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Tons of Foods Recalled and Thousands Sickened as Senate Stalls on Food Safety

Consumer Groups, Survivors of Foodborne Illness, Call on Senate to Pass FDA Reform Legislation This Month

WASHINGTON—As the nation reels from the impact of a massive egg recall that has sickened well over 1,500 people, survivors of foodborne illness and consumer advocates say that antiquated laws and poor enforcement are to blame. According to a [new report](#), the massive [egg recall](#) is only the latest—but largest—of 85 recalls that companies made while food safety reform legislation has been pending in the Senate, and since similar legislation passed the House in July of 2009. All told, at least 1,850 people have been sickened from foods subject to a recall, according to a report issued today by three consumer groups. And since foodborne illness is dramatically underreported, the actual toll of illness is almost certainly in the tens of thousands.

“Recalls and outbreaks are the most public consequence of our ‘horse and buggy’ food safety system,” said Caroline Smith DeWaal, [food safety](#) director at the nonprofit [Center for Science in the Public Interest](#). “Consumers are sometimes sickened and everyone up and down the chain has to check for, remove, and destroy the contaminated products. Only Congress can fix the underlying problems by passing legislation that has been languishing in the Senate for over a year.”

In the 13-month period since the House passed H.R. 2749, the Food Safety Enhancement Act, researchers from CSPI, Consumer Federation of America, and U.S. Public Interest Research Group identified 85 separate recalls linked to at least 1,850 illnesses. 36 of those recalls were due to *Salmonella* contamination of lettuce, alfalfa sprouts, green onions, and ground pepper. Hydrolyzed vegetable protein contaminated with *Salmonella* spurred the recall of a wide variety of soup and dip mixes, dressings, and seasonings. 32 recalls, mostly from contaminated cheeses, were due to dangerous *Listeria* bacteria. *E. coli* bacteria on shredded romaine lettuce sickened at least 26 people in 23 states and the District of Columbia.

At a [press conference](#) in Washington, representatives from the consumer groups said that the Senate needs to take up food safety legislation immediately after it reconvenes. A conference committee will then have to craft a final bill before it can be sent to the President.

For survivors of foodborne illness and their families, the wait has been too long.

“I want to know that the food on my plate is safe,” said 13-year-old [Rylee Gustafson](#), of Henderson, Nev. In 2006, Rylee spent two-weeks on life support and was hospitalized for a month after eating spinach contaminated with *E. coli*. Since her illness, Rylee has been active with Safe Tables Our Priority (S.T.O.P.), which assists victims of foodborne illness and advocates for reform. “I hope that the Senate can finish work on the food safety bill, and that other kids won’t have to suffer from a foodborne illness like I did.”

Both the [House-passed bill](#) and the bill [pending in the Senate](#) require food manufacturers to develop written food safety plans and to implement preventive measures. Both bills give the FDA a mandate to conduct inspections of food processing facilities, and to conduct microbial testing. Under current law, many facilities go for five or 10 years without an inspection. The Senate bill would require high-risk producers to be inspected more frequently. Both bills give the agency the authority to order companies to recall potentially tainted foods.

“Most Americans probably assume that FDA inspects farms and food processing plants are inspected regularly and that when problems arise, FDA can quickly order tainted eggs or spinach off the market,” said Chris Waldrop, director of the Consumer Federation of America’s Food Policy Institute. “In fact, neither of those assumptions is true. The Senate food safety bill would give the FDA the authority it needs to do its job.”

“Unfortunately, the FDA is often in reactive mode, chasing down the source of an outbreak long after much of the food in question has been sold,” said Elizabeth Hitchcock, public health advocate for U.S. PIRG, which is activating its nationwide grassroots network to push for a vote on S. 510. “We need this food safety reform legislation so that the FDA can focus on preventing contamination in the first place—before the food ends up in Americans’ cupboards and refrigerators.”

In 2009, Senate Majority Leader Harry Reid assured young Rylee, the survivor of the 2006 spinach outbreak, that food safety was a priority. “We’re going to do everything we can to get this legislation done,” Reid said. A month later, the bipartisan food safety bill was unanimously reported out of the Senate Health, Education, Labor, and Pensions Committee. But more than a year—and 59 recalls—later, no vote has been scheduled.

“My *Salmonella* infection from eggs was the most devastating thing I have ever been through,” said Sarah Lewis, a mother of two from Freedom, Calif. “I would hate for anyone else to have to go through anything like it, especially if they have small children who need care. The fact that this egg outbreak could happen on such a large scale makes it clear to me that food regulation needs to be improved.”

The Centers for Disease Control and Prevention estimates that 76 million people suffer from foodborne illness each year. 325,000 will be hospitalized. And approximately 5,000

Americans will die. Children and the elderly are most likely to experience severe cases of illness and death from foodborne pathogens.

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ABOUT CFA: The Consumer Federation of America is an association of nearly 300 nonprofit consumer organizations that was established in 1968 to advance the consumer interest through research, advocacy, and education.

ABOUT CSPI: The Center for Science in the Public Interest (CSPI) is a nonprofit health-advocacy group based in Washington, D.C., that focuses on nutrition and food safety. CSPI is supported largely by the 850,000 U.S. and Canadian subscribers to its **Nutrition Action Healthletter** and by foundation grants.

ABOUT U.S. PIRG: U.S. PIRG, the federation of state Public Interest Research Groups, is a non-profit, non-partisan public interest advocacy organization.

ABOUT S.T.O.P.: Safe Tables Our Priority is a national, nonprofit, public health organization dedicated to preventing illness and death from foodborne pathogens.