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ONE HUNDRED TENTH CONGRESS

U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515-6115

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December 18, 2007

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The Honorable David M. Walker
Comptroller General
U.S. Government Accountability Office
441 G Street, N.W.
Washington, D.C. 20548

Dear Comptroller General Walker:

Under Rules X and XI of the Rules of the U.S. House of Representatives, the Committee on Energy and Commerce and its Subcommittee on Oversight and Investigations are investigating the safety of the Nation's food supply. As part of this investigation, we are interested in learning about technologies that can be used to improve the safety of food. One such technology is the irradiation of food.

Many Federal agencies have regulatory responsibilities pertaining to food irradiation, including the Food and Drug Administration (FDA), the U.S. Department of Agriculture (USDA), the Nuclear Regulatory Commission, and the Occupational Safety and Health Administration, with FDA having primary regulatory responsibility for ensuring the safety of irradiated foods. In August 2000, the Government Accountability Office (GAO) issued a report on the extent and the purpose for which food irradiation was being used in the United States. In that report, GAO concluded that only limited amounts of irradiated foods had been sold in the United States and that available research indicated that the benefits of consuming irradiated foods outweighed the risks. While FDA and USDA have approved irradiation for a number of foods—including poultry, meat, herbs and spices, shell eggs, and fruits and vegetables—widespread acceptance of food irradiation by the general public continues to be slow, and concerns regarding the safety and use of irradiated foods, such as toxicity and reduced nutritional quality, continue to be raised by some consumer groups.

Since GAO issued this report, the 2002 Farm Bill mandated that commodities such as meat and poultry that are treated by any technology approved by FDA and USDA for improving food safety—including irradiation—must be made available to the National School Lunch

Program. In addition, FDA approved irradiation as a phytosanitary treatment for all admissible fresh fruits and vegetables from all countries in 2002.

While FDA allows some foods to be irradiated for specific purposes, FDA has not approved irradiation for a number of different foods. Currently, there are several petitions seeking the approval of irradiation for certain foods that have been languishing at FDA for a number of years—including two petitions from USDA. If these petitions were approved, it would greatly increase the number of foods that could be irradiated and could lead to a safer food supply.

Furthermore, irradiated food must be labeled and display the irradiated symbol (radura logo). FDA is currently proposing to change its labeling requirements for irradiated foods. The agency is proposing that only those irradiated foods in which the irradiation causes a “material change” in the food, bear the radura logo and the term “irradiated.” The agency is also proposing to allow firms to use the term “pasteurized” in lieu of irradiated, provided the firms show FDA that irradiation kills germs as effectively as the pasteurization process.

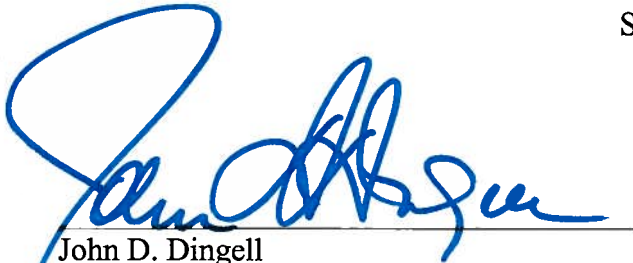
To better inform Congressional decision-making on the safety of irradiated foods, we request that GAO answer the following questions:

1. What foods are currently allowed to be irradiated?
2. How many petitions have been submitted to FDA seeking the approval of irradiation, but have yet to be ruled on by FDA? What foods do these petitions cover?
3. What are the different types of irradiation? What are the advantages and disadvantages of each type?
4. To what extent have USDA and FDA provided irradiated food to the National School Lunch Program?
5. What are the potential implications of FDA’s planned changes for labeling of irradiated foods?
6. What are respective labeling requirements for irradiated food in other countries, and what are the reasons for those requirements?


We appreciate your assistance with this request. As you move forward with this request, please have your staff contact Kevin Barstow with the Majority Committee staff at (202) 226-2424 or Alan Slobodin with the Minority Committee staff at (202) 225-3641 to discuss the specific scope and objectives of your study. Thank you in advance for your assistance with this request.

The Honorable David M. Walker
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Sincerely,




John D. Dingell
Chairman



Joe Barton
Ranking Member



Bart Stupak
Chairman
Subcommittee on Oversight and Investigations



John Shimkus
Ranking Member
Subcommittee on Oversight and Investigations