

## FDA AND FOOD SAFETY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 8, 1996*

Mr. DUNCAN. Mr. Speaker, I am not a chemist. I am not an expert in determining product safety. However, there seems to be conflicting reports about a situation brought to my attention by a constituent. I have serious concerns when the health of children is involved. If there is a possible health risk, then I believe that the Food and Drug Administration [FDA] needs to look very closely at this situation keeping the welfare of children in mind.

In June 1994, my office was contacted by one of my constituents, Mael Kersavage, the president of Contemporary Beverages, Inc. Mr. Kersavage said that his company, based in Knoxville, TN, was a distributor of health-oriented beverages.

Contemporary Beverages, in conjunction with another firm, developed a sparkling fruit juice beverage in order to offer schoolchildren a healthier alternative to sugar and caffeine laden soft drinks.

Mr. Kersavage further states that both the FDA and the U.S. Department of Agriculture [USDA] allowed this beverage to be served in school cafeterias nationwide. The beverage was endorsed by the USDA as a beverage that could be served in schools during meal-times.

Since Mr. Kersavage served as a distributor for this product, in March 1994, he was contacted by an East Tennessee school system which complained that the beverages appeared to have a strange odor, cloudy appearance, and foreign objects floating in the bottles.

After personally inspecting the beverages, Mr. Kersavage was extremely concerned that these contaminated beverages were being offered to schoolchildren. He instructed the school system and his company subdistributors to immediately discontinue dispensing the beverages.

Mr. Kersavage learned that approximately 10,000 cases of the contaminated beverages had been distributed throughout the Southeast. He then contacted the FDA in June 1994.

After persevering through the FDA's labyrinth of bureaucracy, which was exemplified by being continually transferred from one FDA office to another, he finally was able to present documentation with regard to the contaminated beverages. Mr. Kersavage requested that the FDA recall this product. However, the FDA told Mr. Kersavage that it was the responsibility of the manufacturer to recall the products.

For more than a year, my office and Mr. Kersavage consistently contacted the FDA, and Mr. Kersavage provided evidentiary information, including samples of the contaminated product. I, as well as Mr. Kersavage, were concerned about any potential danger to schoolchildren consuming the beverages.

I believe that the FDA should protect the health of our school children. Therefore, I think that when instances, such as the one I have described, are brought to the attention of the FDA it should take immediate and appropriate actions to ensure that products consumed by

schoolchildren are safe, and the discretion to recall the product should not be left up to the manufacturer.

SONS OF ITALY FOUNDATION  
BUILDS AMERICAN LEADERS

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 8, 1996*

Mr. ROTH. Mr. Speaker, on May 2, I had the privilege of attending the Eighth Annual National Education and Leadership Awards Gala, sponsored by the Sons of Italy Foundation at the Andrew Mellon Auditorium.

Over the years this ceremony has grown in prestige, a result of the leaders it has honored and the cause it has served. Among its honorees have been the late Sil Conte, a friend to many of us in Congress; Justice Antonin Scalia, one of the most incisive judicial minds we've had on the High Court in my memory; and Louis J. Freeh, who is building on the tradition of professionalism at the FBI.

This year's honorees follow in that line of great American leaders. Alfred Checchi, the cochairman of Northwest Airlines, is known as an executive who combines a good head for financial analysis with a heartfelt commitment to the well-being of his employees and the communities that Northwest serves.

Al's management talents have succeeded in restoring the luster of a great American airline. For 6 years, Northwest has been rated first in on-time performance and has had the fewest customer complaints of the seven largest airlines. These performance records are a tribute to Al's ability to motivate those who work with him.

Joe Paterno is one of the greatest coaches in the history of football. At Penn State, he has compiled a record of 278 wins, 72 losses, and 3 ties—which makes him the winningest active coach in the collegiate ranks. But he is also a coach whose concern for his players extends beyond their careers on the gridiron. He urges them to learn art, literature, and music, and to bring their knowledge and values to the families they raise and the communities they serve.

Both honorees provide excellent role models for this year's 12 winners of the National Leadership Grant Competition. What impressed me about these young people is that they drew so much strength from their families and communities.

There's no doubt in my mind that America will continue to flourish and prosper in the 21st century. It will do so because great American institutions like the Sons of Italy will help strengthen the bonds that hold us together as a society by building on a heritage of close families and strong communities.

The Sons of Italy Foundation knows full well that the key to providing thoughtful leadership in America is to provide its sons and daughters with good educations. This year, more than \$60,000 worth of scholarships were awarded to outstanding college-bound graduating high school students and full-time students in undergraduate, graduate, and professional programs. Since 1968, more than \$21 million in scholarships have been handed out by the Sons of Italy at the national, State, and local levels.

Among those who should be congratulated for this fine program are Joseph E. Antonini, who chaired this year's National Education and Leadership Awards Gala, and Paul S. Polo, Sr. and Valentino Ciullo, chairman and president respectively, of the Sons of Italy Foundation. I commend their efforts to recognize the outstanding Italian-American leaders of today and to support the outstanding Italian-American leaders of the future.

HONORING THE LA VERGNE  
VOLUNTEER FIRE DEPARTMENT

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 8, 1996*

Mr. GORDON. Mr. Speaker, I am taking this opportunity to applaud the invaluable services provided by the La Vergne Volunteer Fire Department. These brave, civic-minded people give freely of their time so that we may all feel safer at night.

Few realize the depth of training and hard work that goes into being a volunteer firefighter. To quote one of my local volunteers, "These firemen must have an overwhelming desire to do for others while expecting nothing in return."

Preparation includes twice monthly training programs in which they have live drills, study the latest videos featuring the latest in fire fighting tactics, as well as attend seminars where they can obtain the knowledge they need to save lives. Within a year of becoming a volunteer firefighter, most attend the Tennessee fire training school in Murfreesboro where they undergo further, intensified training.

When the residents of my district go to bed at night, they know that should disaster strike and their home catches fire, well trained and qualified volunteer fire departments are ready and willing to give so graciously and generously of themselves. This peace of mind should not be taken for granted.

By selflessly giving of themselves, they ensure a safer future for us all. We owe these volunteer fire departments a debt of gratitude for their service and sacrifice.

IN HONOR OF FATHER ROGER  
KAFFER

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 8, 1996*

Mr. WELLER. Mr. Speaker, today I would like to honor Joliet UNICO Citizen of the Year—Father Roger Kaffer.

At the 40th annual banquet in Joliet, Father Kaffer was given the distinction of Citizen of the Year for his dedication and efforts toward making Providence High School a top rated educational institution.

When first given the responsibility for Providence in 1969, the school was in financial despair and on the verge of closing. Father Kaffer changed that through innovation, perseverance, and hard work.

Father Kaffer set out immediately on fundraising, student recruitment, and a public relations campaign on behalf of the faculty and

school. The result of his efforts: an increase from 490 to 836 student by 1984; expansion of the Sacred Heart Gymnasium; construction of the theology wing, Bishop Blanchette Library, and the Christopher Cooper Computer Center.

It was through his hard work, self-sacrifice, dedication, and ability to lead that all of these goals were realized and instead of Providence High School's doors closing in 1969, countless numbers of students were able to receive a fundamental Catholic education from one of the finest schools in Illinois.

In 1985 Father Kaffer was named auxiliary bishop of Joliet by Pope John Paul II and his era at Providence ended. However, his wisdom and commitment to the school will always be part of its legacy. Truly a man of God, Father Kaffer serves as a role model for all of us and how we must all work together for the good of the community.

Congratulations Father Kaffer on being named UNICO's Citizen of the Year and best wishes.

INTRODUCTION OF THE  
REGULATOR TERM LIMIT ACT

HON. TOM CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 8, 1996*

Mr. CAMPBELL. Mr. Speaker, today I am introducing legislation that will begin to ensure the accountability of our Nation's independent regulatory agencies by imposing term limits on their members. In my view, any entrenched Government body, whether legislative or regulatory, loses accountability and responsiveness. By imposing term limits, we will bring independent regulatory commissions in step with the current movement to energize Government bodies by turnover, thereby making them more accountable to the American citizens.

The Regulator Term Limit Act of 1996, would limit an individual to two terms as a member of any independent regulatory commission. This bill had its genesis in the recently enacted ICC Termination Act of 1995 (Public Law 104-88), in which Congress adopted the suggestion of Surface Transportation Board Commissioner Gus A. Owen to limit the STB Commissioners to two terms. Mr.

Owen, himself a long serving Commissioner, saw the need to end the entrenchment which is all too common in regulatory agencies.

Independent regulatory agencies perform quasi-legislative or quasi-judicial functions. They make their decisions based on findings of fact, supported by evidence, and drawn from a record open to public scrutiny. To fulfill their mission, independence from the executive or legislative branch is essential. Their public accountability, however, is frustrated if the decision makers become entrenched. We should guarantee their accountability by requiring that Commissioners serve no more than two terms. In addition, in the Jeffersonian citizen-legislator spirit, we will be providing more opportunities for talented people to serve their Nation when Commissioners return to private life.

As original cosponsors, I would like to thank Mr. CLINGER, Mr. MCINTOSH, Mr. PACKARD, Mr. LARGENT, Mr. UPTON, Mr. CASTLE, Mr. SCARBOROUGH, Mr. HORN, Mr. BONO, and Mr. ZELIFF. Their efforts are much appreciated and I look forward to continued input on this bill.

I urge my colleagues to support this legislation that helps ensure good government by preventing the entrenchment of independent regulatory commissioners through the imposition of term limits.