

Food Policy Insider

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

What's Next After The Big Cyclospora Outbreak?

The massive Cyclospora outbreak linked to Taylor Farms is officially over, but key questions **remain** about the Food and Drug Administration's (FDA) handling of the crisis. In response to growing scrutiny over its response, the agency recently **announced** new commitments to help prevent and mitigate future outbreaks.

Many food safety stakeholder groups, including industry, consumer groups and academia, highlighted the inconsistent public messaging and a lack of regulatory transparency and how it created widespread confusion during the investigation. Conflicting illness reporting between the CDC and FDA, coupled with delays in recall classifications, resulted in unnecessary food waste and severe financial losses for local growers.

Former FDA officials told Consumer Reports that this sluggish response marks a distinct shift from previous outbreak protocols where inspection timelines and sampling efforts were regularly



shared with the public. Industry insiders point to significant staff turnover and a loss of import expertise over the past two years, observing that the agency was effectively starting over from scratch on food import oversight. One official voiced hope that Congress would call for an independent investigation by the Government Accountability Office (GAO) to address systemic agency issues.

To help rebuild consumer confidence and help prevent future occurrences, Consumer Reports sent a **letter** to the FDA demanding greater transparency, improved communication transparency, and end the regulatory leniency that hindered this response. The letter also outlined a series of questions about the FDA's actions during the investigation.

FDA's Reliance on a Pay-to-Play Model for Stakeholder Engagement is Troubling

Gathering public and expert feedback is a vital part of the regulatory process for federal agencies. However, a troubling trend is emerging in which the Food and Drug Administration (FDA) is increasingly relying on third-party arrangements where organizations pay fees to gain direct access to agency officials.

Many of these discussions take place through the Reagan-Udall Foundation (RUF), a nonprofit created by Congress to support the FDA. Under this framework, organizations sponsor facilitated RUF sessions that yield public

reports. These meetings generally follow Chatham House Rules, which restrict direct attribution of statements in order to foster open and honest debate.

While proponents argue that private sponsorship helps bring companies together to discuss critical safety protocols, it raises transparency concerns and creates significant barriers for consumer advocates and public interest groups who lack the financial resources to sponsor these meetings.

Two significant food policy issues pending before the FDA involve third-party pay-to-play arrangements as part of the stakeholder engagement process.

Food Traceability Rule

Last year, Congress directed the FDA to delay the compliance date of this rule to July 2028 and ensure industry input was taken into account. To comply with this legislative directive, the FDA announced that it would work with the [Partnership for Food Traceability](#), an industry-based group [created](#) by two industry consulting firms: The Acheson Group and The Leavitt Group.

Because membership requires a financial contribution, participation is restricted to industry organizations with the funds to pay. Consumer Reports sought observer status but was turned down. Even certain industry groups have

[shared](#) private concerns with CR regarding this “pay to play” structure, raising fears that it will restrict the scope of perspectives the FDA considers.

Following pushback from Consumer Reports and other organizations, the FDA hosted a public forum in June 2026 and [plans](#) a follow-up session for November 2026. Nevertheless, public meetings often lack the interactive exchange necessary for genuinely substantive dialogue.

Infant Formula Safety

Following a recall of its infant formula products due to a C. botulinum outbreak, ByHeart, along with the International Dairy Foods Association (IDFA), co-sponsored a meeting via the RUF that brought together representatives from across the infant formula manufacturing sector. The session was convened to share key takeaways and lessons learned from ByHeart’s outbreak investigation.

This gathering provided a valuable forum for key industry players to convene and address infant for-

mula safety—a rare occurrence given the competitive and communication barriers that often hamper information sharing across the sector.

Initially, some industry representatives sought to exclude consumer groups, including Consumer Reports, out of concern that public interest attendance would hinder open dialogue among manufacturers. However, credit goes to the Reagan-Udall Foundation for insisting that consumer advocacy must be represented in these meetings. To bridge this gap, they invited a representative from the Alliance to Stop Foodborne Illness, an organization encompassing both industry stakeholders and consumer advocates. It’s important to note that the RUF does not require individuals or organizations to pay for a seat at these discussions.

In a separate instance, IDFA sponsored an RUF meeting aimed at establishing an industry framework for sanitation protocols in dry dairy manufacturing facilities. For this meeting, IDFA and RUF invited CR and

another consumer advocacy group – STOP Foodborne Illness – to participate in the deliberations firsthand. Yet, as that meeting wrapped up, an FDA official noted that RUF engagement for these conversations is not always required, which highlights the need for policymaking to remain transparent and accessible to everyone. —Brian Ronholm

