Health advocacy group decries Obama administration’s stonewalling on food industry regulation

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Recent reports have revealed the Obama administration’s hostility to regulations that cut into the profitability of the food industry. The Food Modernization and Safety Act (FMSA), a bill passed in January of 2011 by the Obama administration in response to a string of food recalls, has remained effectively a dead letter on the White House’s budgeting table.

Citing media outlets at the time, the act was to give the Food and Drug Administration (FDA) “sweeping” new authority over the food industry, including the subjection of 360,000 production and importing facilities to a $500 registration fee, partially covering the cost of the bill. Additionally, an increased number of inspections of facilities as well as higher safety standards would be implemented. The act itself was a response to numerous deregulatory measures put in place over the years, resulting in an increasing number of food sickness cases in the recent period.

Since its passage, however, little has been done by the administration in order to move the FMSA forward. No new rules have been created by the FDA, nor has there even been an agreement on funding set aside for the program, according to a group of food health industry advocates. “We’re concerned that the longer these rules take to get out we’re just going to continue having these kinds of outbreaks,” Erik Olson of the Pew Research Group told *Reuters*.

The bills’ fate came to light when the Make Our Food Safe coalition took out a public ad in the *New York Times* last month, citing the White House’s delay in setting new rules for the bill to enforce, as well as the virtual silence on the part of the White House’s Office of Management and Budget, which had been charged to oversee the act’s funding. Upon the bill’s signing, the Congressional Budget Office stated that aside from the $500 registration fees, there would be a $2.2. billion gap in the act’s operating budget.

Blaming petty electioneering for the lack of action, the Make Our Food Safe ad states: “Democrats may want to avoid the impression that government regulation is growing, a popular cause for attacks by Republicans.”

“It's frustrating that people are still getting sick in this country because of what they eat, and we are not doing what we need to do to cut down on those illnesses through implementation of these laws,” remarked Colette Dziadul, a supporter of the FMSA whose daughter spent days in emergency care after ingesting bacteria-infested fruit several years ago.

According to the Centers for Disease Control (CDC), food-borne sickness primarily affects children, with nearly 50 percent of all cases occurring in children below the age of 15. Each year, nearly 3,000 people in the US die from food-borne illnesses, and one in six people, roughly 48 million, suffer from a food-borne illness.

In the past year alone, there have been as many as 10 incidents involving food-borne sickness in which several states at a time were affected, involving in each case at least 390 instances of infection.

The effective stonewalling of the new act should come as no surprise at a time when regulatory agencies across the board are feeling the Obama administration’s budget deficit reduction axe. The FDA and similar regulatory agencies have long been underfunded, with company executives practically being allowed to police themselves as a result.

In May 2011, five months after FMSA’s official adoption, the House Appropriations subcommittee cut $87 million from the FDA’s food safety division, straining its abilities to function as is, without taking into consideration the implementation requirements of the new bill. According to the Alliance for a Stronger FDA, nearly $200 million would immediately come out of the program, assuming an 8 percent reduction across all non-military government, discretionary spending programs arrived at last year between the Obama administration and Congress in connection with the August 2011 debt-ceiling deal.

Earlier this year, the WSWS reported that the U.S. Department of Agriculture (USDA) would be forced to close 259 of its field offices. In the past two years, the USDA has seen a nearly 12 percent drop-off in its operating budget. (See “US Department of Agriculture to close 259 field offices”).

As in the case of the banks and other major regulated industries, there have been reports of collusion between the government and the industries it is appointed to oversee. In 2009, a massive salmonella outbreak was traced to peanut butter produced at the facilities of the Peanut Corporation of America (PCA). Steven Parnell, the CEO of PCA was also an acting member on the USDA’s Peanut Standards Board at the time. (See “US: Tainted peanut butter scandal deepens”).

Complaining of the government’s interference in the PCA’s operations, Parnell at the time said that he “desperately at least need(s) to turn the raw peanuts on our floor into money.”

A survey released by the Grocery Manufacturers Association in late 2011 revealed that 77 percent of all companies involved in a food-related recall estimate financial losses to be at least $30 million, with the remaining 23 percent listing even higher losses. It is therefore in the interest of food manufacturers to avoid recalls and the accompanying loss of profits.

The behavior of the Obama administration in relation to the Food Modernization and Safety Act has shown the administration to be unconcerned with subjecting the food industry to increased scrutiny. In fact, the stonewalling and subsequent budget cuts of the FDA show the administration to be subject to the whims of big business and its ongoing calls for deregulation.