

ONE HUNDRED ELEVENTH CONGRESS
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House of Representatives
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Statement of Rep. Henry A. Waxman
Chairman, Committee on Energy and Commerce
“The Outbreak of *Salmonella* in Eggs”
Subcommittee on Oversight and Investigations
September 22, 2010

Thank you, Chairman Stupak. You have shown tremendous leadership on this issue and the need for stronger food safety laws. Your work stands out as a model of congressional oversight and investigation. During the course of 13 hearings in the last four years, you educated the members of this Committee and the American people about glaring deficiencies at all levels of our food safety network.

Today we will examine two of the nation’s largest egg producers, Wright County Egg and Hillandale Farms of Iowa. They have been asked to appear today because of evidence that they produced eggs in filthy conditions that caused food poisoning in thousands of consumers across the country.

The DeCoster family, which owns Wright County Egg and raised eggs for Hillandale Farms in Iowa, has known about safety problems at its facilities for decades, yet they continue to persist. Over 30 years ago, eggs from a farm operated by the DeCoster family killed nine people and sickened 500 in New York. Twenty years ago, Maryland ordered the DeCosters to stop selling eggs in the state because of the contamination problems.

And as the Committee revealed last week, environmental testing at DeCoster facilities over the last three years tested positive dozens of times for potential contamination by a dangerous form of *Salmonella*.

Yet despite these warnings, the DeCoster facilities were operated with a shocking level of disregard for basic food safety controls. Food safety inspectors from the Food and Drug Administration (FDA) finally went inside the facilities in August. As this photograph shows, they saw decaying corpses of rodents. They also saw unsealed rodent holes along the walls of a hen house.

Conditions were so bad in one facility that the wall of the barn was bursting open because of excessive manure.

DeCoster farms have had warning after warning. Yet they continue to raise chickens in slovenly conditions – and to make millions by selling contaminated eggs.

The risks are real. Our first two witnesses today are Ms. Sarah Lewis and Ms. Carol Lobato. Ms. Lewis ate contaminated eggs while celebrating her sister's college graduation, and Ms. Lobato was sickened when she went out to dinner with her grandson. They were both hospitalized and gravely ill.

I commend Ms. Lewis and Ms. Lobato for their courage in speaking out today. Unfortunately, their horrific experiences were shared by many others. The eggs that are the subject of today's hearing sickened over 1,600 people in 11 states.

This hearing will make abundantly clear that our food safety laws need a thorough overhaul. Under the leadership of our Chairman Emeritus, John Dingell, the Committee and the House passed a bipartisan bill last year that would protect consumers from these abuses. The House bill would require farms to report to FDA when they find their unsafe food has entered the food supply. It would give FDA the clear authority to access records on egg farms during investigations. And it would empower FDA to mandate recalls when firms do not comply voluntarily. These are the kind of tools that will ensure the safety of the food we consume.

Yet as we hold this hearing today, a lone U.S. Senator, Tom Coburn, is holding this vital safety legislation hostage in the Senate. His actions are preventing FDA from strengthening its oversight and enforcement programs.

I have a plea for Senator Coburn: for the sake of Ms. Lewis, Ms. Lobato, and the hundreds of thousands of Americans who are poisoned by *Salmonella* every year, please lift your hold and allow this vital safety legislation to move forward.

We will have tough questions today for Jack DeCoster, the CEO of Wright County Egg, and Orland Bethel, the CEO of Hillandale Farms. But I do want to thank them for appearing here voluntarily and for cooperating with the Committee's investigation. I also want to thank FDA Deputy Commissioner Dr. Joshua Sharfstein for testifying before us.

Our goal is to make American families safer. That is why this hearing is so important and why we must reform our food safety system so that we can eradicate or at least reduce food-borne illness.