



NFPA
The Food Safety People

NATIONAL

FOOD

PROCESSORS

ASSOCIATION

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Dockets Management Branch
(HFA-305)
Food and Drug Administration
Room 1061
5630 Fishers Lane
Rockville, MD 20852

[Docket No. 97N-0074] **President's Council on Food Safety
Draft Food Safety Strategic Plan**
64 Federal Register 70168, December 15, 1999

Dear Sir or Madam:

The National Food Processors Association (NFPA is the voice of the \$460 billion food processing industry on scientific and public policy issues involving food safety, nutrition, technical and regulatory matters and consumer affairs. NFPA's three scientific centers, its scientists and professional staff represent food industry interests on government and regulatory affairs and provide research, technical services, education, communications and crisis management support for the Association's U.S. and international members. NFPA's members produce processed and packaged fruit, vegetable, and grain products, meat, poultry and seafood products, snacks, drinks, and juices or provide supplies and services to food manufacturers.

NFPA submits the following comments on the docket referenced above.

GENERAL COMMENTS

NFPA has supported the President's Council on Food Safety since it was established in 1998. The food industry and the federal agencies that regulate the industry have the same goal – ensuring, to the extent possible, the safest food supply. We believe that a coordinated approach to U.S. food safety that focuses on risk assessment, risk management and risk communications holds the greatest promise for further enhancing the safety of our nation's food supply. The strengths of the Food Safety Strategic Plan include its commitment to scientifically sound preventive systems as the key to ensuring a higher level of

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food safety assurance and the recognition that food safety is a shared responsibility.

NFPA agrees that assuring food safety will require the attention not only of federal, state and local governments but of companies throughout the food system, as well as safe food handling practices by consumers and commercial food handlers. NFPA's commitment to sound science and risk assessment has been articulated in numerous comments, as is our commitment to research, surveillance and education. We also have advocated – and we will continue to advocate – that what is needed is a single food safety policy, rather than the creation of a single food agency. While we recognize that this draft document is intended to set out a strategic plan for the regulatory agencies, we believe that the role of industry needs to be enhanced in this plan; we will point out particular areas where the inclusion of industry would be appropriate.

DETAILED COMMENTS ON THE PLAN

Vision Statement

It was clear at the January public meeting that the concept of a Vision Statement is not widely understood. Thus it may be necessary to explain that the statement represents where we are attempting to go, not necessarily where we currently are. We recommend that the first and last sentences of the Vision Statement be combined to read as follows: "Consumers can be confident that food is safe because everyone understands and fulfills their responsibilities."

The Overarching Goal and Framework of the Strategic Plan

NFPA is supportive of the Strategic Plan's overarching goal, which is to protect public health by significantly reducing the prevalence of foodborne hazards, thereby reducing acute and chronic illnesses and injuries through science-based and coordinated regulation, inspection, enforcement, research, and education programs. NFPA is pleased to see the overall framework of the plan is constructed around risk assessment, risk management, and risk communications as the crucial means of ensuring that our nation's food safety efforts are correctly targeted for maximizing their effectiveness. We believe that these must be the crucial elements for a successful Food Safety Strategic Plan.

Science and Risk Assessment Goal

It has long been NFPA's position that government resources should be directed toward the areas where there is sound evidence of real risk. This position is clearly reflected in the Strategic Plan's first goal, which says that "The United States' food safety system is based on sound science and risk assessment." In fact, this is a point that has been made repeatedly by NFPA.

Objective 1. Strengthen the scientific basis for food safety policies and regulatory decisions through expanded surveillance and rigorous assessments of risk.

NFPA contends that this objective is key to sound policy-making. However, there is no action under this objective to address the "expanded surveillance," nor is it clear if this means regulatory or public health surveillance or both. If this refers to the latter, then Objectives 1 and 2 could be modified to read as follows:

Objective 1. Strengthen the scientific basis for food safety policies and regulatory decisions through rigorous assessments of risk.

Objective 2. Strengthen the scientific basis for food safety policies and regulatory decisions by expanding surveillance and data collection capabilities for adverse human health outcomes related to the food supply.

It is very important that regulatory agencies coordinate in this effort and come to consensus where risks are concerned. Some way of indexing risks to some normative factor seems essential to establishing overall priorities. In other words, agencies should strive to use the same yardstick to measure the magnitude of risks. From our view, Agencies tend to qualitatively rank risks relative to other risks within an Agency's purview. This practice makes the comparison of risks across the spectrum of food-associated risks difficult. In addition, in certain instances the comparison of risks arising from a control practice with alternative risks arising from a different control strategy is allowed in decision making, while in other cases it is not. This situation needs to be addressed. As an example of the confusion caused by these factors, there have been disagreements between agencies on what constitutes sound science and an appropriate risk assessment (e.g., mercury, lead) that have confused industry and consumers alike.

Objective 2. Expand surveillance and data collection capabilities for adverse human health outcomes related to the food supply.

(See above for suggested rewording of this Objective.)

We agree with the draft Plan's objective of expanding surveillance and data collection capabilities, as this will assist in meeting Objective 4, to better identify emerging and

potential high-risk food safety threats. It is also critical that a means of sharing this information in a timely fashion with industry and other affected parties be developed (see Objective 3 of the Risk Communication Goal).

This Objective should include an action item to expand active surveillance programs and networks such as FoodNet and PulseNet. These programs have shown their value in providing better information on which to base hazard analyses, risk assessments, and, ultimately, better regulatory policy.

In earlier comments to the President's Council on Food Safety, NFPA has made the case that increased surveillance for faster identification and response to foodborne illness must have the industry's science and technology experts involved early as part of a partnership. One way the agencies can meet this objective is to identify and implement a means of allowing industry scientists to participate in the PulseNet system. Industry can provide fingerprints of isolates from foods and from the environment to supplement those from clinical isolates and regulatory samples. Ultimately this may provide a better picture of the ecology of foodborne illness strains of microbial pathogens.

Objective 3. Develop and implement a unified, risk-based problem-solving research agenda particularly aimed at bridging identified gaps.

NFPA strongly supports the development of a risk-based, problem-solving research agenda aimed at bridging identified gaps. We would expect that this activity would be coordinated by the Joint Institute for Food Safety Research, and in this manner the information can be made accessible to industry. This may foster the development of partnerships among industry, government, and academic research groups.

We would also like to see the development of a comprehensive food safety research database as an action item for this Objective. This could be maintained on the Internet and provide information on who is conducting what research at which facility. It would serve to minimize duplication of effort, foster joint research efforts, and provide industry with contacts when looking for information about a specific area or when looking for someone to conduct a specific project.

Objective 4. Identify emerging and potential high-risk food safety threats.

As noted above, expanding surveillance and data collection capabilities will better identify emerging and potential high-risk food safety threats. Research should focus on improved detection methods and development of data for risk assessment. There should also be a focus on animal diseases, as the organisms responsible for these may become emerging foodborne pathogens.

Objective 5. Enhance scientific infrastructure and skills at federal, state, and local levels.

We support the Strategic Plan's objective of enhancing the scientific infrastructure and skills – and improving the coordination of activities – at the federal, state, and local levels. NFPA strongly believes that food safety partnerships among federal, state and local health agencies will only be effective if they are well-coordinated.

We also support the development of programs to provide opportunities for government scientists to serve as adjunct professors and to participate in sabbaticals and cross-training programs. We believe that the agencies should consider developing opportunities in which industry scientists can obtain training or participate in sabbaticals in government laboratories or policy areas and in which government scientists can do the same with industry – in laboratories, in food plants, or with industry trade associations. While there are many challenges to setting up such programs, we believe they could be beneficial. This might best be accomplished through JIFSAN, JIFSR, NCSFT, CDC, ARS and industry trade associations.

NFPA supports the development of extramural programs to conduct targeted research through public/private/academic consortia, as this ensures that research and training will be practical and applied. We believe that such consortia would provide greater emphasis on the need to transfer new knowledge and technologies to expedite the implementation of research developments and advancements. Currently there is little incentive to foster this type of information transfer. Agency research efforts can also be coordinated with industry-supported research programs, to further enhance efficiency and effectiveness.

Objective 6. Evaluate research, risk assessment, and surveillance programs for their effectiveness in providing the scientific knowledge needed to develop and implement programs that assure maximum public health.

It is very important that research, risk assessment and surveillance programs be evaluated periodically to determine that they achieve the intended purpose. In particular, when goals or objectives are modified, these areas must be reassessed. Prioritization should be evaluated every year. We recommend that there be a review of the agencies' research program that includes industry and other affected parties to provide input on the relevance of the studies to their needs.

In addition, when emerging threats are identified, we would also urge that the agencies involved in food safety also initiate efforts to assure that appropriate research is planned

and implemented to identify control measures to address these problems. Too often, it seems, government regulators, while rightfully proud of identifying new problems, stop short of taking a key step toward resolving issues and protecting public health. From our view, the agencies have traditionally laid the problems at the doorstep of industry to solve. While we fully acknowledge that it is industry's responsibility to produce foods that provide an appropriate level of protection to consumers, when new problems are identified, effective control measures may not be immediately available. Thus it is vital that government provide necessary funding for research to find appropriate interventions for emerging food safety hazards

Risk Management Goal

NFPA is in agreement with the Strategic Plan's goal that "The United States system for managing food safety is effective from farm to table." The most effective means of accomplishing this is a major challenge. NFPA believes that a holistic approach to a well-integrated and coordinated food safety system is vital to enhancing the effectiveness of our nation's food safety system. We strongly believe that this goal can be met without dismantling the current regulatory structure to establish a single food agency. The agencies should look carefully at the objectives and identify in the action items areas in which partnerships can enhance risk management efforts. We strongly believe that industry's participation is essential in effectively managing foodborne risks.

Objective 1. Identify areas where risk management gaps exist in the current food safety system.

An obvious first step in developing a more comprehensive food safety system is to identify the gaps in the current system. NFPA strongly supports the need to harmonize standards and regulations between state and federal governments and among federal agencies and programs. If the issue concerns food safety standards and regulations based on sound science, there is no reason for having different national, state and local standards and regulations – it makes no sense from a food safety standpoint. It is critical that there be dialog between regulators and the industry with respect to any standards that may be considered necessary. Too often industry finds that proposed standards are impractical, inflexible or unnecessary; this can be avoided by giving industry a voice early in the process.

As for the second action item under this Objective, that is the need to build the infrastructure to support a seamless, federal/state/local food safety system, we strongly recommend you elevate this action item to an objective. In fact, we feel that identifying gaps in the current risk management system would more appropriately be an action item under this goal.

Improving effectiveness of programs will mean getting rid of duplication and overlap. We encourage this. In doing so, it is likely that the states will be given additional responsibilities. The problem with this approach, and one that can be a problem even with today's system, is the differences in interpretation of requirements among inspectors. Intensive coordinated training and re-training would be key to making it work. Thus we strongly support Objective 5, on consistent training and enforcement. It would also require "policing the police." Just as industry is expected to comply with certain standards of performance that are verified by inspections, inspector conformance with acceptable standards of conduct and technical knowledge are an industry and consumer expectation. This can only be assured through proper oversight, assessment, and management response. The problems associated with non-uniformity will be exacerbated logarithmically under a system that utilizes state and federal inspectors in a "seamless system" unless a strong training and oversight component (preferably tied to job performance ratings based on accurate and consistent interpretation of requirements) is put into place. Thus we urge in the strongest possible terms that attention be given to the need for strong oversight and internal auditing to ensure accountability of the process.

Objective 2. Promote development and implementation of preventive techniques and controls using risk-based approaches and establishment of national standards, including performance standards, where appropriate.

(Comments above on standards seem more appropriate here. We recommend that the action item on determining where standards are needed and on harmonizing standards be moved to this objective.)

NFPA supports this objective and the action item to facilitate industry adoption of preventive controls throughout the farm-to-table continuum. It is very important that, when a preventive or control procedure has been shown to be effective and safe, the regulatory agencies support its use through expedited approval processes, where required, and by publicly advocating the safety and efficacy of new technologies.

We suggest that this objective be slightly reworded to refer to "science-based risk techniques" to avoid any misinterpretation that a precautionary principle, precautionary approach, or "other legitimate factors" is meant by "risk-based approach." As written, it is unlikely to be misinterpreted here in the U.S. but as there is so much emphasis on the precautionary principle elsewhere, we feel it is important to be very careful in our wording.

NFPA has long supported HACCP as the most effective food safety system. However, HACCP has become too much of a "buzz word" and applied inappropriately in many

cases to almost any food control system. Thus we encourage the application of mandatory HACCP only to food industry segments where there is a clear association with significant food safety risks and where there are controls that can be applied. We also urge that when HACCP is mandated, a scientifically-based system adhering to definitions, principles, and guidelines outlined by National Advisory Committee on Microbiological Criteria for Foods or the Codex Committee on Food Hygiene be applied.

With regard to targeted labeling strategies, NFPA believes that mandatory food label statements are not an effective means to educate consumers on food safety practices and should not be used in this way. We urge the President's Food Safety Council to review information on the efficacy of such mandatory food safety related label messages as the Safe Handling labels required by USDA FSIS on certain meat and poultry products.

In addition, we believe that mandatory warning labels have generally been found to be ineffective as a food safety control measure. We note, in addition, that the FDA Modernization Act of 1997 included a mandate to FDA to avoid a "warning label" characteristic with respect to food irradiation labeling. The language in the FDAMA Joint Statement (H. Rept. 105-399, 105th Cong., 1st sess., at 98-99) directed FDA to publish proposed changes to current regulations relating to labeling of irradiated foods. Specifically, the Joint Statement directed that, "any required irradiation disclosure ... be of a type and character such that it would not be perceived to be a warning or give rise to inappropriate consumer anxiety."

NFPA, however, agrees with the federal regulatory agencies that manufacturers should have the flexibility to provide consumers with voluntary, truthful and non-misleading label information to enhance consumers' confidence in the safety of the foods they purchase and eat. NFPA supports initiatives to allow for such voluntary, truthful and non-misleading label statements that communicate to consumers the food safety benefits of enhanced technologies, such as food irradiation.

NFPA urges the agencies to conduct focus group research to determine whether any proposed mandatory or voluntary food safety related label statements effectively convey the desired messages to the consumer, and that result, to the extent possible, in behaviors and practices by the targeted consumers that are protective and that will enhance their confidence in the safety of the food supply.

Objective 3. Expand and enhance effective monitoring, surveys, inspections and surveillance of foodborne illness and other health effects resulting from food safety hazards.

NFPA supports upgrading public health surveillance of foodborne illnesses at all levels and expanding the capacity of public health laboratories. This is a key component in recognizing new hazards and developing appropriate controls. It also provides essential data for risk assessments.

Objective 4. Identify food safety risks and violations of food safety standards through inspections.

Industry recognizes the necessity of inspections. NFPA has always supported judicious use of inspection resources based on a systematic analysis of risk. Thus, we strongly support the action item to prioritize for inspection those categories of foods determined by risk assessment to pose a "high risk." However, we disagree with the examples as they are given. To group all meat and poultry in a single category implying that all pose an equal risk is grossly misleading. Risk is determined not only by the type of food but by how it is processed and how it will be used, as well as other factors. These examples should be deleted. In addition, we urge the agencies to include a firm's history of regulatory compliance when prioritizing plants within a "high risk" category for inspection. (This is noted in an action item for objective 5, but is more appropriately placed here.)

We note in response to comments made by consumer groups during the public meeting that prioritization by risk does not necessarily mean a quantitative risk assessment is required. We have a lot of history that tells us certain products carry a higher risk of causing illness than others; a qualitative risk assessment should normally be adequate to prioritize inspections.

Objective 5. Protect the food supply through consistent training and consistent enforcement of food safety laws and established regulatory requirements.

As noted above for Objective 1, we believe this is a very important objective. We also recommend that, where appropriate, training include representatives from industry. It is important that industry understand the agencies' expectations, and joint training is one way to accomplish this.

The action item on allocating enforcement resources on the basis of greatest risks should be moved to Objective 4, which deals with prioritization. This resource focusing should result in allocations based on assessments of actual risk to consumers, along with an

analysis of the benefits of having additional resources devoted to those areas. This practice would also identify those areas in which a reduction in resources (i.e., inspection) could be accomplished with no negative impact on consumer protection.

We note that there appears to be a great deal of overlap between this objective and Objectives 1 and 2. Appropriate training would seem to be a key component of standardization of agency functions and standards of performance. Thus we suggest determining if this objective should remain as a stand-alone or whether it should be subsumed under these earlier objectives.

Objective 6. Encourage the implementation of risk based, voluntary approaches for improving food safety, where appropriate.

NFPA supports this objective. There are many instances where the best controls available at this time are outlined in "best practices" documents developed by the industry segment. We agree that government coordination may be necessary and can even be desirable as a means of widely disseminating a document. We also support the use of incentive programs to improve food safety. Where firms are subject to government inspections, a reduced frequency of inspection can often serve as an incentive to maintain a high standard of effective controls.

Objective 7. Promote the development and transfer of new technologies and approaches to risk management directed at improving food safety.

NFPA strongly supports this objective and the action plans that would expedite review and approval of new technologies and controls that can help improve food safety.

Objective 8. Identify and respond to food safety emergencies rapidly and effectively.

NFPA agrees that a rapid, effective response system is needed to respond to unsafe food in the marketplace and to foodborne illnesses. This can only be accomplished if all levels of authority are adequately trained and given the resources to do the job. We believe it is imperative that an interagency foodborne outbreak coordination team be established. (The Food Safety Initiative refers to the Foodborne Outbreak Response Coordinating Group – FORCG – that would fulfill this role; the status of this group is unclear.) This team must be used to evaluate epidemiological and laboratory data to determine if public notification is warranted when a foodborne agent has not been definitively linked to a product. This team should also develop standards by which recall decisions will be made. It is to no one's benefit for recall decisions to be made only to have to inform the public that an error was made and it is now believed that a different product is at fault.

We also believe it is important that industry be included in this effort, especially in response to individual outbreaks when a specific company's product is involved. Such involvement is the only way to assure accurate information is collected. Where unbranded commodities are involved, inclusion of scientists from appropriate trade associations would be most appropriate.

Objective 9. Develop an improved system of assuring that foods being exported to the U.S. from other countries are produced under food safety measures that the U.S. concludes meet or otherwise achieve the appropriate level of public protection specified by the U.S.

NFPA agrees that we need to improve our system of ensuring that imported foods are safe. The most effective means of doing so will be to strengthen our assessments of foreign systems to ensure they provide an equivalent level of protection. We believe that more agency resources should be expended in developing MOUs with foreign countries. It is also clear that many countries will require assistance in improving their systems to meet U.S. standards. This type of effort lends itself to partnerships among academia, industry and regulatory agencies, and could involve entities such as FAO, USAID, the Pan American Development Foundation, the World Bank, and others. .

Objective 10. Evaluate management of food safety risks.

A periodic review of risk management policies and the overall food safety system is essential to ensure it continues to be the most effective system we can implement given current resources. We urge the agencies to include industry, as well as other stakeholders, in such a review process.

Risk Communication Goal

While enhanced risk assessment and risk management certainly must be key components of any successful Food Safety Strategic Plan, it is the area of risk communication that may pay the greatest dividends in protecting consumers. Therefore, NFPA strongly supports the Strategic Plan's stated goal that the U.S. food safety system openly and effectively provide information on food safety risks and education on how to control those risks.

Objective 1. Sustain public confidence through effective, open, transparent, and timely information exchange regarding food safety risks, prevention strategies and decision making.

NFPA supports efforts to provide the public with timely information on food safety risks and preventive strategies. Moreover, food safety experts in the government should

actively promote safe food practices and processes. Government agencies and their scientists are recognized by consumers as a credible source of information on food safety. However, the agencies have at times been reluctant to speak out on technologies such as irradiation that can have a measurable impact on food safety if the consumer were to accept them.

With enhanced use of computers and the Internet, this appears to be a mechanism to effectively disseminate food safety communications. We applaud the establishment of web sites such as www.foodsafety.gov as a means of information exchange. This website is particularly useful because it consolidates government food safety information at one site. It would be helpful if there were links to other food safety sites for "one-stop shopping," however, it would be essential that such links be to sites providing credible, scientifically-based education and guidance. We also applaud efforts such as USDA's meat and poultry hotline and CFSAN's outreach and information center; these toll-free numbers need to be more widely publicized, as they provide excellent, timely advice on topics of immediate concern. We encourage you to provide key materials, such as food safety advice, in multiple languages.

We also support the development of knowledgeable food safety communicators. Many scientifically-based professional societies have developed excellent cadres of such communicators. We urge the agencies to develop joint programs and collaborative efforts with such societies to effectively use these communicators in providing journalists and reporters with accurate information to the public.

Objective 2. Develop state-of-the-art science-based education and training programs for growers, producers, transporters, retailers, consumers, regulators, public health workers, medical care providers – all persons along the farm to table chain – focused on prevention of foodborne illness and hazards.

NFPA has long urged expanded efforts by FDA, USDA, EPA and CDC to educate the public on food safety, and we are pleased that the recent draft 2000 Dietary Guidelines for Americans includes a guideline on safe food handling practices as well as an explanation of "at risk" populations. Though this is an excellent start, more needs to be done.

Additional education efforts are needed and must be aimed where they will have the most impact - i.e., in the schools, in local newspapers, in targeted newsletters, in popular magazines and in training materials for health care providers; industry should be a partner in this educational activity. Creating professional development opportunities for science teachers is an excellent means of promoting food safety and pointing out career opportunities in the field of food science and food safety. An integrated food safety curriculum that progresses through the elementary, middle and high school levels should

be developed by food safety professionals (including those from regulatory agencies) in concert with trained educators and promoted by the Department of Education and their state and local counterparts. Industry can be a part of this program by providing segments on how specific foods are grown, harvested, transported, processed and prepared for the consumer.

NFPA also supports the development of on-line distance learning courses, especially interactive courses. Not only does this offer flexibility for those with busy schedules, but it offers a means of reaching remote communities in a cost effective manner.

Objective 3. Provide rapid access to information about food safety surveillance, hazards, outbreak actions, enforcement and other food safety emergency activities through active outreach efforts.

While we understand the need to rapidly disseminate information when there is a significant risk to the public, we have some reservations about the Strategic Plan's stated objective of providing "rapid access" to information about food safety surveillance, hazards, outbreak actions, and enforcement. While NFPA supports the use of all tools available to recognize and find sources of foodborne outbreaks, it is imperative that rules be established that will maintain security of preliminary information and assure that information is properly reviewed before public release. Although it is tempting to opt to "err on the side of safety" and inform the public of all of the possible risk factors, our experience is that this overly conservative practice can negatively influence the effective handling and resolution of a foodborne illness outbreak. Multiple messages regarding foodborne outbreaks have diluted the effectiveness, especially when the message changes. Thus the public and the regulatory agencies are better served by targeted and accurate messages about food safety problems.

Objective 4. Monitor and evaluate information and education programs to maximize public health.

Evaluating the effectiveness of information campaigns and education programs is crucial in determining whether the message is being understood. Moreover, it is also important to determine if the messages result in behavioral changes and increased consumer safety. We support the use of health departments, cooperative extension personnel and interactive web sites as a means of obtaining feedback on public health messages.

ORGANIZATIONAL CONSIDERATIONS

A Unified Food Safety Policy, Not a Single Food Safety Agency

The current regulatory system in the U.S. has provided the framework for what is generally regarded as one of the safest food supplies in the world. While enhancements to the effectiveness and improvements to the coordination of this system should be sought, we must not lose sight of the fact that the current system has been highly effective in protecting consumers. To become more effective, regulatory agencies must adopt a scientifically sound, risk-based approach to developing and implementing regulatory policies. Cooperation within the existing system can produce the desired results.

NFPA has strong concerns over the functionality of a single food safety agency. As a broad-based trade association with membership in areas regulated by both FDA and USDA, we perceive wide cultural difference between the industry segments regulated by these two agencies. These cultural differences have, in our opinion, developed because of the regulatory schemes these various segments have dealt with. While we would like to see a reduction in the differences between the agencies in terms of their policies and approaches, we feel this can be effected through cooperative efforts between the agencies. NFPA believes that the best structure is one that integrates and coordinates all levels of government under a strong regulatory oversight, eliminating overlaps and duplication of effort and filling in any gaps that currently exist. There are probably several organizational structures that can achieve this. We must not expend our limited food safety resources and disrupt our food safety efforts in major restructuring of agencies and in moving offices and personnel to establish one food agency when the resources can be used in achieving real progress in enhancing food safety.

MEASURES OF SUCCESS, BARRIERS TO ATTAINMENT OF GOALS

Ultimately the measure of effectiveness of this plan will be a reduction in foodborne illness. There are a number of elements in this plan that are required to be able to measure this reduction. However, we must keep in mind that while our current measurement of foodborne illness is much better than a few years ago, we do not have a good baseline from which we will be measuring this decrease. Moreover, this plan is being put into effect at a time when we are making great improvements in identifying cases and outbreaks of foodborne illnesses and in identifying more agents of foodborne illness, especially viruses and parasites. Thus we may actually see increases in foodborne illness, at least of some types, at the same time we are enhancing the food safety system. We must be extremely careful that this does not generate the perception that the new, enhanced system is a failure.

There are a number of barriers to attaining the goals in this Strategic Plan, not the least of these is resources. There will never be adequate funds to fully implement all of the plan – we are unlikely to have the resources to establish FoodNet sites in all states, to do risk assessments on all food safety hazards, to conduct all the research needed to fill in the gaps, and to adequately train all who should be trained and educated. Thus we must prioritize.

PRIORITIES AND TIMELINE

NFPA has identified the following objectives as high priority within this plan:

Strengthen the scientific basis for food safety policies and regulatory decisions through rigorous assessments of risk.

Strengthen the scientific basis for food safety policies and regulatory decisions by expanding surveillance and data collection capabilities for adverse human health outcomes related to the food supply.

Develop and implement a unified, risk-based problem-solving research agenda particularly aimed at bridging identified gaps.

Build the infrastructure to support a seamless, federal/state/local food safety system, including a strong government oversight function facilitated through auditing of inspection systems.

Promote development and implementation of preventive systems, procedures and controls using science-based risk assessment techniques.

Sustain public confidence through effective, open, transparent, and timely information exchange regarding food safety risks, prevention strategies and decision making.

Develop state-of-the-art science-based education and training programs.

NFPA recommends that the Task Force revise the Food Safety Strategic Plan based on the input received at the January public meeting and in the comments submitted to the agencies. The objectives should then be prioritized and timelines and accountability established.

STATUTORY CHANGES

While NFPA believes statutory changes are unnecessary to ensure better inter-agency coordination of our nation's food safety policy, NFPA recommends that the Council and the Congress support statutory reforms aimed at ensuring national uniformity of food safety warning requirements. Currently, Federal law provides national uniformity for some food labeling requirements, but not for others. For example, the Federal Meat Inspection Act and the Poultry Products Inspection Act provide for national uniformity of meat and poultry labeling requirements, but the Food, Drug and Cosmetic Act (FFDCA) only provides for uniform nutrition labeling requirements on FDA-regulated food products.

NFPA supports legislation to extend national uniformity to ensure that states do not enforce requirements related to food safety warnings that are not identical to national requirements under the FFDCA, or those set forth by FDA. This change would prevent disruption to interstate commerce if one state imposes its own warning label requirement, and others do not. Furthermore, consumers would benefit from the assurance that food labeling information is identical throughout the fifty states.

NFPA also requests that the Council reject recommendations that would expand the authority of USDA or FDA to conduct mandatory product recalls and impose civil money penalties on food companies. These proposals ignore the vast enforcement authorities these agencies already possess, and would do nothing to enhance food safety. Rather, these proposals represent an invitation for agency abuse that threaten to disrupt the existing cooperative efforts that have resulted in prompt product recalls when necessary.

CONCLUSION

The food industry takes its responsibility for enhancing and improving food safety seriously. NFPA offers these comments to advance the deliberations and conclusions in the Plan in order to accomplish the mutual goal of ensuring safe food from production to consumption.

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NFPA supports a strong government program to provide every reasonable assurance of the continued safety of America's food supply. By working cooperatively, consumers, industry and government can continue to achieve the highest levels of food safety.

Sincerely,

A handwritten signature in cursive script that reads "Rhona S. Applebaum".

Rhona S. Applebaum, Ph.D.
Executive Vice President
Scientific and Regulatory Affairs