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## House passes bipartisan Food Safety bill in 283 to 142 vote

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Despite a side-lines skirmish, the full House passed major food safety legislation Thursday in a 283 to 142 vote after a debate which featured Republicans joining Democrats in praising the bill as both bipartisan and the culmination of 21 years of efforts to rewrite an antiquated U.S. food safety system. Several Republicans added their wish that Democrats would be equally willing to pursue a bipartisan approach with pending health care and climate change legislation.

The bill gives new authority to the federal Food & Drug Administration (FDA) to oversee all aspects of the food system, from the farm and processing levels through to distribution and retail sales. Bill sponsors emphasized that thanks to working with House Agriculture Committee Chair Collin Peterson (D-MN), the final bill added specific provisions that exempt many grain, livestock, organic and small farm and small processing operations from the FDA registration, inspection, record keeping and penalty provisions which apply to the rest of the food system. Bill supporters also noted that a major purpose of the legislation is to provide FDA with new authorities to ensure that imported food meets all U.S. food safety standards.

Rep. John Dingell (D-MI), who sponsored H.R. 2749, the "Food Safety Enhancement Act of 2009," said turning the bill into law – which would require Senate action after the August recess – is long overdue. He explained that "Americans are dying because Food & Drug does not have the authority to protect them. And American agriculture is being hurt." He pointed out that the bill was approved by the House Energy & Commerce Committee on a voice vote which demonstrated strong bipartisan support.

In his floor speech calling for passage, Dingell said: "A series of food borne disease outbreaks have laid bare unacceptable gaps in our food safety laws. And this will be the first major change in our food safety system with regard to Food & Drug since 1938. In the past two years alone, we have witnessed issues of melamine in infant formula and in milk products and we have seen tainted peppers from Mexico, harmful seafood and shellfish from China, and *e. coli* in spinach and problems from strawberries and raspberries. Each year, in spite of the fact that we have the most careful and safe food in the world, we find that 76 million people contract a food-borne illness in the United

States. According to CDC [the Federal Centers for Disease Control] some 5,000 die. This legislation contains significant policy solutions that will address this situation.”

Calling on House members to pass the bill, House Agriculture Committee Chair Collin Peterson (D-MN) said that thanks to changes made to the original bill, “We believe that we have addressed the concerns of agriculture. . . we now have groups that in the past had some concerns, are now either neutral or supporting this bill.” He then listed a string of organizations including American Farm Bureau, the National Association of Wheat Growers, Corn Growers, Pork Producers, Cattlemen Beef Association, Soybean Association, Rice Federation, and others.

Rep. John Shimkus (R-IL), who managed the Republican side of the debate on the Food Safety bill, explained his own strong support for the legislation. He said that in House Energy & Commerce Committee hearings, “every time we had a hearing on some unsafe food product, another outbreak would occur, so we knew that we really had to get our heads together and address food safety issues and we think we’ve done that with this bill.” In response to Republican members of the House Agriculture Committee opposed to the bill, Shimkus pointed out that “Livestock and poultry are exempt from the bill, grain and related commodities are exempt from produce standards. USDA regulated farms, facilities and products are not subject to the bill.” He said the fact was that he and other members of the Energy & Commerce Committee “just couldn’t sit on the sidelines any more as we saw case after case of food-borne illnesses.”

Rep. Fred Upton (R-MI), another member of the Energy & Commerce Committee, said the legislation is needed because “the current system is not working.” He pointed out that as in the case of the Georgia peanut processing company whose products caused eight deaths last year, “we have a number of very bad actors, but they have jeopardized the whole food system. . . I would urge my colleagues on both sides to support this legislation.”

Those arguments from Shimkus and Upton didn’t impress all Republicans. Former House Agriculture Committee Chair Bob Goodlatte (R-VA) charged during the debate that “Unfortunately, this bill does little if anything to advance food safety... This legislation imposes significant regulatory burdens on small businesses. . . effectively creates a federal license to be in the food business. . . Like the Democrats’ stimulus bill, cap and trade, and the proposed health care bill, this is another example of broadening the size and scope of government, raising new taxes on small businesses and intruding in the private lives of Americans.”

House Ag Committee Ranking Member Frank Lucas (R-OK), who has led the fight against the bill, said in Thursday’s floor debate that “I don’t think there is a single member of Congress who wouldn’t support reasonable proposals that improve the safety of what is already the safest supply of food in the world. But this legislation is woefully inadequate. It fails to achieve what we are all seeking for our consumers, an improved food safety system.” Instead, he said, the bill simply “expands the reach and authority of the U.S. Food & Drug Administration but does not require further accountability.”

In a last-ditch attempt to prevent the bill’s passage, Lucas offered a motion to recommit the bill for further committee consideration. That motion was defeated in a largely partisan 240 to 186 vote. In the final 283-142 House vote approving the Food Safety bill,

Democrats split 229 to 20 in favor of passage with Republicans split 122 to 54 in opposition.

For more background on the food safety debate, go to [www.Agri-Pulse.com](http://www.Agri-Pulse.com) and listen to our Wednesday audio update. Go to <http://www.agri-pulse.com/uploaded/20090730H.pdf> to read about earlier House action on the Food Safety bill.

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