

As you know, Mr. Chairman, the FDA administers various statutory requirements relating to truthful and informative labeling and packaging of food and drugs. A food or drug rejected by the Government, but labeled in such a manner as to indicate or suggest that the article meets Government specifications, would be misbranded and subject to appropriate sanctions.

But rejection by a Federal agency, in itself, does not necessarily indicate that FDA action is necessary. Government purchasers impose various standards and specifications upon suppliers because of their unique needs. Some of these are of little or no significance to the ordinary consumer. Many products are procured for prolonged storage, some may be subjected to extreme conditions, or they may be intended for special uses, such as civil defense stockpiles. Certain items may be rejected because there is too great variance in portion size; similarly, products may be rejected because they fail to meet specifications with respect to nutrients such as fat or protein. These specifications are significant to certain military installations that control caloric intake quite carefully in their feeding programs. But, the failure of a product to meet these special Federal requirements would not necessarily affect its status under the laws FDA administers or its fitness for ordinary consumer uses.

We do not object to the sale in normal commercial channels of foods and drugs rejected by the Federal Government providing they are truthfully labeled and otherwise in full compliance with the Food, Drug, and Cosmetic Act and with the other laws administered by this agency. Neither would we object if labeling failed to reveal the fact that a product was rejected by the Federal Government if the rejection involved requirements unrelated to the laws we administer.

The subcommittee has already been informed that DSA conducts systematic bacteriological tests of processed or manufactured foods. You have requested comment on the necessity or desirability of FDA performing such bacteriological tests as a part of routine factory inspections.

Bacteriological sampling and testing is, and has been for many years, an integral part of FDA sanitary inspection of food-producing plants. A great deal of our research effort is directed toward the establishment of bacteriological standards for foods.

FDA's responsibility for plant inspections in the food processing area covers those processed foods which do not contain significant amounts of meat or poultry.

We do not tolerate pathogens (disease-producing organisms) in food, and factory inspections with bacteriological tests are an important method of checking on the adequacy of manufacturing practices, particularly in factories producing food that may be consumed without further heat treatment or following a warming process only.

We have established a microbiological analytical capability in each of the 17 field laboratories—in addition to the capability we have had in Washington for many years. We now have on board, over 100 microbiologists which are capable of handling 8,000 samples in a year. One of FDA's highest priorities for the coming year is a stepped up offensive against poor manufacturing practices that lead to bacterial contamination in food. One of the offshoots of this campaign will be the addition of 21 microbiologists, which should result in a 10- to 20-percent increase in the number of samples collected for microbiological analysis. Future plans call for the establishment of an FDA microbiological testing center which will increase our capabilities even more.

Since December 1, 1966, there have been 85 recalls of Salmonella-contaminated foods and drugs from the market. These recalls have involved a wide variety of items including chocolate, coconut products, dried yeast, animal glandular materials and finished dosage forms, frozen pies, eggs, dried milk, dog candy, enzymes, and dried mixes. Similarly, we have taken actions against products adulterated with the toxin elaborated by certain strains of staphylococci. In 1965-66, some 4 million pounds of cheese were withheld from the market because of suspected contamination with this toxin. Utilizing a test developed in our laboratories, the firm tested each batch of the cheese over a 2-year period. Approximately 63,000 pounds of the cheese were found to contain the toxin; this cheese was destroyed. The remainder, found to be free of toxin, was released to the market.

Methods of detecting a number of other disease-producing organisms or their toxic byproducts directly in foods are not as highly developed as they are for salmonellae or staphylococcus toxins. Therefore, we test foods for indicator