

Chairman Dingell at the Subcommittee on Oversight and Investigations Hearing Entitled "Diminished Capacity: Can the FDA Assure the Safety and Security of the Nation's Food Supply? - Part IV - Deception in Labeling"

Statement of Congressman John D. Dingell, Chairman
Committee on Energy and Commerce

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS
HEARING ENTITLED "DIMINISHED CAPACITY: CAN THE FDA ASSURE THE SAFETY AND SECURITY OF THE NATION'S FOOD SUPPLY? - PART IV - DECEPTION IN LABELING"
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Mr. Chairman, thank you for holding this important hearing, and for the excellent series of food safety investigations that you have conducted this year. Each of these hearings has helped not only the Committee develop legislation, but also has increased Americans' awareness of the risks they face every day in their kitchen or neighborhood restaurant.

Today, we turn to the approval of carbon monoxide to disguise the true colors of fish and meat and the refusal to disclose to the American consumer the use of this process.

This is not to say that sometimes meat and fish treated with carbon monoxide aren't perfectly fine when they reach the grocery store or the restaurant kitchen. But it concerns us greatly that treatment with this gas enhances color, particularly reds, to the point where spoiled meats or fish look as fresh as the day they were packaged.

The regulatory agencies responsible for protecting the public health, the Food and Drug Administration (FDA) and the United States Department of Agriculture (USDA), have permitted this potentially deceptive practice in the United States, even though Canada, Europe, and Japan all ban it. In doing so, FDA and USDA have also refused to require the companies to label their products as treated with carbon monoxide—something every consumer should know before a purchase.

One of the key factors for consumers in selecting meat or fish is its color, followed by its smell. We have a nice example of meat down on the hearing table. Some of the meat is a year old. I suspect it is spoiled although you couldn't tell by the color. You certainly can't tell by the smell since the packaging is totally sealed. Finally, you can't tell by the labeling because the companies have apparently convinced regulators that consumers might be confused or frightened if they knew what they were eating was treated with carbon monoxide.

One of our USDA witnesses says that if the packaging is not bulging, it is fine. Committee staff have actually been told by a Hormel scientist that the worst thing that can happen, even if a food product is spoiled, is that the consumer might have an "unpleasant dining experience." They argue that spoiled meat won't hurt us—that the bacteria that cause meat to rot are not pathogens.

Those arguments, however, are false. We all know, and Cargill in particular should know, that meat packed in CO can also contain pathogens that can kill or harm us. Just last week Cargill recalled more than a million pounds of ground beef suspected of containing the dangerous E. coli germ. Of that amount, some 119,000 pounds were treated with carbon monoxide and would therefore look as fresh as the day it was butchered until some unsuspecting customer purchased it.

Mr. Chairman, I urge you to get to the bottom of how and why these decisions were made by FDA and USDA. I also urge you in particular to find out why the companies still refuse to let the American people know that their meat or fish is being treated with carbon monoxide.

Mr. Chairman, thank you again for holding this important hearing on the safety of this Nation's food supply. I look forward to the testimony of the witnesses today, and particularly the response to our questions from both FDA and USDA. Mr. Chairman, this Committee has and will continue to fight for a strong food safety system in this country. Today, I hope we will move one step closer to making this necessity a reality.

Prepared by the Committee on Energy and Commerce
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