

## SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS HEARING ENTITLED, "AMERICAN LIVES STILL AT RISK: WHEN WILL FDA'S FOOD PROTECTION PLAN BE FULLY FUNDED AND IMPLEMENTED?"

Mr. Chairman, thank you for holding this important hearing. This is our eighth in a series of hearing on food safety. Sadly, a common theme of each has been a major food recall or outbreak of illness linked to the Food and Drug Administration's (FDA) inadequate resources or incompetent management.

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Washington, D.C.  
— Rep. John D. Dingell (D-MI), Chairman of the Committee on Energy and Commerce, delivered the following statement this morning at a Subcommittee on Oversight and Investigations hearing titled, "American Lives Still at Risk: When Will FDA's Food Protection Plan Be Fully Funded and Implemented?"

Mr. Chairman, thank you for holding this important hearing. This is our eighth in a series of hearing on food safety. Sadly, a common theme of each has been a major food recall or outbreak of illness linked to the Food and Drug Administration's (FDA) inadequate resources or incompetent management.

Today is no different. We face yet another food crisis. Since mid-April, there have been 145 reported cases of Salmonella poisoning associated with fresh tomatoes. This outbreak has extended to 16 States and resulted in at least 23 hospitalizations. It has sickened people, devastated an entire industry, and cost consumers, producers, and retailers millions of dollars. Tragically, similar to food crises in the past, FDA has been unable to identify the source of this contamination or even where the tomatoes originated.

These continued outbreaks are unacceptable. To begin addressing the problems plaguing the Nation's food safety system, my colleagues and I proposed in April draft legislation outlining comprehensive changes needed to improve the safety of domestic and imported food, as well as drugs and medical devices. I believe this proposal would give FDA the resources and authority necessary to protect Americans.

Today's hearing examines the Administration's proposed Food Protection Plan, announced last November, which illustrates the challenges we face in protecting our Nation from food-borne illnesses. On paper, it looks good. It calls for preventing contamination by pursuing safety measures that address risk through the lifecycle of food products and countering food hazards before they do harm. These are admirable goals that no one would oppose.

Unfortunately, it lacks the details of what is needed to meet these goals, including how much money would be needed to pay for them. Since this plan first surfaced, this Committee and the Government Accountability Office, at our direction, have made repeated requests for details about this effort, but to no avail.

If the President's initial fiscal year 2009 budget allocation was any indication of how seriously the Administration takes this plan, I fear for the Plan's success. The President's original budget asked for a mere \$51 million in new budgetary authority for all FDA programs, while requesting only \$30 million in new budget authority for implementing the Food Protection Plan—an amount that experts view as inadequate.

My concern that the Administration's Plan may be smoke and mirrors was heightened by Tuesday night's hastily arranged conference call between Secretary Leavitt, Commissioner von Eschenbach, and select members of the press. It was only then, within days of this hearing, that the Administration announced they would seek an additional \$275 million in new funding including \$125 million specifically for food safety.

The Food Protection Plan is a solid first step in articulating how to fix our broken food safety system. If, however, the Administration is serious about implementing this plan, it must work with us to provide the details and draft the legislation to fix the current system, including a realistic assessment of its resource requirements.

I look forward to the testimony from today's expert witnesses about what is really needed to protect Americans from unsafe food. We will also hear from FDA's Food Czar who we hope will not provide us with another Potemkin village, but rather will be candid and forthcoming in giving us and the American people the truth about what he needs to fix this very difficult problem.

Prepared by the Committee on Energy and Commerce

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