#), in a statement yesterday, called the House legislation a “major step forward in modernizing our food safety system and protecting Americans from food-borne illness.”

The House rejected the bill earlier this week when Democratic House leaders sought passage under procedures that required a two-thirds majority. Republicans and some Democrats balked, saying they weren’t given enough time to review the bill.

The push for the bill followed food recalls involving cookie dough, spinach and peppers, among other items. Earlier this year, an outbreak of salmonella-tainted peanuts killed at least eight people and sickened 600. The Centers for Disease Control and Prevention estimates there are 76 million cases of food-borne illnesses annually, 5,000 of which prove fatal.

Peanut Recall

“Too often recently we have watched horrible news reports showing stories of Americans who have become terribly sick or have died from eating the same simple foods we take for granted,” said Representative [Louise Slaughter](#), a New York Democrat. “Every day it seems like it is something new.”

[Kellogg Co.](#), which was affected by the peanut recall, commended the vote, according to [Kris Charles](#), spokesman for the world’s largest cereal maker.

“Earlier this year we called for key food safety reforms that are broadly consistent with the bill. We are pleased to see continued progress in this area and will continue to advocate for a safe food supply,” Charles said.

Food Controls

The FDA oversees 80 percent of the nation’s food supply, with meat, eggs and poultry falling under the jurisdiction of the Department of Agriculture.

The FDA, which currently has the authority to recall a handful of products including infant formula, would get expanded power under the bill to have more tainted items

yanked off store shelves. The agency also would be allowed to impose quarantines restricting the movement of food deemed a threat to public safety.

The bill would require 360,000 domestic and foreign food facilities to be inspected more frequently, with those deemed the riskiest examined at least once a year. Plants would have to register annually with the government so regulators know “who is doing what,” said Dingell. Produce and processed foods would have to bear labels identifying their countries of origin.

The measure directs the Health and Human Services secretary to determine by the end of this year whether bisphenol A, a chemical used in plastic food containers, presents a risk to infants, pregnant women or young children. It also calls for a study of whether antibiotics used in animals contribute to antibiotic resistance in humans.

The \$500 fee, which would be indexed for inflation, would generate an estimated \$1.4 billion over the next five years, [according](#) to the nonpartisan Congressional Budget Office. Companies owning multiple plants subject to the charge would pay no more than \$175,000 annually. Farms and restaurants would be exempted from the fee.

The [bill](#) is H.R. 2749.