



TODAY IN 1977

Thirty-nine people were killed when an earthen dam burst, sending a wall of water through Toccoa Falls College in northeastern Georgia.

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Critics blast food-safety system

Split oversight seen as a problem

By Josh Funk
Associated Press

OMAHA, Neb. — Peanut butter is regulated by the Food and Drug Administration. Chicken pot pies are the U.S. Department of Agriculture's responsibility. Frozen cheese pizzas — FDA. But if there's pepperoni on them, it's USDA as well.

Critics of the nation's food-safety system say it is too fragmented and marked by overlapping authority. They say that may help explain why dangerous foods slip through and contamination scares are sometimes handled inconsistently.

Critics also complain that the system suffers from a shortage of money and inspectors, and inadequate enforcement powers.

In the months ahead, Congress will consider several proposals to reform the system, including creating a single food-safety agency, an idea the FDA and USDA oppose.

"We do not believe a single food-safety agency would give us the efficiencies you can have from having two agencies responsible for 99 percent of the food that we eat in this country, both domestic and imported," said Richard Raymond, the USDA's undersecretary for food safety.

The government structure that protects the food supply took shape piecemeal over 101 years. The result is evident in the way two recent recalls were handled.

When Peter Pan peanut butter was linked to a salmonella outbreak in February, ConAgra Foods Inc. recalled it as soon as federal health officials raised questions. But when ConAgra's Banquet-brand chicken and turkey pot pies were tied to a

similar salmonella outbreak in October, the company waited two days to recall them, first issuing only a health warning.

Peanut butter is regulated by the FDA, while pot pies are regulated by the USDA, because USDA has authority over meat and poultry.

According to the Centers for Disease Control and Prevention, the pot pies sickened more than 270 people; the peanut butter, at least 625.

Neither the FDA nor the USDA had the authority to order ConAgra to recall the products. In fact, all food recalls, except for those involving infant formula, are voluntary.

At least a dozen federal agencies share responsibility for keeping America's food safe, with the FDA and the USDA's Food Safety and Inspection Service playing the biggest roles. But none of the agencies use the same rule book.

In the two ConAgra contamina-

tion cases, it turns out that an FDA inspector hadn't been to the company's peanut butter plant in Georgia for two years before the recall, while a USDA inspector visits the Missouri pot pie plant daily.

Caroline Smith DeWaal, director of the Center for Science in the Public Interest's food-safety division, said the FDA cannot ensure a safe food supply. "The FDA's current domestic inspection program is a joke," she said.

Federal regulators and the food industry say the food-safety system needs to be adjusted, not overhauled.

America's food is "really remarkably safe," said David Acheson, the FDA's top food-safety official.

The CDC tracks food-borne illnesses in 10 states as a barometer for the nation, and it found that the rate of confirmed food-borne illness cases fell about 28 percent from 1996 to 2006.