



American  
Public Health  
Association

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*Protect, Prevent, Live Well*

May 19, 2009

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

The Honorable Edward M. Kennedy  
Chair  
Senate Committee on Health, Education, Labor  
and Pensions  
527 Hart Senate Office Building  
Washington, DC 20510

Dear Representative Waxman and Senator Kennedy:

On behalf of the American Public Health Association (APHA), the oldest and most diverse organization of public health professionals and advocates in the world dedicated to promoting and protecting the health of the public and our communities, I urge you to support comprehensive food safety legislation to reform our nation's food safety system. Keeping food safe is critical to keeping the public healthy and maintaining consumer confidence in the safety of our food supply.

According to the Centers for Disease Control and Prevention (CDC), foodborne pathogens cause 76 million illnesses, 325,000 hospitalizations and 5,000 deaths in the U.S. annually. In addition, foodborne illnesses cost consumers billions of dollars each year in medical expenses, lost productivity and wages. They also lead to a loss of consumer confidence in the safety of our food supply, which can be costly to farmers and food producers whose products are connected to an outbreak.

We must rebuild and strengthen the nation's capacity to assure our food is safe. In the past few years, we have experienced outbreaks caused by contamination of common foods such as spinach, jalapeño peppers and peanut butter. These outbreaks are evidence that our food safety system lacks the capacity, authority and leadership to protect the public. Comprehensive food safety legislation is necessary and must include the following provisions:

- Building state and local capacity for foodborne illness detection, surveillance, laboratories and response through grants and training, and adequately funding CDC to expand the capacity of its food surveillance, investigation and laboratory capacity.
- Improving coordination across the federal government, state and local governments and private institutions.
- Expanding inspection capacity by fully funding the Food and Drug Administration (FDA) and providing grants to support adequate state and local inspection capacity and training, and ensuring that food establishments are inspected at least once per year.
- Requiring food establishments to implement food safety plans, regularly test food and the environment, maintain records, and report if they find contaminants.
- Authorizing FDA to access records for traceback and make mandatory recalls of food as needed.
- Providing public education on food safety, proper food handling, and contaminant risks and provide technical assistance to small food establishments.
- Implementing mandatory penalties for noncompliance with food safety laws.

Thank you for your leadership on this important public health issue. We look forward to working with you as your committees develop comprehensive food safety legislation.

Sincerely,

A handwritten signature in black ink, reading "Georges C. Benjamin". The signature is written in a cursive, flowing style with a large, prominent initial "G".

Georges C. Benjamin, MD, FACP, FACEP (Emeritus)  
Executive Director