

105TH CONGRESS
2^D SESSION

S. 2025

To promote the safety of food, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 1, 1998

Mr. COVERDELL (for himself and Mr. ABRAHAM) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To promote the safety of food, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Food Research, Edu-
5 cation, Safety, and Health Act of 1998”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) COMMITTEE OF JURISDICTION.—The term
9 “committee of jurisdiction” means—

10 (A) the Committee on Agriculture of the
11 House of Representatives;

1 (B) the Committee on Commerce of the
2 House of Representatives;

3 (C) the Committee on Agriculture, Nutri-
4 tion and Forestry of the Senate; and

5 (D) the Committee on Labor and Human
6 Resources of the Senate.

7 (2) FOOD.—The term “food” means food in-
8 tended for human consumption.

9 (3) SECRETARY.—The term “Secretary” means
10 the Secretary of Agriculture.

11 (4) STATE.—The term “State” means a State
12 of the United States, the District of Columbia, the
13 Commonwealth of Puerto Rico, and any other terri-
14 tory or possession of the United States.

15 **SEC. 3. CONSUMER EDUCATION FOOD SAFETY BLOCK**
16 **GRANTS.**

17 (a) AUTHORITY.—The Secretary shall make grants to
18 States to enable the States to carry out consumer edu-
19 cation food safety programs.

20 (b) APPLICATION.—To receive a grant under this sec-
21 tion, a State shall submit to the Secretary an application
22 at such time, in such manner, and containing such infor-
23 mation as the Secretary may require, including—

1 (1) a description of the activities that the State
2 will carry out using funds received under this sec-
3 tion;

4 (2) a designation of an appropriate State agen-
5 cy to administer the funds; and

6 (3) a description of the steps to be taken to en-
7 sure that the funds are used in accordance with sub-
8 section (e).

9 (c) AMOUNT OF GRANT.—

10 (1) IN GENERAL.—From the amounts available
11 to carry out this section for a fiscal year, the Sec-
12 retary shall allot to each State an amount that bears
13 the same proportion to the amounts available as the
14 population of the State bears to the population of all
15 of the States.

16 (2) DETERMINATIONS OF POPULATION.—In de-
17 termining population figures for purposes of this
18 subsection, the Secretary shall use the latest avail-
19 able annual estimates prepared by the Secretary of
20 Commerce.

21 (d) PAYMENTS.—

22 (1) IN GENERAL.—If the Secretary approves an
23 application submitted by a State under subsection
24 (b), the Secretary shall make a payment to the State

1 in an amount that is equal to its allotment under
2 subsection (c).

3 (2) FORM OF PAYMENTS.—The Secretary may
4 make payments under this section to a State in in-
5 stallments, and in advance or by way of reimburse-
6 ment, with necessary adjustments on account of
7 overpayments or underpayments, as the Secretary
8 may determine.

9 (3) REALLOTMENTS.—If the Secretary deter-
10 mines that any portion of the allotment of a State
11 under subsection (c) will not be used to carry out
12 this section in accordance with an approved State
13 application under subsection (b), the Secretary shall
14 reallocate to the other States in proportion to the origi-
15 nal allotments to the other States.

16 (e) USE OF FUNDS.—Funds received by a State
17 under this section shall be used to carry out consumer
18 education food safety programs under which education is
19 provided to consumers and other persons on safe food
20 practices at each step in the food chain (including agricul-
21 tural production, handling, processing, distribution, and
22 preparation of food in restaurants, grocery stores, and
23 homes) using the mechanisms described in subsection (g).

24 (f) MATCHING FUNDS.—As a condition of receipt of
25 funds under this section, the Secretary may require a

1 State to provide matching funds (at the option of the Sec-
2 retary, in the form of direct funding or in-kind support).

3 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$10,000,000 for each of fiscal years 1999 through 2001.

6 **SEC. 4. IRRADIATION OF FOODS.**

7 (a) IN GENERAL.—In conjunction with the Director
8 of the Centers for Disease Control and Prevention, the
9 Commissioner of Food and Drugs, and the Director of the
10 National Institutes of Health, the Secretary shall carry
11 out consumer education initiatives on the irradiation of
12 foods, especially ground beef and poultry.

13 (b) STUDY.—Not later than 30 days after the date
14 of enactment of this Act, the Secretary shall—

15 (1) conduct a study of the cost and feasibility
16 of irradiating fruits and vegetables and of new irra-
17 diation technologies; and

18 (2) report the results of the study to each of
19 the committees of jurisdiction.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be appropriated to carry out this section
22 \$1,000,000 for each of fiscal years 1999 through 2001.

23 **SEC. 5. FOOD SAFETY COUNCIL.**

24 (a) ESTABLISHMENT.—There is established a Food
25 Safety Council composed of 12 members, including—

- 1 (1) the Secretary;
- 2 (2) the Secretary of Health and Human Serv-
- 3 ices;
- 4 (3) the Commissioner of Food and Drugs;
- 5 (4) 3 members appointed by the President;
- 6 (5) 3 members appointed by the Majority Lead-
- 7 er of the Senate; and
- 8 (6) 3 members appointed by the Speaker of the
- 9 House.

10 (b) TERMS.—

11 (1) IN GENERAL.—A member of the Council
12 appointed under paragraph (4), (5), or (6) of sub-
13 section (a) shall be appointed for a term of not to
14 exceed 3 years.

15 (2) VACANCIES.—An individual appointed to
16 complete an unexpired term of a member of the
17 Council described in paragraph (1) shall serve only
18 for the remainder of the term.

19 (c) ADMINISTRATION.—

20 (1) CHAIRPERSON.—The Secretary shall serve
21 as chairperson of the Council.

22 (2) MEETINGS.—

23 (A) IN GENERAL.—The Council shall meet
24 at least twice a year at the call of the Chair-
25 person.

1 (B) PUBLIC MEETINGS.—A meeting of the
2 Council shall be open to the public.

3 (C) QUORUM.—Five members of the Coun-
4 cil shall constitute a quorum.

5 (d) DUTIES.—The Council shall—

6 (1) evaluate, and establish priorities for, food
7 safety research and education, and food-related ill-
8 ness prevention activities, conducted by the Federal
9 Government;

10 (2) direct that Federal agencies conduct any
11 necessary updates of science, technology, and public
12 health activities that relate to food safety; and

13 (3) submit to the committees of jurisdiction an
14 annual report on actions taken to carry out this sec-
15 tion, including any recommendations for improve-
16 ments in food safety.

17 (e) COMPENSATION; EXPENSES.—

18 (1) COMPENSATION OF MEMBERS.—

19 (A) NONFEDERAL MEMBERS.—A member
20 of the Council who is not otherwise an officer
21 or employee of the Federal Government shall be
22 compensated at a rate equal to the daily equiva-
23 lent of the annual rate of basic pay prescribed
24 for a position at level IV of the Executive
25 Schedule under section 5315 of title 5, United

1 States Code, for each day (including travel
2 time) during which the member is engaged in
3 the performance of the duties of the Council.

4 (B) FEDERAL MEMBERS.—A member of
5 the Council who is otherwise an officer or em-
6 ployee of the United States shall serve without
7 compensation in addition to that received for
8 services as an officer or employee of the United
9 States.

10 (2) TRAVEL EXPENSES.—A member of the
11 Council shall be allowed travel expenses, including
12 per diem in lieu of subsistence, at rates authorized
13 for employees of agencies under subchapter I of
14 chapter 57 of title 5, United States Code, while
15 away from the home or regular place of business of
16 the member in the performance of service for the
17 Council.

18 (f) FUNDING.—From funds of the Department of Ag-
19 riculture, the Secretary shall use to carry out this section
20 not more than \$100,000 for each of fiscal years 1999
21 through 2001.

22 **SEC. 6. COMPETITIVE RESEARCH GRANTS FOR REDUCING**
23 **THREATS OF FOOD-BORNE PATHOGENS.**

24 (a) IN GENERAL.—The Secretary shall make com-
25 petitive grants, for periods not to exceed 5 years, to col-

1 leges and universities, State agricultural experiment sta-
2 tions, other research institutions and organizations, Fed-
3 eral agencies, and private persons for research to reduce
4 and control the health and other threats posed by deadly
5 food-borne pathogens.

6 (b) PARTICIPATION IN GRANT PROCESS.—In seeking
7 proposals for grants under this section and in performing
8 peer review evaluations of the proposals, the Secretary
9 shall seek the widest participation of qualified scientists
10 in the Federal Government, colleges and universities,
11 State agricultural experiment stations, and private per-
12 sons.

13 (c) USE OF FUNDS.—Funds received under this sec-
14 tion shall not be used for the planning, repair, rehabilita-
15 tion, acquisition, or construction of a building or facility.

16 (d) REPORT.—Not later than December 1, 2001, the
17 Secretary shall submit to the committees of jurisdiction
18 a report on actions taken to carry out this section.

19 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated to carry out this section
21 \$20,000,000 for each of fiscal years 1999 through 2001.

1 **SEC. 7. DEMONSTRATION PROJECTS FOR REDUCING**
2 **THREATS OF FOOD-BORNE PATHOGENS.**

3 (a) DEMONSTRATION PROJECTS.—The Secretary
4 shall conduct a sufficient number of demonstration
5 projects to—

6 (1) determine the epidemiology and ecology of
7 potential food-borne pathogens; and

8 (2) develop interventions.

9 (b) REPORT.—Not later than December 1, 2001, the
10 Secretary shall submit to the committees of jurisdiction
11 a report on actions taken to carry out this section.

12 (c) FUNDING.—From funds of the Department of
13 Agriculture, the Secretary shall use to carry out this sec-
14 tion not more than \$100,000 for each of fiscal years 1999
15 through 2001.

16 **SEC. 8. DETECTION AND MEDICAL TREATMENTS FOR**
17 **FOOD-BORNE PATHOGENS.**

18 (a) DETECTION.—There is authorized to be appro-
19 priated \$5,000,000 for each of fiscal years 1999 through
20 2001 to enable the Centers for Disease Control and Pre-
21 vention to improve the detection of food-borne pathogens
22 through—

23 (1) the creation of new employment positions
24 for scientists; and

25 (2) the acquisition of scientific equipment.

1 (b) MEDICAL TREATMENTS.—There is authorized to
2 be appropriated \$5,000,000 for each of fiscal years 1999
3 through 2001 to enable the National Institutes of Health
4 to conduct research concerning medical treatments for in-
5 dividuals infected with food-borne pathogens.

6 **SEC. 9. FOOD SAFETY RESEARCH INFORMATION OFFICE.**

7 (a) ESTABLISHMENT.—The Secretary shall establish
8 a Food Safety Research Information Office in the Na-
9 tional Agricultural Library.

10 (b) DUTIES.—In cooperation with the Director of the
11 Centers for Disease Control and Prevention, the Commis-
12 sioner of Food and Drugs, the Director of the National
13 Institutes of Health, and other providers of relevant infor-
14 mation, the Food Safety Research Information Office shall
15 provide the scientific community and other interested per-
16 sons with information on public and private research ini-
17 tiatives on food safety.

18 **SEC. 10. RISK ASSESSMENTS.**

19 (a) IN GENERAL.—In cooperation with the Director
20 of the Centers for Disease Control and Prevention, the
21 Commissioner of Food and Drugs, and the Director of the
22 National Institutes of Health, the Secretary shall con-
23 duct—

24 (1) a risk assessment for each species of animal
25 that is used to produce food in the United States,

1 at each step in the food chain (including agricultural
2 production, handling, processing, distribution, and
3 preparation of food in restaurants, grocery stores,
4 and homes) to determine the risks of pathogens
5 posed by the species;

6 (2) a risk assessment for each type of fruit and
7 vegetable that is intended for human consumption in
8 the United States to determine the risks of patho-
9 gens posed by the type; and

10 (3) a risk assessment on food safety practices
11 conducted in homes to determine the risks of patho-
12 gens posed by the practices.

13 (b) WORKING GROUPS.—After the risk assessments
14 required under subsection (a)(1) are completed, the Sec-
15 retary shall, in cooperation with producer groups, estab-
16 lish species-specific working groups to address potential
17 pathogens on farms.

18 (c) REPORT.—Not later than 1 year after the date
19 of enactment of this Act, the Secretary shall submit to
20 each of the committees of jurisdiction a report describing
21 the results of the risk assessments required under this sec-
22 tion.

23 **SEC. 11. SAFETY AND HEALTH RISKS OF IMPORTED FOOD.**

24 There is authorized to be appropriated \$10,340,000
25 for each of fiscal years 1999 through 2001 to enable the

1 Commissioner of Food and Drugs to decrease the safety
2 and health risks of imported food through—

3 (1) the creation of new employment positions
4 for microbiologists and inspectors; and

5 (2) the acquisition of scientific equipment.

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