

Opening Remarks
Chair Cathy McMorris Rodgers
Subcommittee on Health Hearing: “Evaluating FDA’s Human
Foods and Tobacco Programs”
September 10, 2024

OPENING

Thank you, Chairman Guthrie.

Today, we are here to discuss and evaluate the work that the Food and Drug Administration is doing related to its human foods and tobacco programs—areas that have a substantial impact on the health and safety of the American people.

TOBACCO

Last week, the CDC announced the results from its National Youth Tobacco Survey, which gave us a few reasons to be optimistic.

Use of vaping products among America’s middle and high school students is down almost 70 percent since the 2019 peak of 5.3 million users.

Also, according to the CDC, cigarette use among adults has dropped to 11.5 percent in 2021.

There is more we can and must do to discourage young Americans from starting...

...help the 30 million or so Americans who already use cigarettes...

...and—I'll add—address the alarming increase of marijuana usage among teenagers and young adults, whether in food or vaping products.

CENTER FOR TOBACCO PRODUCTS

According to a 2022 Reagan Udall report, the Center for Tobacco Products, which was established in 2009, is QUOTE “confronting enormous challenges.”

For example, out of over 26 million applications for Electronic Nicotine Delivery Systems or ENDS products, the Center has authorized fewer than 50 products.

However, according to recent market data, those products only account for about 10 percent of sales, showing how behind the FDA is with keeping up with the demand.

The lack of clear enforcement policy and authorized products leaves tobacco users, distributors, and convenience stores in the dark on what products they can use and sell to those that are looking for alternatives to traditional cigarettes.

Companies need clear guidelines on what is required to meet the standard for authorization and what changes to products require new applications.

If the standards in current law need to be made clearer, Congress should have that discussion.

It is evident that the FDA's regulation of tobacco needs significant attention, and I'm glad we're starting today.

HUMAN FOOD PROGRAM

Turning to the Human Foods program, the FDA is responsible for regulating nearly 80 percent of the U.S. food supply and approving new food additives.

This year alone, there have been nearly 200 food recalls, including deli products linked to a Listeria outbreak that has resulted in 57 hospitalizations and nine deaths.

In addition, the Agency is still taking steps following the investigation of lead and chromium found in cinnamon applesauce pouches that the CDC estimates poisoned more than 400 children.

These incidents have raised concerns over the safety of our food supply.

We also must not forget about the infant formula crisis that occurred back in 2022.

An independent report found factors within the FDA's control...

...the lack of clear vision and mission...the lack of collaboration between offices... and a culture of indecisiveness and inaction... are what contributed to the infant formula crisis.

I am glad the FDA has acknowledged it needs to improve and has recently announced plans to implement a new "Unified Human Foods Program" starting this October.

As part of this new effort, the FDA has stated it will prioritize helping American consumers make more informed food choices, in addition to food safety and response activities.

It is essential that the FDA is transparent regarding what data and information it is relying upon as it considers various nutrition and food labeling proposals.

I look forward to hearing more about the Agency's vision for the Human Foods program and how it plans to manage these nutrition initiatives while not losing sight of its core mission of keeping our food supply safe and secure.

CLOSING

Congress has provided the FDA with substantial resources to effectively run these programs.

Yet, the FDA is requesting millions more in budget authority and user fees for its Human Foods Program and Center for Tobacco Products while providing little information about how their current resources are spent, existing authorities are used, and regulations are being enforced.

I look forward to having a discussion today to better understand how existing resources and authorities can be better used to improve the safety and quality of our food supply and finally get the Center for Tobacco Products working after falling short for over a decade.

Thank you, and I yield back.