

March 21, 2017

Senator Ron Johnson
Chair
Senate Committee on Homeland Security
and Governmental Affairs
328 Hart Senate Office Building
Washington, DC 20510

Senator Claire McCaskill
Ranking Member
Senate Committee on Homeland Security
and Governmental Affairs
503 Hart Senate Office Building
Washington, DC 20510

REJECT THE “FILTHY FOOD ACT”

On behalf of organizations committed to safe food, we strongly oppose H.R. 5, the so-called Regulatory Accountability Act of 2017, which more aptly should be named the “Filthy Food Act.” We urge the Senate to reject similar efforts that jeopardize the safety of our food supply.

Food safety rules help reduce the risks posed by pathogens and pesticides. But, the “Filthy Food Act” passed by the House would create an unprecedented regulatory gauntlet through which no food safety rule or guidance could pass. The “Filthy Food Act” would arbitrarily cut science out of the regulatory process, replacing public input and expert analysis with never-ending reviews and layers upon layers of wasteful Congressional and judicial red tape. These changes would paralyze the federal response to emerging public health and safety threats.

Food safety rules have saved thousands of lives and prevented millions of cases of foodborne illness according to the Centers for Disease Control and Prevention (CDC). Their adoption has often followed terrifying foodborne illness outbreaks that exposed food system problems in urgent need of a solution. For example, the year after the 1993 Jack in the Box outbreak, the United States Department of Agriculture declared *E. Coli* O157:H7 to be an adulterant, effectively banning the sale of meat contaminated with the pathogen. According to CDC estimates, the rate of *E. coli* illnesses has fallen by nearly 50 percent since this rule went into effect.

Despite these advances, unsafe food continues to sicken an estimated 48 million people, hospitalize 128,000, and kill another 3,000 every year. Regulatory policy must address changing threats, such as disease-resistant “super bugs” and risks arising out of new production methods. This is why food safety rules under the Food and Drug Administration (FDA) Food Safety Modernization Act (FSMA) of 2011 are so critical, and expected to prevent over 800,000 cases of foodborne illness each year, according to the FDA’s regulatory impact analysis.

Food safety rules are good not only for consumers, but are also good for business. Passage of FSMA was strongly supported by the food industry because food businesses thrive when consumers have confidence that their food won’t make them sick. Good rules help the food industry build consumer confidence, weed out bad actors, quickly recall contaminated food, and open new markets. But, if the “Filthy Food Act” had been enacted, critical food safety rules and guidance—not to mention protections to keep air clean, get lead out of gasoline and paint, improve school foods, and inform consumers about what’s in the foods they eat—might still be held up in unnecessary, wasteful reviews and needless red tape.

Americans have a right to safe food. This bill would take America in the wrong direction and put children, families, and businesses at risk. We strongly oppose H.R. 5 and urge the Senate to reject the “Filthy Food Act.”

cc Senate Committee on Homeland Security and Governmental Affairs Members

Sincerely,

Center for Foodborne Illness Research & Prevention
Center for Science in the Public Interest
Consumer Federation of America
Consumers Union
Earthjustice
Environmental Working Group
Food & Environment Program, Union of Concerned Scientists
Food & Water Watch
Food Policy Action
Public Citizen
U.S. PIRG