

# Safe Food Act

Senator Durbin (D-IL) and Congresswoman DeLauro (D-CT)

**Background:** Foodborne illness is a common and costly, yet largely preventative public health problem. About one in six Americans—or 48 million people—get sick from one of 31 pathogens known to cause foodborne illness each year. According to the Centers for Disease Control and Prevention (CDC), 128,000 Americans are hospitalized each year and 3,000 Americans die of foodborne diseases. This costs the United States more than \$15.6 billion each year. To prevent such illnesses, there are currently fifteen different federal agencies implementing more than 35 food safety laws that make up food safety oversight in the United States. The two primary agencies are the U.S. Department of Agriculture (USDA)—which is responsible for the safety of meat, poultry, processed egg products, and catfish—and the Food and Drug Administration (FDA)—which is responsible for most all other food.

**Issue:** For more than four decades, the Government Accountability Office (GAO) has reported on the fragmented federal food safety oversight system, which has caused inconsistent oversight, ineffective coordination, and inefficient use of resources. Because of the jurisdictional split across food products, coordination between the USDA and FDA creates a dysfunctional system. For example, a frozen cheese pizza is regulated by the FDA, whereas a frozen pepperoni pizza is regulated completely differently by the USDA. This means that inspections at pizza production facilities must be carried out simultaneously by two different sets of guidelines and two different federal agencies. In 2010, Congress passed the FDA Food Safety Modernization Act (FSMA) following a number of high-profile foodborne illness cases in the early 2000's. FSMA updated the FDA's food safety authorities to better address emerging risks and to focus priorities on preventing—rather than responding to—foodborne illness. However, our nation's fragmented food safety system is obsolete and continues to put Americans at risk to foodborne illness.

**Solution:** The Safe Food Act would establish a single, independent food safety agency: the Food Safety Administration. The Food Safety Administration would consolidate the FDA and USDA food safety functions of inspection, enforcement, labeling, and research into a single entity, addressing the jurisdictional fragmentation in our food safety system. The Safe Food Act would modernize federal food safety laws to protect and improve public health by:

- Providing authority to require the recall of unsafe food and allow federal inspectors to conduct oversight inspections;
- Requiring risk assessments and preventive controls plans to reduce adulteration;
- Authorizing enforcement actions to strengthen contaminant performance standards;
- Improving foreign food import inspections; and
- Requiring full food traceability to better identify sources of outbreaks.

The Safe Food Act would also:

- Make it easier for producers, processors, and packagers to comply with federal food safety standards;
- Develop data sharing programs to learn more about foodborne illness and food contamination events; and
- Help families hurt by foodborne illness navigate the maze of federal, state, and local food safety agencies.

**Supporters:** The bill is supported by the Consumer Federation of America, Center for Foodborne Illness Research and Prevention, the National Consumers League, and STOP Foodborne Illness.