

Food Policy Insider

**THE INSIDE SCOOP
ON HOW CR IS WORKING
BEHIND THE SCENES
FOR A SAFE AND
HEALTHY FOOD SYSTEM**

Lessons Being Learned So Far on the Cyclospora Outbreak

As the number of people sickened in the Taylor Farms Cyclospora outbreak [appears](#) to be slowing slightly, early lessons have emerged from the ongoing investigation. While we'll know more when a root cause/post-outbreak analysis is performed, there are gaps that can be addressed immediately to minimize the risk of foodborne illness and future outbreaks.

Increase funding for the CDC. This would allow the agency to restore tracking of Cyclospora and 7 other pathogens through the FoodNet program. The CDC was forced to remove these pathogens from its surveillance list because of budget cuts. Additional funding would also give the CDC to support critical state surveillance programs.

Increase funding for the FDA. This would ensure the agency has adequate laboratory infrastructure and capacity, and well-trained inspectors to conduct thorough and expedited investigations. It would also allow for more inspections of foreign facilities.



Minimize political influence in food safety. Until the Wall Street Journal broke the [news](#), it was an open secret in Washington that Taylor Farms was leveraging its political connections to delay the recall and minimize its public-relations impact. [According](#) to a former FDA Commissioner, it's not "standard operating procedure" for a company to intervene like this.

Implement a comprehensive food traceability system. A food traceability system could play an important role in allowing investigators to more quickly identify outbreak sources and remove suspected products from stores. Following years of industry-driven delays, the food traceability rule, which should have already been in place, will finally take effect in July 2028, more than 17 years after becoming law.

Restaurants and retailers should better scrutinize their suppliers. Grocery stores and restaurants often face severe economic and reputational harm during foodborne outbreaks, as

consumers can blame the point of purchase. For example, social media posts initially labeled this as the "Taco Bell virus." Grocery store sales of packaged produce items fell significantly during the recall, resulting in steep discounts or destroyed products. To protect their brands and customers, restaurants and retailers should rigorously scrutinize suppliers, enforce strict safety standards, and change suppliers if possible to minimize contamination risks.

The FDA should be diligent about its Import Alert List. When a foreign supplier is included on the FDA Import Alert Red List, it's required to prove its product is safe before it enters the U.S. As Phyllis Entis points out in a recent [eFoodAlert piece](#), lettuce from Taylor Farms de Mexico meets this threshold because of the evidence linking its produce to an outbreak. It is also a repeat offender.

However, Taylor Farms de Mexico thus far is not subject to an Import Alert and the reason has not yet been provided by the FDA.



How the Infant Formula Industry Confuses State Lawmakers on Lead Testing

Recently, action stalled on legislation in the [California](#) Senate that would require infant formula manufacturers to test for lead and other toxic elements and disclose the results to the public. The infant formula industry attempted to undermine the bill by proposing an annual self-attestation that the product meets European Union standards, which are considered weak by public health experts, including CR scientists.

To prevent the bill from being weakened by the industry's proposal, the sponsors—the nonprofit advocacy group [Children Now](#)—decided to postpone consideration of the bill until next year to ensure the final version would be as strong as possible to keep babies safe from heavy metals in formula. The bill was also actively supported by Consumer Reports and [Unleaded Kids](#).

Earlier this year, the New York legislature passed an infant formula testing and disclosure bill supported by Consumer Reports, and that bill is now pending before the governor. The infant formula industry is expected to push strongly for a veto.

Some of the claims the industry employs to confuse state lawmakers include the following:

- **Infant formula is the most regulated product in the world.** This may be true regarding the nutritional content of infant formula products, but the industry is not required to

test for lead and other toxic elements listed in the state bills.

- **Disclosing the results would confuse parents.** While parents may not commonly know safe threshold levels for toxic elements, they can easily distinguish between low and high numbers when comparison shopping.

Over the past [two years](#), Consumer Reports has found concerning levels of some of these heavy metals in infant formula and baby foods. Exposure to them has been shown to harm child development and contribute to behavioral challenges and other neurological damage.

The good news is that testing by both the FDA and Consumer Reports has also demonstrated that plenty of safe and affordable options are on the market. However, as friend of CR [Tom Neltner](#) of Unleaded Kids points out, the good results will only happen with disclosure because there's a risk of the industry backsliding when the FDA stops looking. – Brian Ronholm

