

# CONGRESSMAN FRANK PALLONE, JR.

*Sixth District of New Jersey*

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## PALLONE STATEMENT AT HEALTH MARKUP OF FOOD SAFETY LEGISLATION

*Washington, D.C. --- U.S. Rep. Frank Pallone Jr., Chairman of the House Energy and Commerce Subcommittee on Health, gave the following opening statement this morning at a subcommittee markup of H.R. 2749, the Food Safety Enhancement Act of 2009.*

"Good morning. We are here today to mark up H.R. 2749, the Food Safety Enhancement Act of 2009. We have been working toward this day for a very long time. Both Mr. Dingell and I introduced our first food safety bills 11 years ago. And in the last few years especially, this committee has been very focused on the issue; holding hearings in both this Subcommittee, as well as in Oversight and Investigations, Mr. Stupak's Subcommittee. I want to thank Mr. Dingell, as well as Chairman Waxman and Mr. Stupak, for their commitment to this bill and for their tireless work on this issue.

We must do something to address our nation's food safety system. Too often it breaks down, too often contaminated or dangerous products make it onto grocery store shelves and into consumer homes and too often, people get sick or even die due to unsafe food products. During our hearing last week we heard about a three-year-old who suffered kidney failure after eating contaminated spinach and my staff met with a mother of young triplets who fell ill after eating contaminated baby food. This needs to stop and this needs to stop now.

The bill before us today is based on a discussion draft that Chairman Waxman, Chairman Dingell, Mr. Stupak and I released a few weeks ago. It includes provisions from Ms. DeGette's food recall and traceability bills and incorporates input from the FDA and key stakeholder groups. It also reflects some of the conversations we have had with Ranking Member Barton, Ranking Member Deal, and Mr. Shimkus. These conversations have been very productive and we intend to continue meeting on the remaining outstanding issues after this morning and as we move to full committee markup.

Our bill focuses predominantly on prevention. Unlike the current system of reacting to a food-borne illness outbreak only after consumers have fallen ill, this bill will require that companies put in place preventive controls to monitor the production lines and identify, prevent or eliminate hazards should they arise. It requires companies to have food safety plans, detailing all the food safety activities the company is undertaking to ensure the

safety of their products and to make those food safety plans available to an FDA inspector upon inspection. The bill will also require all facilities that sell products in the United States to register annually with the FDA and to pay a registration fee.

The bill also empowers the agencies with authorities that are crucial to the food safety system. Under the bill, the FDA will have the authority to set performance standards that companies must incorporate into their food safety plans; it requires the FDA to put in place a traceability system for food products so we can easily trace a contamination from the consumer all the way back to the source of contamination; it requires the FDA to inspect facilities according to a minimum inspection frequency; and it provides the FDA with enhanced enforcement authorities, including civil monetary penalties, recall, administrative detention, seizure, and subpoena.

I believe that this bill will reform and modernize our antiquated food system. It will supply the FDA with the resources it needs to create a strong food safety agency, it will provide the authorities the agency requires to set standards and identify hazards and dangerous contaminants, and finally, it will give the agency the enforcement authorities it needs to make sure that companies are complying with the bill and ensuring that the food they are making really is safe for consumers to eat.

Again, I would like to thank my colleagues for your work on this issue. I look forward to discussion and comments on this bill and now recognize Mr. Deal for his opening statement.