

**Committee on Energy and Commerce**  
**Rep. Henry A. Waxman, Ranking Member**

**For Immediate Release: January 10, 2012**

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### **Democratic Members Release Letter to FDA Commissioner Identifying Problems with Third-Party Food Safety Audits**

**Washington, DC**— Today Democratic Members of the Energy and Commerce Committee sent a letter to FDA Commissioner Margaret Hamburg identifying problems with third-party food safety audits and asking FDA to take action to address these problems. The letter's findings are based on the Committee's bipartisan investigation of the *Listeria monocytogenes* outbreak in cantaloupe from Jensen Farms.

The investigation release today reveals some of the reasons why the auditing system failed in the recent outbreak:

- Auditors' findings were not based on the practices of the best farms and failed to ensure that the producer met FDA guidance;
- The auditors missed or failed to prioritize import food safety deficiencies;
- The auditors lacked any regulatory authority and did not report identified problems to the FDA or other state or federal authorities;
- The auditors did not ensure that identified problems were resolved; the auditors provided advance notice of site visits and spent only a short period of time on-site; and
- Auditors had multiple conflicts of interest.

Energy and Commerce Committee Ranking Member Henry A. Waxman, Subcommittee Ranking Members Diana DeGette and Frank Pallone, and the author of the Food Safety Modernization Act, Rep. John D. Dingell, urged the FDA to closely review the new information uncovered by the Committee. They state, "Like it or not, our food safety system relies heavily on third-party auditors to identify dangerous practices and prevent contaminated foods from reaching the market. We believe reforms in third-party audits are essential. We call on you to address the problems identified in this investigation in regulation and guidance."

The full text of the report and the letter are available online [here](#).

(<http://democrats.energycommerce.house.gov/index.php?q=news/democratic-members-release-letter-to-fda-commissioner-identifying-problems-with-third-party-foo>)