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HENRY A. WAXMAN
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Opening Statement of Rep. Henry A. Waxman
Chairman, Committee on Energy and Commerce
H.R. 2749, the Food Safety Enhancement Act of 2009
Subcommittee on Health
June 10, 2009

I want to thank Chairman Pallone, Ranking Member Deal, and all our members for the food safety reform bill that we have before us today. The legislation we are marking up represents a huge accomplishment for this Committee. We stand on the verge of passing a comprehensive, broadly supported and bipartisan reform of our nation's food safety laws.

The Committee released a discussion draft and held our first legislative hearing just one week ago. Over the last week, we have worked with members — Democratic and Republican — on and off the Committee, with consumer and food safety groups, with numerous representatives from the food industry, and with the Obama Administration.

We have made a great deal of progress. I know that we still have some issues to work out, and I am committed to working with the members of the Committee to resolve them. If you have concerns about this bill, or there are issues that you feel need to be addressed, we'll work with you over the next week. My plan is to have a full Committee markup next Wednesday and I'm confident we'll have a strong bipartisan consensus on tough new standards to protect the food supply.

There is already a lot to be proud of in this bill, and in the agreements that we've reached with Committee Republicans.

The bill establishes a new preventive approach to avoiding food borne illness. It requires that all facilities conduct hazard analyses, assess potential food safety risks, and develop plans to keep the food supply safe. It establishes FDA food safety standards for produce. It establishes a food traceback system so that FDA and public health officials can easily determine the causes of foodborne disease outbreaks, and gives the Agency new tools to keep the food supply safe.

We make a critical breakthrough in this legislation by establishing a user fee system that provides dedicated funding for food safety activities. Under a proposal that we developed with the Republicans on our Committee and with the Grocery Manufacturers Association, all facilities

will be assessed a \$500 annual registration fee. These fees will provide FDA with a much-needed infusion of resources to keep the food supply safe.

Over the next week, I want to make this bill even better, and I'm confident that we can come to agreement on other key issues.

I want to acknowledge how far we have come with this bill and thank those responsible. Chairman Emeritus Dingell has worked on these issues for years; his ideas have helped form the foundation of this bill; and he and his staff have played a critical role in the negotiations over the key provisions in this bill. Chairman Stupak's great work on the Oversight and Investigations Subcommittee has helped identify key gaps in the regulatory system and he continues to be one of our strongest advocates for fixing these problems. Health Subcommittee Chairman Pallone has shown great leadership on this issue and I appreciate his work on last week's hearing and this week's markups. I also want to acknowledge the work of Rep. Sutton on the recall provisions of this bill and the work of Rep. DeGette on the traceability provisions.

Finally, I want to thank our Republican colleagues, Ranking Member Barton and Ranking Member Deal and Rep. Shimkus for their willingness to engage with us on this bill and for their ideas to help make it better.

I'm looking forward to this markup and to continuing to work with you and other Committee members as we move towards full Committee markup of a strong, bipartisan food safety reform bill next week.