



For Immediate Release

Contact: Craig Orfield  
(202) 224-6770

Wednesday, November 18, 2009

## **HELP Committee Passes Legislation to Strengthen Public Faith in Food Supply**

*Legislation Will Better Protect Consumers and their Families*

**Washington, D.C.** – U.S. Senator Mike Enzi (R-Wyo.), Ranking Member of the Senate Health, Education, Labor and Pensions (HELP) Committee today supported committee passage of S. 510, The FDA Food Safety Modernization Act, that will help prevent food borne illness, and give FDA new, modern authorities to address food safety problems.

“Food safety is not a partisan issue – we all want the safest food supply possible,” said Enzi. “The United States has one of the best food safety systems in the world. But even in the best of systems, there is always room for improvement. We have the tools, the expert knowledge and the innovative spirit to find better and more reliable systems to protect the public health from contaminated food.”

“I thank Chairman Harkin for his commitment to this bipartisan legislation, and Senators Gregg, Burr, Dodd and Durbin for their hard work. I look forward to a comprehensive, bipartisan solution being signed into law as soon as possible,” Enzi added.

### **Enzi’s statement from the hearing can be found below:**

Mr. Chairman, food safety is not a partisan issue – we all want the safest food supply possible. The United States has one of the best food safety systems in the world. But even in the best of systems, there is always room for improvement. I am glad this Committee is addressing the serious issue of food safety, and I thank you for this committee process. I think it will save time on the floor, especially if both sides keep working together as we have been for the last two weeks. That good work has helped me decide to cosponsor this legislation, as a way to show support for the bipartisan process that I hope will continue.

I’d like to take a few minutes to talk about some of the results of that work. Our food safety system is just that, a system. Federal, state and local officials work together to protect the public health. In my state of Wyoming, our food safety officials are pretty good, but they want to get even better. This summer, they told me that they wanted to attend an advanced training seminar held by FDA to improve their skills. But there were only four spots to attend the seminar. None of the Wyoming folks got a spot. So, they talked to FDA, and asked if there could be another seminar. They even offered to host it. But they were turned down. I don’t think it’s in the interest of public health to prevent front line officials in our communities from stepping up their game. So I sought to have provisions included in the Chairman’s Mark to direct FDA to work a little harder at being a partner to the states on food safety. Senator Harkin is seeking to solve the same problem, but with a different approach. I am pleased that both our proposals were included. There’s no such thing as too many good ideas.

When it comes to food safety, the industry of course has a role to play, too. When you use a word like “industry” people think about large scale, sophisticated factories. But nearly all food producers and processors are small businesses. They, too, need training in the new requirements of this bill, and in the latest science and techniques. We have a wonderful mechanism for that already in place – the agricultural extension system. These folks are in every county in the country, and can either provide the technical assistance needed or help businesses connect with those resources. Small business is an issue near and dear to my heart, and I am pleased that we were able to include the extension service and other assistance to small businesses in this bill.

Like many of you, I am very interested in the traceability issue. I think we share the same goal of being able to know where a food item was grown or produced, so that in the event of an outbreak of food-borne illness, public health officials can get the right item off the shelves quickly, and fix the problem. Where we disagree is the distance to the goal. In 1992, amendments to the Prescription Drug Marketing Act required a pedigree, which is an advanced form of traceability, for prescription drugs. This requirement is still not in effect, seventeen years later. The late Senator Kennedy and I worked for two years to try and find a way to implement the requirement, but we were not successful. I still hope we can do it, but I wonder how on earth we are going to make this work for tomatoes, when we can't make it work for bottles of prescription drugs. The traceability requirements in this bill are good initial steps to put us on a path toward a functioning, practical system. Others would like to go much further than what is in this bill, toward a full-blown pedigree. To them I say you can swing for the fences and strike out, or you can get a nice solid base hit, and build from there. When it comes to public health, go big or go home isn't the right strategy.

I would also like to thank my colleagues on the Finance Committee for their comments on the trade implications of this bill. They have given us a lot to think about, and I hope we will be able to address their concerns as we move forward.

On almost every bill we recognize some issues are too tough to resolve on first try and agree to continue to work on them prior to the bill going to the floor, usually leaving only a very few issues to debate when the bill comes to the floor. That kind of cooperation has changed this committee on many issues from the most contentious committee to the most productive committee.

On this bill, we have a handful of such issues. For example, I am concerned about the burdens being placed on FDA, when they are struggling to keep up with their current authorities, plus the massive new tobacco regulatory structure we added earlier this year. FDA funding has been increasing, but that must be sustained for years to come in order to really stabilize the agency. Some have proposed fees as the answer to this problem, but I don't agree. The basic function of protecting the public health should be funded via the appropriations process. Asking a regulated industry to cough up for their own basic regulation is a tax, plain and simple. Not to mention a potential conflict of interest, as the public health watchdog becomes ever more dependent on the industry it is supposed to be watching.

I hope that we can continue to work through this and other issues, and bring the expertise and creativity of the HELP Committee members to bear on these problems to find bipartisan solutions. I look forward to the debate today.

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