Opening Statement of Chairman Greg Walden
Subcommittee on Oversight and Investigations
Hearing on "Safety of the U.S. Food Supply Chain: Continuing Concerns Over the Food and Drug Administration's Food-Recall Process."
January 19, 2018

(As prepared for delivery)

Thank you, Mr. Chairman, for holding this important hearing.

I take this issue very personally. In February 2009, this subcommittee held a hearing on the nationwide outbreak of salmonella-related illnesses linked to products from the Peanut Corporation of America (PCA). One of the witnesses at that hearing was Peter Hurley, from Wilsonville, Oregon. When Peter's then three-year-old son, Jake, became sick, doctors recommended that they give him his favorite foods to encourage him to eat. Well, Jake's favorite food was Austin brand peanut butter crackers—which turned out to be the very thing that was poisoning him. When Oregon State officials tested the crackers, three of the six packages contained peanut butter contaminated by salmonella.

Jake became ill because Stewart Parnell, the CEO of PCA, knew that the peanut products were contaminated with salmonella when he told the plant manager to "Turn them loose." At that same hearing, I confronted Mr. Parnell with this container of products. I asked him whether he would be willing to take the lid off and eat any of these products now, since he was so cavalier about turning it loose on little kids like Jake. He declined to answer, citing the Fifth Amendment.

Thankfully, Jake overcame his illness and it was great to see him, now a young teenager, and his dad during a visit to D.C. last year. More than 600 other people in 44 states were sickened. Nine people died. As a result, Mr. Parnell is currently serving a 28-year sentence for his action.

While the case of PCA is the exception, and not the rule, foodborne illness remains a major concern. Chairman Harper just ran through the numbers – each year 48 million people become sick, and 3,000 die from foodborne diseases. Federal oversight of food safety has been on the Government Accountability Office's high-risk list since 2007.

And just in the past few months, dozens of people in the United States and Canada have been infected and two have died from what appears to be *E. coli*-

contaminated leafy greens. We are here today to check in on the Food and Drug Administration (FDA) and their work to protect the nation's food supply chain and ensure the health and safety of Americans.

I was glad to see that FDA Commissioner Gottlieb showed his commitment to improving food safety in our nation with yesterday's announcement that the FDA will accelerate the release of information about problematic products before they may officially be classified as recalled items. We look forward to hearing from FDA today about what plans and benchmarks it has developed to fully implement the law and address the recommendations from the OIG. We also look forward to FDA implementing other expert recommendations to provide proper funding and permanent staff to the FDA office that oversees the FDA labs, which play a critical role in food recalls.

I thank the HHS OIG for testifying today and commend its work with both the recent report in December, as well as the Early Alert it issued to FDA in June 2016. This recent work builds on past work done by the OIG, most notably two reports related to food-recalls that were released in 2009 and 2011.

While the reports from 2009 and 2011 were issued prior to the Food Safety Modernization Act (FSMA), many of the recommendations in the recent December report are similar, if not the same, as they were in the 2009 and 2011 reports. Further, the GAO also raised concerns about FDA's food-recall process in 2012. While FDA says that it has addressed many of the findings in the recent OIG report, it is troubling that many of the recommendations from almost a decade ago, stand today despite the additional authority given to the FDA through FSMA in 2010.

Today's hearing will be a great opportunity for FDA to share specific plans to address the recommendations made by the OIG, including the timeframe in which we can expect these changes to be implemented.

I welcome our witnesses and look forward to their testimony.