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January 22, 2009

The Honorable Edward M. Kennedy  
The Honorable Michael B. Enzi  
Senate Committee on Health, Education, Labor, and Pensions  
U.S. Senate  
SD-428 Dirksen Senate Office Building  
Washington, DC, 20510

Dear Chairman Kennedy and Ranking Member Enzi:

Our organizations urge you to quickly enact food safety reforms. Americans continue to enjoy the safest food supplies in the world but rising food imports and changing consumer preferences pose new challenges that require Congress and the Administration to modernize our food safety net.

In particular, we urge you to:

- **Require Food Safety Plans.** Congress should require every food company manufacturing food for the US market to conduct an evaluation of food safety risks that identifies potential sources of contamination, identifies appropriate food safety controls, and documents those controls in a food safety plan available for FDA review.
- **Require Foreign Supplier Safety Plans and Build Foreign Capacity.** Congress should build the capacity of foreign governments to regulate food safety and to require every food importer to police their foreign suppliers. In particular, Congress should require that food importers document the food safety measures and controls being implemented by their foreign suppliers, and to require food importers to make a foreign supplier food safety plan available for FDA review.
- **Ensure the Safety of Fruits and Vegetables.** Congress should give FDA the power to establish safety standards for certain fruits and vegetables – when risk and science demonstrate that standards are needed. FDA should be permitted to work with states and others to tailor standards to meet local growing conditions and to ensure that standards are being met.
- **Adopt a Risk-Based Approach to Inspections.** Congress should increase food safety inspection and should focus domestic and foreign inspections on facilities that pose the greatest risk of contamination that could result in foodborne illness or injury.
- **Authorize Mandatory Recalls.** Congress should give FDA the authority to order a mandatory recall when a company has refused to conduct a voluntary recall and there is a significant risk to public health. Specifically, where the responsible party refuses to voluntarily recall a product for

which there is a reasonable probability that the food will cause serious adverse health consequences or death, the Secretary should be permitted to order the company to conduct a recall.

Our organizations support efforts to continually improve the safety of America's food supplies and urge Congress to continue to make the prevention of contamination the foundation of our nation's food safety strategies. We urge Congress to quickly enact food safety reforms that will give FDA new powers to reduce the risk of food-borne illness.

Sincerely,

American Frozen Food Institute  
Food Marketing Institute  
Grocery Manufacturers Association  
International Bottled Water Association  
International Dairy Foods Association  
National Fisheries Institute  
National Restaurant Association  
Retail Industry Leaders Association  
Snack Food Association  
United Fresh