

105TH CONGRESS
2D SESSION

S. 1597

To establish food safety research, education, and extension as priorities 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.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 3, 1998

Mr. LEVIN introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To establish food safety research, education, and extension as priorities 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 Action Plan Act”.

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 that—

8 (1) while the American food supply is among
9 the safest in the world, every year millions of Ameri-
10 cans are stricken by illness caused by food they con-
11 sume; and

12 (2) an effective food safety strategy must be de-
13 veloped that encompasses research, educational, and
14 response efforts along the entire farm-to-table spec-
15 trum 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 maximum extent practicable, the Sec-
5 retary of Agriculture shall conduct food safety research,
6 education, and extension activities on a multidisciplinary
7 and integrated 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) (38 Stat. 373, chapter 79; 7 U.S.C.
12 343(g)), to enter into cooperative agreements to carry out
13 food safety consumer education 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.—

20 (1) DESIGNATION.—The Secretary of Agri-
21 culture shall designate a Food Safety Rapid Re-
22 sponse Team within the Department of Agriculture,
23 to enable the Department to rapidly respond to food
24 safety emergencies.

1 (2) COMPOSITION.—The Secretary shall select
2 the members of the Food Safety Rapid Response
3 Team from personnel of the Department with rel-
4 evant subject matter expertise.

5 (3) COORDINATING OFFICER.—The Food Safety
6 Rapid Response Team shall be under the direction
7 of a coordinating officer who is appointed by the
8 Secretary and reports directly to the Secretary.

9 (b) DUTIES.—The Food Safety Rapid Response
10 Team shall review and evaluate the response of the De-
11 partment of Agriculture to outbreaks of food-borne illness
12 and make recommendations to the Secretary of Agri-
13 culture regarding—

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

18 (2) the rapid dissemination of accurate infor-
19 mation to the public regarding a food safety emer-
20 gency; and

21 (3) other improvements to the Federal system
22 for response to food safety emergencies.

23 (c) FOOD SAFETY ACTION PLAN.—

1 (1) PREPARATION.—The Food Safety Rapid
2 Response Team shall develop a food safety action
3 plan, which shall—

4 (A) delineate, within the Department of
5 Agriculture, the responsibility and mission of
6 each office and agency of the Department dur-
7 ing a food safety emergency; and

8 (B) facilitate the cooperation of the De-
9 partment and the coordination of the Depart-
10 ment response with other Federal agencies,
11 States, local governments, colleges and univer-
12 sities, industry, and public interest groups.

13 (2) SUBMISSION.—Not later than 1 year after
14 the date of enactment of this Act, the Secretary of
15 Agriculture shall submit the food safety action plan
16 required by this section to Congress.

17 (d) EXECUTIVE BRANCH COOPERATION AND CO-
18 ORDINATION.—The Secretary of Agriculture is encouraged
19 to enter into memoranda of understanding, with the heads
20 of other Federal agencies that conduct similar programs
21 or activities regarding food safety, for the purpose of en-
22 suring consistent, accurate, and coordinated dissemination
23 throughout the executive branch of information and serv-
24 ices in the event of a food safety emergency.

1 **SEC. 5. EMPHASIS ON FOOD SAFETY RESEARCH IN FUND**
 2 **FOR RURAL AMERICA.**

3 Section 793(c)(2)(A) of the Federal Agriculture Im-
 4 provement and Reform Act of 1996 (7 U.S.C.
 5 2204f(c)(2)(A)) is amended—

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

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

10 (3) by adding at the end the following:

11 “(ix) increase food safety from farm
 12 to table.”.

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

15 (a) **DEFINITION OF FOOD AND AGRICULTURAL**
 16 **SCIENCES.**—Section 1404(8)(B) of the National Agricul-
 17 tural Research, Extension, and Teaching Policy Act of
 18 1977 (7 U.S.C. 3103(8)(B)) is amended by inserting “,
 19 including food safety” after “agricultural products”.

20 (b) **FOOD SAFETY PROGRAM.**—The National Agricul-
 21 tural Research, Extension, and Teaching Policy Act of
 22 1977 is amended by inserting after section 1425 (7 U.S.C.
 23 3175) the following:

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

3 “(a) IN GENERAL.—The Secretary shall establish the
 4 National Food Safety Research, Education, and Extension
 5 Program to reduce the incidence of food-borne illness to
 6 the maximum extent practicable through research, edu-
 7 cation, and extension activities.

8 “(b) ELEMENTS OF PROGRAM.—The Secretary shall
 9 use the National Food Safety Research, Education, and
 10 Extension Program—

11 “(1) to conduct and coordinate research con-
 12 cerning food-borne threats to human health and re-
 13 search concerning mechanisms to identify, reduce,
 14 eliminate, and prevent food-borne threats from en-
 15 tering into, and existing in, the food supply, includ-
 16 ing research to develop rapid, cost effective tests—

17 “(A) for the presence of food pathogens
 18 (such as Salmonella, Campylobacter, E. coli
 19 O157:H7, Cryptosporidium, Hepatitis A and
 20 Norwalk viruses, Pfiesteria piscicida and other
 21 marine toxins, Cyclospora, and Toxoplasma);

22 “(B) to enhance understanding of how the
 23 pathogens become resistant to preservation
 24 technologies; and

25 “(C) to develop technologies for prevention
 26 and control of the pathogens;

1 “(2) to enhance surveillance by providing data
 2 to anticipate and prevent future outbreaks of food-
 3 borne illness by focusing on production, processing,
 4 handling, transportation, and storage practices,
 5 proper use of veterinary drugs and feed, and man-
 6 agement of animal wastes;

7 “(3) to fill current knowledge gaps in food safe-
 8 ty issues, including through development of better
 9 data and modeling techniques to improve risk as-
 10 sessments;

11 “(4) to identify ways to improve the dissemina-
 12 tion of information regarding food safety strategies
 13 to all participants in the farm-to-table spectrum, in-
 14 cluding agricultural producers, processors, transport-
 15 ers, handlers, and consumers, so as to reduce the in-
 16 cidence of food-borne illness;

17 “(5) to coordinate the activities of the Federal
 18 Government and land-grant colleges and universities
 19 regarding research on food safety issues and the dis-
 20 semination of the results of the research; and

21 “(6) to cooperate with State governments and
 22 the private sector to improve and enhance the safety
 23 of food.

24 “(c) CONTRACT, GRANTS, AND COOPERATIVE
 25 AGREEMENTS.—

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

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

8 “(d) ADMINISTRATION.—

9 “(1) COSTS.—The Secretary may retain for ad-
10 ministration up to 4 percent of amounts appro-
11 priated for the National Food Safety Research, Edu-
12 cation, and Extension Program authorized by this
13 section, notwithstanding the availability of any ap-
14 propriation for administrative expenses of the Na-
15 tional Food Safety Research, Education, and Exten-
16 sion Program.

17 “(2) REGULATIONS.—The Secretary shall pro-
18 mulgate regulations necessary for the administration
19 of this section.

20 “(3) CONSULTATION WITH NATIONAL ACADEMY
21 OF SCIENCES.—The Secretary may use funds made
22 available under this section to consult with the Na-
23 tional Academy of Sciences regarding the adminis-
24 tration of the National Food Safety Research, Edu-
25 cation, and Extension Program without regard to

1 the requirements of the Federal Advisory Committee
 2 Act (5 U.S.C. App.) and title XVIII of the Food and
 3 Agriculture Act of 1977 (7 U.S.C. 2281 et seq.).”.

4 **SEC. 7. DEVELOPMENT AND COMMERCIALIZATION OF**
 5 **FOOD SAFETY TECHNOLOGY.**

6 (a) COOPERATIVE AGREEMENTS FOR FOOD SAFETY
 7 TECHNOLOGY.—Notwithstanding chapter 63 of title 31,
 8 United States Code, the Secretary of Agriculture may
 9 enter into cooperative agreements with a person or entity
 10 otherwise eligible to enter into such an agreement under
 11 section 1472 of the National Agricultural Research, Ex-
 12 tension, and Teaching Policy Act of 1977 (7 U.S.C. 3318)
 13 under which the facilities and technical expertise of the
 14 Agricultural Research Service may be made available to
 15 the person or entity for the purpose of developing and
 16 commercializing new technologies and products for food
 17 safety to the point of practical application.

18 (b) SALE OF NEW TECHNOLOGIES AND PROD-
 19 UCTS.—The Secretary of Agriculture shall authorize the
 20 partners in a cooperative agreement under this section to
 21 sell new technologies and products for food safety pro-
 22 duced under the agreement for the purpose of determining
 23 the market potential for the new technologies or products.

24 (c) SOURCE OF FUNDS.—To carry out this section,
 25 the Secretary of Agriculture may use funds made available

1 to carry out this section and funds otherwise available for
2 the cooperative agreements that may be entered into
3 under section 12 of the Stevenson-Wydler Technology In-
4 novation Act of 1980 (15 U.S.C. 3710a).

