

105TH CONGRESS  
2D SESSION

# H. R. 3132

To establish food safety research, education, and extension as a priority of the Department of Agriculture, to require the use of a designated team within the Department of Agriculture to enable the Department and other Federal agencies to rapidly respond to food safety emergencies, and to improve food safety through the development and commercialization of food safety technology.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 1998

Ms. STABENOW (for herself, Mr. BARCIA, Ms. KILPATRICK, Ms. CARSON, and Mr. KILDEE) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To establish food safety research, education, and extension as a priority of the Department of Agriculture, to require the use of a designated team within the Department of Agriculture to enable the Department and other Federal agencies to rapidly respond to food safety emergencies, and to improve food safety through the development and commercialization of food safety technology.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Safe Food Act of 1998”.

4 (b) TABLE OF CONTENTS.—The table of contents of  
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Food safety research, education, and extension priority.
- Sec. 4. Food Safety Rapid Response Team.
- Sec. 5. Emphasis on food safety research in Fund for Rural America.
- Sec. 6. National Food Safety Research, Education, and Extension Program.
- Sec. 7. Development and commercialization of food safety technology.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) While the American food supply is among  
9 the safest in the world, millions of Americans are  
10 stricken by illness every year caused by food they  
11 consume.

12 (2) An effective food safety strategy must be  
13 developed that encompasses research, educational,  
14 and response efforts along the entire farm-to-table  
15 spectrum and considers research efforts on emerging  
16 food borne illness and related issues at the Depart-  
17 ment of Agriculture and other Federal agencies.

18 **SEC. 3. FOOD SAFETY RESEARCH, EDUCATION, AND EXTEN-**  
19 **SION PRIORITY.**

20 (a) FOOD SAFETY PRIORITY.—The Secretary of Ag-  
21 riculture shall establish the identification and resolution  
22 of food safety issues as a priority for the research, edu-

1 cation, and extension activities of the Department of Agri-  
2 culture.

3 (b) MULTIDISCIPLINARY AND INTEGRATED AP-  
4 PROACH.—To the extent practicable, the Secretary of Ag-  
5 riculture shall conduct food safety research, education,  
6 and extension activities on a multidisciplinary and inte-  
7 grated basis.

8 (c) CONSUMER EDUCATION.—The Secretary of Agri-  
9 culture is encouraged to use the authority under section  
10 3(g) of the Act of May 8, 1914 (commonly known as the  
11 Smith-Lever Act) (7 U.S.C. 343(g)) to enter into coopera-  
12 tive agreements to carry out food safety consumer edu-  
13 cation programs.

14 (d) INPUT.—In carrying out this section, the Sec-  
15 retary of Agriculture shall encourage communication  
16 among Federal agencies, educational institutions, and the  
17 private sector.

18 **SEC. 4. FOOD SAFETY RAPID RESPONSE TEAM.**

19 (a) DESIGNATION AND COMPOSITION.—The Sec-  
20 retary of Agriculture shall designate a Food Safety Rapid  
21 Response Team within the Department of Agriculture, to  
22 enable the Department to rapidly respond to food safety  
23 emergencies. The Secretary shall select the members of  
24 the Food Safety Rapid Response Team from personnel of  
25 the Department with relevant subject matter expertise.

1 The Food Safety Rapid Response Team shall be under  
2 the direction of a coordinating officer, who is appointed  
3 by the Secretary and reports directly to the Secretary.

4 (b) DUTIES.—The Food Safety Rapid Response  
5 Team shall review and evaluate the response of the De-  
6 partment of Agriculture to food-borne illness outbreaks  
7 and make recommendations to the Secretary of Agri-  
8 culture regarding—

9 (1) the more effective involvement of other Fed-  
10 eral agencies, State and local agencies, land-grant  
11 colleges and universities, and other research institu-  
12 tions in the response to a food safety emergency;

13 (2) the rapid dissemination of accurate infor-  
14 mation to the public regarding a food safety emer-  
15 gency; and

16 (3) other improvements to the current Federal  
17 system for response to food safety emergencies.

18 (c) FOOD SAFETY ACTION PLAN.—

19 (1) PREPARATION.—The Food Safety Rapid  
20 Response Team shall develop a food safety action  
21 plan, which shall delineate, within the Department  
22 of Agriculture, the responsibility and mission of each  
23 office and agency of the Department during a food  
24 safety emergency and facilitate the cooperation of  
25 the Department and the coordination of the Depart-

1       ment response with other Federal agencies, States,  
2       local governments, colleges and universities, indus-  
3       try, and public interest groups.

4           (2) SUBMISSION.—Not later than one year after  
5       the date of the enactment of this Act, the Secretary  
6       of Agriculture shall submit the food safety action  
7       plan required by this section to Congress.

8       (d) EXECUTIVE BRANCH COOPERATION AND CO-  
9       ORDINATION.—The Secretary of Agriculture is encouraged  
10      to enter into memoranda of understanding with the heads  
11      of other Federal agencies that conduct similar programs  
12      or activities regarding food safety, for the purpose of en-  
13      suring consistent, accurate, and coordinated dissemination  
14      throughout the executive branch of information and serv-  
15      ices in the event of a food safety emergency.

16   **SEC. 5. EMPHASIS ON FOOD SAFETY RESEARCH IN FUND**  
17                           **FOR RURAL AMERICA.**

18       Section 793(c)(2)(A) of the Federal Agriculture Im-  
19      provement and Reform Act of 1996 (7 U.S.C. 2204f) is  
20      amended—

21           (1) in clause (vii), by striking “; and” and in-  
22      serting a semicolon;

23           (2) in clause (viii), by striking the period and  
24      inserting “; and”; and

1           (3) by adding at the end the following new  
2       clause:

3                       “(ix) increase food safety from farm-  
4                       to-consumer.”

5       **SEC. 6. NATIONAL FOOD SAFETY RESEARCH, EDUCATION,**  
6                       **AND EXTENSION PROGRAM.**

7       (a) DEFINITION OF FOOD AND AGRICULTURAL  
8       SCIENCES.—Section 1404(8)(B) the National Agricultural  
9       Research, Extension, and Teaching Policy Act of 1977 (7  
10      U.S.C. 3103(8)(B)) is amended by inserting “, including  
11      food safety” after “agricultural products”.

12      (b) FOOD SAFETY PROGRAM.—The National Agricul-  
13      tural Research, Extension, and Teaching Policy Act of  
14      1977 is amended by adding after section 1425 (7 U.S.C.  
15      3175) the following new section:

16      **“SEC. 1426. NATIONAL FOOD SAFETY RESEARCH, EDU-**  
17                       **CATION, AND EXTENSION PROGRAM.**

18           “(a) PROGRAM REQUIRED.—The Secretary shall es-  
19      tablish the National Food Safety Research, Education,  
20      and Extension Program to reduce the incidence of food  
21      borne illness to the greatest extent possible through re-  
22      search, education, and extension activities.

23           “(b) ELEMENTS OF PROGRAM.—The Secretary shall  
24      use the National Food Safety Research, Education, and  
25      Extension Program—

1           “(1) to conduct and coordinate research con-  
2           cerning food borne threats to human health and con-  
3           cerning mechanisms to identify, reduce, eliminate,  
4           and prevent food borne threats from entering into,  
5           and existing in, the food supply, including research  
6           to develop rapid, cost effective tests, for the presence  
7           of food pathogens (such as Salmonella,  
8           Campylobacter, E. coli O157:H7, Cryptosporidium,  
9           Hepatitis A and Norwalk viruses, Pfisteria and  
10          other marine toxins, Cyclospora, and Toxoplasma),  
11          to enhance understanding of how such pathogens be-  
12          come resistant to preservation technologies, and to  
13          develop technologies for prevention and control of  
14          such pathogens.

15          “(2) to enhance surveillance by providing data  
16          to anticipate and prevent future outbreaks of food  
17          borne illness by focusing on production, processing,  
18          handling, transportation, and storage practices,  
19          proper use of veterinary drugs and feed, and man-  
20          agement of animal wastes.

21          “(3) to fill current knowledge gaps in food safe-  
22          ty issues, including the development of better data  
23          and modeling techniques to improve risk assess-  
24          ments;

1 “(4) to identify ways to improve the dissemina-  
2 tion of information regarding food safety strategies  
3 to all participants in the farm-to-table spectrum, in-  
4 cluding agricultural producers, processors, transport-  
5 ers, handlers, and consumers, so as to reduce the  
6 incidence of food borne illness;

7 “(5) to coordinate the activities of the Federal  
8 Government and land-grant colleges and universities  
9 regarding research on food safety issues and the dis-  
10 semination of such information; and

11 “(6) to cooperate with State governments and  
12 the private sector to improve and enhance the safety  
13 of food.

14 “(c) CONTRACT, GRANTS, COOPERATIVE AGREE-  
15 MENTS.—

16 “(1) IN GENERAL.—With funds available to  
17 carry out this section, the Secretary may enter into  
18 contracts, grants, or cooperative agreements with in-  
19 dividuals and organizations in accordance with sec-  
20 tion 1472.

21 “(2) COMPETITIVE BASIS.—Grants made under  
22 this subsection shall be made on a competitive basis.

23 “(d) ADMINISTRATION.—

24 “(1) COSTS.—The Secretary may retain for ad-  
25 ministration up to 4 percent of amounts appro-



1        priated for the National Food Safety Research, Edu-  
2        cation, and Extension Program authorized by this  
3        section, notwithstanding the availability of any ap-  
4        propriation for administrative expenses of the Na-  
5        tional Food Safety Research, Education, and Exten-  
6        sion Program.

7            “(2) RULES AND REGULATIONS.—The Sec-  
8        retary shall prescribe rules and regulations necessary  
9        for the administration of this section.

10           “(3) CONSULTATION WITH THE NATIONAL  
11        ACADEMY OF SCIENCES.—The Secretary may use  
12        funds made available under this section to consult  
13        with the National Academy of Sciences regarding  
14        the administration of the National Food Safety Re-  
15        search, Education, and Extension Program without  
16        regard to the requirements of the Federal Advisory  
17        Committee Act (5 U.S.C. App.) and title XVIII of  
18        the Food and Agriculture Act of 1977 (7 U.S.C.  
19        2281 et seq.).”.

20        **SEC. 7. DEVELOPMENT AND COMMERCIALIZATION OF**  
21                **FOOD SAFETY TECHNOLOGY.**

22           (a) COOPERATIVE AGREEMENTS FOR FOOD SAFETY  
23        TECHNOLOGY.—Notwithstanding chapter 63 of title 31,  
24        United States Code, the Secretary of Agriculture may  
25        enter into cooperative agreements with a person or entity

1 otherwise eligible to enter into such an agreement under  
2 section 1472 of the National Agricultural Research, Ex-  
3 tension, and Teaching Policy Act of 1977 (7 U.S.C. 3318)  
4 under which the facilities and technical expertise of the  
5 Agriculture Research Service may be made available to the  
6 person or entity for the purpose of developing and com-  
7 mercializing new technologies and products for food safety  
8 to the point of practical application.

9 (b) SALE OF NEW TECHNOLOGIES AND PROD-  
10 UCTS.—The Secretary of Agriculture shall authorize the  
11 partners in a cooperative agreement under this section to  
12 sell new technologies and products for food safety pro-  
13 duced under the agreement for the purpose of determining  
14 the market potential for the new technologies or products.

15 (c) SOURCE OF FUNDS.—To carry out this section,  
16 the Secretary of Agriculture may use funds appropriated  
17 to carry out this section and funds otherwise available for  
18 such cooperative agreements that may be entered into  
19 under section 12 of the Stevenson-Wydler Technology In-  
20 novation Act of 1986 (15 U.S.C. 3710a).

