

Food Security, what is the Threat?

Highlights of testimony to US Congress

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Food Security: What is the Threat?

A New Threat:

The events of 9/11, 2001, changed the social fabric and the economy of the United States in many ways. The reality that this change extended to the need to protect the US food supply from vulnerability to intentional contamination with biological, chemical, and radiological agents. (food security) as well as unintended pathogens (food safety) seemingly was not recognized by the FDA until July of 2003.

July 24, 2003

Statement of Mark B. McClellan, M.D., Ph.D., Commissioner of Food and Drugs
Before the Senate Committee on Health, Education, Labor, and Pensions

Good morning, Mr. Chairman and other Members of the Committee. I am Dr. Mark B. McClellan, Commissioner of Food and Drugs in the Department of Health and Human Services (HHS). I am pleased to be here today with my colleagues from two of our sister agencies, Dr. Julie Gerberding of the Centers for Disease Control and Prevention (CDC) and Dr. Elias Zerhouni of the National Institutes of Health (NIH). The Food and Drug Administration (FDA or the Agency) appreciates the opportunity to discuss some of FDA's counterterrorism activities and to discuss the biodefense workforce issues raised in the recent report by the Partnership for Public Service entitled, Homeland Insecurity: Building the Expertise to Defend America from Bioterrorism.

In my testimony today, I will first briefly describe FDA's role in counterterrorism activities. Second, I will address a significant omission in the report and describe the food safety and food security responsibilities of the FDA. Third, I will discuss the development and availability of countermeasures and the Administration's Project BioShield initiative. Finally, I will describe FDA's actions to improve our ability to recruit and retain the types and numbers of staff necessary to defend against terrorist attacks.

Now, I would like to address a significant omission in the Partnership's report and describe FDA's food safety and food security programs. The section in the Partnership's report entitled "The Threat to Our Food Supply" fails to mention the FDA's significant responsibilities for safeguarding the food supply.

.....And so FDA's mission today is not only about food safety – it is fundamentally about food security as well. The changes in food security that we are implementing now amount to the most fundamental enhancements in our food safety activities in many years. Yesterday, Secretary Thompson and I issued a report entitled "Ensuring the Safety and Security of the Nation's Food Supply." The report outlines a clear and comprehensive approach to protecting the safety and security of our food supply.

Additional FDA Workers provided:

- The Fiscal Year 2002 supplemental counterterrorism funds enabled FDA to hire about 800 employees.
- Most of these additional employees were hired by Office of Regulatory Affairs (ORA) to address food safety and security issues, primarily at the border.
- doubled the number of ports that have an FDA presence from 40 to 90 ports.
- quintupled the number of food examinations at the border
 - performed 62,000 food import examinations in 2003 (goal was 48,000)
 - Compared to 12,000 in 2001.

June 25, 2004

- Note who now accompanies FDA:
- 80% of report was on what was done to protect against importing dangerous food

Statement of Lester M. Crawford, D.V.M., Ph.D.

Acting Commissioner of Food and Drugs

Before the Subcommittee on Health House Committee on Energy and Commerce

I am Dr. Lester M. Crawford, Acting Commissioner of the Food and Drug Administration (FDA or the Agency), which is part of the Department of Health and Human Services (HHS or the Department). I am pleased to be here today with my colleague, Ms. Cathy Saucedo from Customs and Border Protection (CBP) in the Department of Homeland Security (DHS).

Thank you for this opportunity to discuss FDA's actions to implement the food safety provisions in Title III, Subtitle A - Protection of Food Supply - in the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Bioterrorism Act).

While we cannot physically inspect every shipment, it is important to note that every shipment that contains FDA-regulated products that is entered for consumption or warehouse storage through CBP's ACS is electronically reviewed by FDA's Operational and Administrative System for Import Support to determine if the shipment meets identified criteria for physical examination or sampling and analysis or warrants other review by FDA personnel. This electronic screening allows FDA to concentrate its limited inspection resources on high-risk shipments while allowing low-risk shipments to proceed into commerce.

July 20, 2005

- Note who now accompanies FDA

Statement of Robert E. Brackett, Ph.D. Director
Center for Food Safety and Applied Nutrition
Before the Senate Committee on Agriculture, Nutrition and Forestry

Good morning, Chairman Chambliss and Members of the Committee. I am Robert E. Brackett, Ph.D., Director of the Center for Food Safety and Applied Nutrition (CFSAN) in the Food and Drug Administration (FDA or the Agency), Department of Health and Human Services (HHS or the Department). I am pleased to be here today with my colleagues from the U.S. Department of Agriculture (USDA), the Department of Homeland Security (DHS), and the Federal Bureau of Investigation (FBI). FDA appreciates the opportunity to discuss our food counterterrorism activities.

A great deal has been done in the past few years to enhance the safety of the food supply. FDA has worked with food safety agencies, as well as with law enforcement and intelligence-gathering agencies, and with industry to significantly strengthen the nation's food safety system across the entire distribution chain, from farm to table, to better protect our food supply against deliberate and accidental threats.

Food safety and food defense continue to be top priorities for this Administration. A terrorist attack on the food supply could have both severe public health and economic consequences, while damaging the public's confidence in the food we eat. The changes in food safety and defense that we have been implementing in the last few years are the most fundamental enhancements in our food safety and defense activities in many years.

- Dr. Brackett goes on to tell about the registration of "foreign facilities" under the Bioterrorism Act and the process of "Prior Notice of Imported Food Shipments" registration of

Section 307 of the Bioterrorism Act requires the submission to FDA of prior notice of food, including animal feed, that is imported or offered for import into the U.S. This advance information enables FDA, working closely with CBP, to more effectively target inspections at the border to ensure the safety of imported foods before they move into the U.S. Since December 2003, we have been receiving approximately 180,000 notifications each week about articles of food being imported or offered for import into the U.S.

With the prior notice requirement, specific information mandated by the Bioterrorism Act must be submitted to FDA before the imported food arrives in the U.S. This allows FDA's and CBP's electronic screening systems to review and screen the shipments for potential serious threats to health (intentional or otherwise) before food

arrives in the U.S.,..... Prior Notice import security reviews complement the traditional import field examinations. In FY 2004, FDA conducted intensive prior notice import security reviews on 33,111 imported food shipments.

- Dr. Backett goes on to identify several other activities to enforce security:
 - Administrative Detention for detaining an article of food, expedited procedures for detaining perishable foods, and the process for appealing a detention order.
 - Inspection of Records for Foods authorizes FDA to have access to certain records when the Agency has a reasonable belief that an article of food is adulterated and presents a threat of serious adverse health consequences or death to humans or animals
 - Authority to Commission Other Federal Officials to Conduct Inspections examinations and investigations may be carried out on FDA's behalf at ports where FDA may not currently have staff or to augment FDA staff at ports that do have an FDA presence.

October 22, 2009

- Focus returns to “food safety”
- Notes:
 - FDA is again alone in front of Congress
 - Language has to do with “safety” not “security”
 - Relaxation of foreign facilities inspections

Statement of Margaret A. Hamburg, M.D. Commissioner of Food and Drugs (FDA)
Before the Committee on Health, Education, Labor, and Pensions, U.S. Senate

Thank you for the opportunity to appear before you today to review current issues in food safety, especially pending food safety legislation that is of great interest to this Administration. I would first like to commend you, Mr. Chairman, for your leadership and your long-standing commitment to improving food safety.

....By way of background, FDA is the federal agency that is responsible for overseeing the safety of the food supply except for meat, poultry, and processed egg products, which are overseen by our partners at the U.S. Department of Agriculture (USDA). Ensuring that foods are safe and secure is a vital part of FDA's mission, and FDA is committed to ensuring that the U.S. food supply continues to be among the safest in the world. Food safety is a core public health issue.

Every year, millions of people in the United States suffer from foodborne illness, hundreds of thousands are hospitalized, and thousands die.

FDA plans to increase inspection of foreign food facilities, but we are concerned that the bill's foreign inspection mandate may not result in the best use of FDA's resources, in light of the approximately 230,000 registered foreign facilities (as of the beginning of this month) and the high cost of overseas inspections. We think we can

achieve cost-effective oversight of imports by working with foreign governments, using the bill's new tools for import oversight, supporting a strong accredited third-party inspection program, and increasing targeted, risk-based foreign inspections, consistent with the United States' international trade obligations.

Food Security Summary:

Although the FDA was slow to recognize its responsibilities to protect the US food supply from the threat of intentional contamination (food security), it did receive increased authorities and increased resources to attempt to address the issue. Still overwhelmed by the enormous and increasing demands of imported produce, FDA expanded its use of technology and leverage of other agency partners to sample and target high risk food shipments and deploy deputized resources to carry out inspections when the FDA personnel were unavailable. In addition, through efforts to establish contamination tracking labeling and rapid response cooperative networks, the FDA is positioned to work with other government agencies to effectively respond to a limited geographic contamination incident.

However, the fundamental issue of being under resourced to effectively monitor an increasing amount of globally produce imported into the United States has in 2009 caused the Obama administration to throw up its hands and advocate for a greater degree of self-governance by the foreign countries supplying produce to the United States. The ability for the US to increase its capacity to meet the year round demand of organic produce would dramatically reduce the oversight burden which is unable to be met due to economic constraints. The self-governance methods applied to the US organic produce farmers would allow for further decline in the requirement of large government oversight resources. Finally, if the number of organic farms increased and the focus of such farms was primarily local provision of organic produce, this would more readily fit the capacities of the US government to rapidly respond to a localized food safety or food security incident.

Sustainable Essentials Enterprises, LLC Terraponics Technologies™ and SuperGrow Facilities™ is ideally suited to facilitate the expansion of local organic farms that provide safe and secure produce to local markets.