



G A O

Accountability \* Integrity \* Reliability

United States Government Accountability Office  
Washington, DC 20548

---

July 6, 2007

The Honorable Ed Whitfield  
Ranking Member  
Subcommittee on Oversight and Investigations  
Committee on Energy and Commerce  
House of Representatives

*Subject: Posthearing Questions Related to FDA Oversight of the Safety and Security of the Nation's Food Supply*

Dear Mr. Whitfield:

On April 24, 2007, I testified before the Subcommittee on Oversight and Investigations at a hearing addressing the Food and Drug Administration's (FDA) role in overseeing the safety of the nation's food supply.<sup>1</sup> This letter responds to your request that we provide answers to questions asked after the hearing. Your questions, along with my responses, follow.

**1. Do you believe that we currently have in place the controls necessary to protect the American people from Asian fish that may contain melamine that was intentionally blended into the wheat gluten or other potentially banned and dangerous chemicals?**

When we reexamined FDA's program for ensuring the safety of imported seafood in January 2004, we found that, while the program had shown some improvements, further improvements were needed.<sup>2</sup> For example, FDA had made little progress regarding our January 2001 recommendation<sup>3</sup> that FDA communicate to U.S. port-of-entry personnel serious deficiencies identified during inspections so that potentially contaminated imported seafood was examined before it entered the United States. As part of our periodic follow up to determine if agencies have taken actions in response to our recommendations, it appears that FDA has not addressed most of our recommendations. For example, as of

---

<sup>1</sup> GAO, *Federal Oversight of Food Safety: High-Risk Designation Can Bring Attention to Limitations in the Government's Food Recall Programs*, GAO-07-785T (Washington, D.C.: April 24, 2007).

<sup>2</sup> GAO, *Food Safety: FDA's Imported Seafood Safety Program Shows Some Progress, but Further Improvements Are Needed*, GAO-04-246 (Washington, D.C.: January 2004).

<sup>3</sup> GAO, *Food Safety: Federal Oversight of Seafood Does Not Sufficiently Protect Consumers*, GAO-01-204 (Washington, D.C.: January 31, 2001).

January 2007, FDA had yet to prioritize enforcement actions when violations that posed the most serious public health risk occurred. In addition, FDA had not established equivalence or other similar types of agreements with seafood-exporting countries.

**2. In an effort to protect the public, do you believe we have an obligation to impose a temporary ban on all imported fish from China until we can assure the American people that China is meeting the standards the American people expect and deserve?**

While we have not done the work necessary to determine if a broader ban should be established, FDA placed several seafood products from China, including farm-raised catfish, on detention without physical examination on June 28, 2007. According to its public announcements, FDA will begin detaining these products at the border until the shipments are proven to be free of residues from drugs that are not approved in the United States. FDA reported that their import surveillance program repeatedly found that farm-raised seafood imported from China was contaminated with unapproved drugs or food additives from October 2006 through May 2007.

We appreciate the opportunity to comment and hope that these responses are of assistance. If you have any additional questions, please do not hesitate to call me at (202) 512-3841.

Sincerely yours,



Lisa Shames  
Director, Natural Resources  
and Environment