Food Safety Culture: A History 1906 to Present

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Food Safety Culture: Government, Private Sector and Consumers

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Food Safety Culture

- Ingredients for building a food safety culture
  - Transparent and inclusive regulatory authority
  - Private sector engagement and support for legal regulatory authority
  - Consumer awareness and engagement in food safety requirements
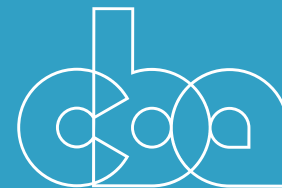
Facts and Truth: Early influencers

Food Safety

- *You don't have to be satisfied with America as you find it. You can change it. I didn't like the way I found America some sixty years ago, and I've been trying to change it ever since.*

- *I aimed at the public's heart, and by accident I hit it in the stomach.*

Upton Sinclair

Communication and truth

- *The single biggest problem in communication is the illusion that it has taken place.*

George Bernard Shaw

- *Most writers regard the truth as their most valuable possession, and therefore are most economical in its use.*

Mark Twain

Truth

- *A lie gets halfway around the world before the truth has a chance to get its pants on.*

- *Truth is incontrovertible, ignorance can deride it, panic may resent it, malice may destroy it, but there it is.*

Winston Churchill

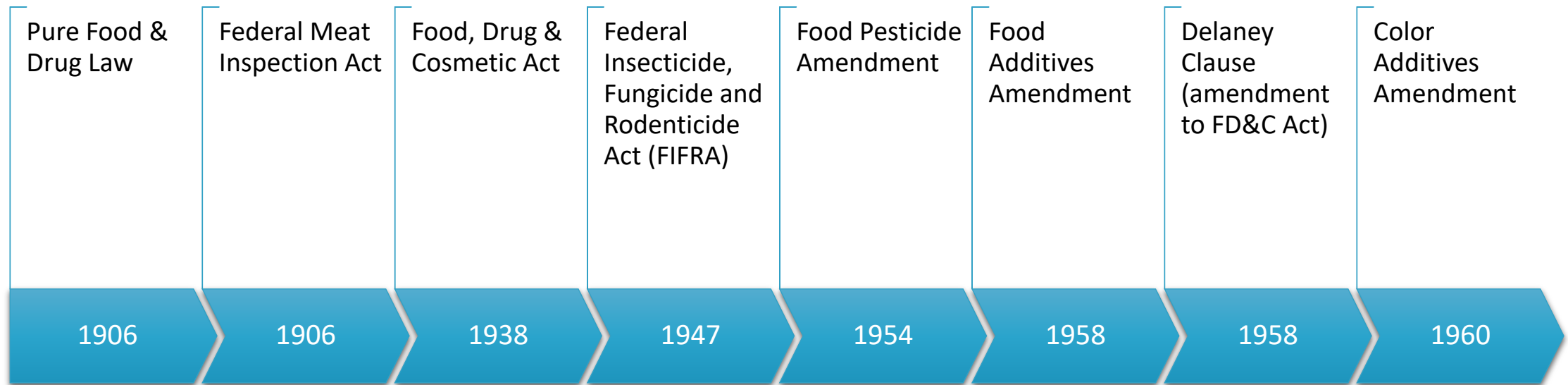# A growing Food Safety Culture in the United States
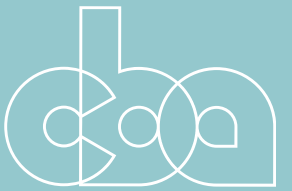
- Why did Congress act to authorize a federal food safety agency?

- Consumers were getting sick and dying due to pathogens and unsanitary conditions in food production.

- U.S. economic interests were being undermined by food safety and sanitary concerns – exports were rejected and banned in certain markets, mainly by European countries.

- Consumers demanded better safety and quality of food.
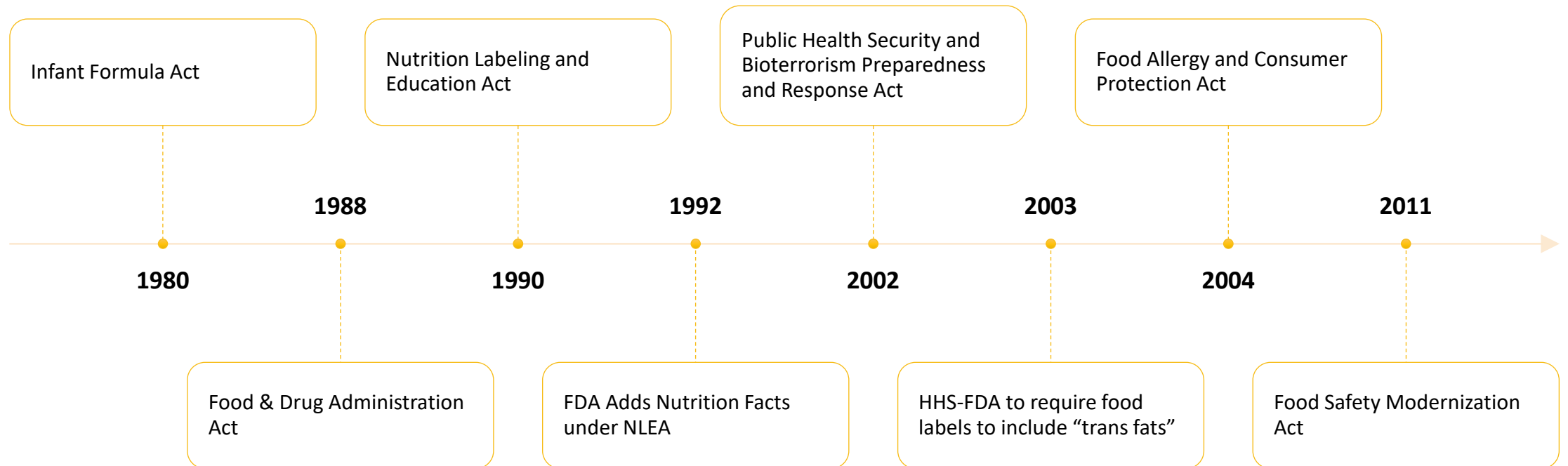
- Food producers demanded that Congress act and put in place strong regulatory provisions that would govern how food was produced, transported, held and sold.

- Food industry backed almost 100 food purity laws introduced in Congress between 1879 and 1906 – all were defeated but two.

- Food producing industry worked with Congress to frame the first federal food safety act in 1906.

U.S. Food Safety Laws 1906-1960

Pure Food & Drug Law	Federal Meat Inspection Act	Food, Drug & Cosmetic Act	Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)	Food Pesticide Amendment	Food Additives Amendment	Delaney Clause (amendment to FD&C Act)	Color Additives Amendment
1906	1906	1938	1947	1954	1958	1958	1960

U.S. Food Safety Requirements 1960-2011

Infant Formula Act

Nutrition Labeling and Education Act

Public Health Security and Bioterrorism Preparedness and Response Act

Food Allergy and Consumer Protection Act

1988

1992

2003

2011

1980

1990

2002

2004

Food & Drug Administration Act

FDA Adds Nutrition Facts under NLEA

HHS-FDA to require food labels to include "trans fats"

Food Safety Modernization Act

Primary Food Safety Laws in the United States

- 1906 Pure Food and Drugs Act

Addressed the misbranding and adulteration of food and drugs in interstate commerce.

Amended six times but still had serious defects in the law.

- 1938 Federal Food Drug and Cosmetic Act

- Food industry proposed a revision of the 1906 Act in 1933 to strengthen its provisions.

- Addressed misbranding, adulteration and false advertising.

- 2011 Food Safety Modernization Act

- Preventive Controls

- Produce Safety

- Increases inspection frequency

- Access to records

- Mandatory Recall Authority

- Traceability for high-risk foods

- Greater authority over imported foods

Why does the Private Sector want a strong FDA - Facts?

- 1948 (Charles Wesley Dunn)

The food industry desires a strong national law against the adulteration, misbranding, or false advertisement of its products, for three manifest reasons.

1. Industry must protect the consuming public from a serious health injury and the public from a serious economic injury.

2. To protect the industry itself from seriously injurious acts in the production and marketing of its products (as opposed to an unregulated conduct).

*3.Required by industry to provide a standard for uniform state and municipal legislation, **which is essential to the due pursuit of interstate commerce.***

Interstate Commerce Relies on a strong federal regulatory system

Economic Viability of the Food Industry and all industries in the value, transport and retail sectors – a large portion of the U.S. economy.

Uniformity of products and labeling requirements.

Ability to regulate and inspect to one set of requirements is essential for regulators.

Spurring innovation in the development of new technologies and food will not work with a 25 or 50 plus one model or regulation.

Increased costs will be a burden on producers and consumers.

State food safety laws are proliferating and may undermine both the U.S. economy and state economies

- State food safety laws backed by special interest undermine FDA's authority and lack rigorous scientific study on the substances subject to state action.

- State laws that are out of step with or directly conflict with FDA authority will likely face legal challenges.

- State regulators are not properly resourced to enforce inconsistent federal and state requirements.

- Patchwork of federal requirements and state laws undermine innovation, investment and create uncertainty for manufacturers and consumers.

- State economies could be negatively impacted by increased regulatory burdens imposed by legislative requirements.

Limitations of state food safety laws

- State regulatory authorities are facing budget constraints with current regulatory responsibilities.
- State legislatures are not engaging state regulators on the feasibility of state food safety laws.

- State regulators may not have the necessary training or expertise to take on new regulatory powers and likely lack sufficient funding to do so.
- May undermine federal requirements and conflict with federal law.

- Create uncertainties for both the private sector and consumers.
- Unintended consequences could include, products not offered for sale in the state, economic disruptions and economic losses.

Building and Strengthening a Food Safety Culture

- Must embrace sound science and rigorous scientific studies.

- Food Safety laws and regulations based on what the science tells us not on myriad opinions posted on the internet.

- Consumers need clarity and truth in the information they receive from government, private sector and the media.

Food Safety Culture in the United States

- A collaborative partnership between government, private sector and consumers.

- Mutually reinforcing, truthful and reliable.

- The private sector has a vested interest in a strong food safety culture in the United States and in exporting that culture to other countries.

- FDA must prioritize its mission of food safety and successfully execute on it before it takes on new areas of work.

How can we improve Food Safety Culture in the United States
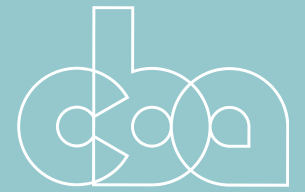
- Strengthen the Food and Drug Administration's Human Foods Program by refocusing it on food safety and public health.

- Increased training of regulators to better understand economic realities of food safety measures, food production and supply chain oversight.

- Provide consumers with accurate and verifiable information about products, nutrition and the requirements of a food safety culture.

Thank You!

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