

RESEARCH REVEALS NEED FOR EXPANDED ROLE OF FDA IN

FOOD SAFETY

By J. Gregory Webb

The Institute of Medicine and the National Research Council released a June study which revealed that the agency strongly believes that the FDA's current role in enforcing food safety standards is inadequate and needs to be expanded.

A committee of experts that drew conclusions from the study believe "the FDA should...have authority to issue mandatory recalls, create and enforce performance standards, to ban imports from countries with sub-par food safety systems, and to increase the frequency of plant inspection" which currently only occurs once every five to ten years, according to an article from *MedpageToday.com*.

The study reflects on recent incidents of bacterial contamination leading to foodborne illness, including peppers contaminated with *Salmonella* and spinach tainted with *E. coli*. Experts state that such incidents could have been prevented if the FDA followed a more risk-based approach. The article explains that while the FDA does have some risk management policies, the agency is more reactive in nature.

In addition to increasing preventative measures, researchers also concluded that a more streamlined process would be an improvement. Currently, the "FDA, the Centers for Disease Control and Prevention (CDC), [and] the U.S. Department of Agriculture...all have a hand in food safety. A centralized food-only data agency could eliminate redundancy and put necessary data in one spot."

The committee has made recommendations to Congress on how to appropriately update the Food, Drug, and Cosmetic Act (FDCA), which was enacted in 1938 and has seen little change since, despite drastic changes in the industry. The main hindrance to the FDA is that, while the agency can inspect facilities, it does not have the power to mandate a recall of food products or shut down an unsafe facility.

Let's hope that our lawmakers seriously consider the importance of ensuring that the food we nourish our bodies with is safe. It seems clear that an update to the FDCA is in order. Thanks to the committee of experts for their well-informed suggestions for improvement!

— J. Gregory Webb is an attorney with MichieHamlett in Charlottesville, Virginia.

Would you like to find this article online to leave a comment, print copies, or share it via Facebook, Twitter or email?



► From your computer, enter the article ID in the search box at thesafetyreport.com.
Article ID: 2102



► From your smartphone, scan the tag using TagReader. For more information visit gettag.mobi.

