

# Senate passes bill to boost food safety

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In this Nov. 16, 2010 file photo, Senate Majority Leader Harry Reid of Nev., gestures during a news conference on Capitol Hill in Washington. The Food and Drug Administration would have to step up inspections of food processors under legislation the Senate is expected to pass this week. The bill, which has stalled in that chamber for more than a year, would give the FDA authority to order a recall of tainted products. Today, the agency must negotiate with sellers of tainted food to do a voluntary recall. The bill would also require food manufacturers and farms to follow stricter standards to keep food safe. (AP Photo/Alex Brandon, File)

(AP) -- The Senate passed legislation Tuesday to make food safer in the wake of deadly E. coli and salmonella outbreaks, potentially giving the government broad new powers to increase inspections of food processing facilities and force companies to recall tainted food.

The \$1.4 billion bill, which would also place stricter standards on imported foods, passed the Senate 73-25. Supporters say passage is critical after widespread outbreaks in peanuts, eggs and produce.

Those outbreaks have exposed a lack of resources and authority at the FDA as the embattled agency struggled to contain and trace the contaminated products. The agency rarely inspects many food facilities and farms, visiting some every decade or so and others not at all.

The bill would emphasize prevention so the agency could try to stop outbreaks before they begin. Farmers and food processors would have to tell the [Food and Drug Administration](#) how they are working to keep their food safe at different stages of production.

Despite wide bipartisan support and backing from many major food companies, the legislation stalled as it came under fire from advocates of buying locally produced food and operators of small farms, who said it would could bankrupt some small businesses. Senators eventually agreed to exempt some of those operations from costly food safety plans required of bigger companies, rankling food safety advocates and larger growers but gaining support from farm-state senators.

Senate sponsors further softened the bill's impact on the [food industry](#) - including eliminating some fees processors would have to pay and reducing the number of required inspections - to gain votes in the Senate and to make the bill more palatable in the House. Members of both parties voiced concern about the legislation's impact on small farms and businesses when a different version of the bill passed that chamber in 2009.

The bill's prospects are unclear since there is little time during the brief lame-duck congressional session for the House and Senate to reconcile different versions. Iowa Sen. Tom Harkin, the sponsor of the Senate

legislation, said he has agreement from some members in the House to pass the Senate bill, which would send the legislation straight to President Barack Obama's desk.

Senators rejected several unrelated amendments to the bill, including an amendment to place a moratorium on earmarks, or pet projects in lawmakers' states and districts, and one to repeal an arcane tax provision that helps pay for President Barack Obama's new health care law. Supporters said the amendments would have killed the bill's chances in the House.

The Senate legislation would:

- Allow the FDA to order a recall of tainted foods. Currently the agency can only negotiate with businesses to order voluntary recalls;
- Require larger food processors and manufacturers to register with the Food and Drug Administration and create detailed [food safety](#) plans;
- Require the FDA to create new produce safety regulations for producers of the highest-risk fruits and vegetables;
- Establish stricter standards for the safety of imported food;
- Increase inspections of domestic and foreign food facilities, directing the most resources to those operations with the highest risk profiles.

The bill would not apply to meat, poultry or processed eggs, which are regulated by the Agriculture Department. Those foods have long been subject to much more rigorous inspections and oversight than FDA-regulated foods.

The federal Centers for Disease Control has estimated that tens of

millions of Americans are sickened and thousands die from foodborne illnesses each year.

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