



February 7, 2007

The Honorable Rosa DeLauro  
U.S. House of Representatives  
2262 Rayburn House Office Building  
Washington, DC 20515

Dear Madam Chairwoman:

Consumers Union, publisher of Consumer Reports, commends your decision to hold a hearing on the federal food safety system, which we believe is fragmented, underfunded, more responsive to the needs of industry than the needs of consumers, and in need of modernization to deal with new safety questions posed by 21<sup>st</sup> century agriculture.

We are encouraged by the GAO's decision to add Food Safety to its High Risk list. We agree with GAO's assessment that the federal system is fragmented and suffers from inconsistency, ineffective coordination and inefficient use of resources.

Consumer Reports' research and testing has highlighted a number of examples of problems in the last year. In our January 2007 issue, our tests showed that chicken carries extremely high levels of contamination by the bacteria campylobacter. Indeed, Consumer Reports found that while salmonella contamination has remained the same over a four year period, at about 15% of samples contaminated, campylobacter contamination rates, a bacteria than can make you equally sick, have gone from 42% to 81%. During this four year period, USDA focused its efforts on controlling salmonella, but failed to address the problem of campylobacter contamination in chicken or set a standard to correct it. We believe this is a clear case of misallocation of resources.

Consumer Reports has also addressed the issue of mercury contamination in fish, and has found that FDA has an "action level" for mercury in fish but the agency does not even remove from the market fish that routinely exceed the action level, such as swordfish. FDA has also failed to adequately warn pregnant women about high mercury levels in some types of tuna.

The GAO report also notes that food recalls are often incomplete, and that consumers are not properly notified about them. USDA, in fact, has an explicit policy of keeping secret names and locations of stores involved in tainted meat recalls. It has even developed memoranda of understanding with officials in twelve states requiring them to keep this information secret too, in return for getting access to store name and location information. Consumers Union and other groups have long argued that policies that keep such information from the public are misguided and ultimately counterproductive to food safety objectives.

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Finally, the FDA recently issued a risk assessment study stating that milk and meat from cloned animals is safe to eat, and that it is unlikely to require labeling. However, the studies cited in this risk assessment show that a significant percentage of clones are deformed or die within the first few months of life, and many require extensive drug treatment to stay alive. We believe FDA's recommendations on an issue as critical as the safety of food products from cloned animals are premature, and represent a rush to judgment without the proper painstaking deliberation and study needed on an issue of such great significance.

We believe that our food safety system at this time is in need of repair. We support your efforts to shed light on these concerns and urge the creation of a single food safety agency with the authority, budget and leadership that will ensure the safety of consumers' food in the 21<sup>st</sup> century.

Sincerely,

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Director, Food Policy Initiatives  
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cc: House Agriculture Appropriations Subcommittee Members

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