

June 16, 2009

The Honorable Henry Waxman
Chair
House Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Waxman:

The undersigned organizations would like to thank you for your leadership in working to reform our nation's food safety system. Approximately 76 million Americans are sickened by foodborne illness each year causing roughly \$44 billion in medical costs and lost productivity. Recent outbreaks caused by contamination of common foods such as spinach, jalapeño peppers and peanut butter provide clear evidence that our food safety system lacks the capacity, coordination and resources to protect the public.

H.R. 2749, the Food Safety Enhancement Act of 2009, includes vital provisions to protect our food supply, including requiring food establishments to implement food safety plans, establishing more frequent risk-based inspections, authorizing the Food and Drug Administration (FDA) to access records for traceback and make mandatory recalls of food as needed, providing public education on food safety, and implementing penalties for noncompliance with food safety laws.

However, we strongly urge you to strengthen provisions in H.R. 2749 to focus on building state and local capacity and improving coordination of the food safety system across the federal government, state and local governments and private institutions. The current food safety system spans more than a dozen federal agencies and relies heavily on state and local governments. States conduct over 80 percent of all food facility inspections and local agencies inspect most retail and food service establishments. In order to implement the provisions in H.R. 2749 for more frequent inspections and improved surveillance, state and local agencies need additional support. We recommend inclusion of Section 205 of S. 510, the FDA Food Safety Modernization Act, or Sections 207 and 304 of H.R. 875, the Food Safety Modernization Act of 2009, which would build state and local capacity for foodborne illness prevention, surveillance, laboratories and response through grants and training; improve federal, state and local cooperation and information sharing; and establish a working group of public and private experts and stakeholders to provide advice and recommendations regarding the improvement of foodborne illness surveillance.

In addition, we urge you to invest in strengthening and developing the capacity of the food safety workforce through training of federal, state and local food inspectors in order to implement an increasingly science- and risk-based system and ensure an adequate workforce. We recommend including Section 305 of H.R. 875 that would establish a grant program to provide career-spanning training to federal, state and local food inspectors. We also recommend including provisions from H.R. 2513, the Food Protection Training Institute Act of 2009, to establish a food protection training institute to oversee and provide training to the food safety workforce and build the capacity and the integration of the national food safety system.

Thank you again for your dedication to addressing this important public health issue. We look forward to working with you as your committee moves forward with comprehensive food safety legislation.

Sincerely,

American Public Health Association
Association of Public Health Laboratories
Association of State and Territorial Health Officials
National Association of County and City Health Officials
Trust for America's Health