

NEWS RELEASE

Food Safety Bill (S.510) Latest News

Written by National Health Federation

Category: News Releases

Published: 30 November 2010

The final vote on S.510, the Food Safety Modernization Act, is scheduled for Tuesday morning, November 30th. On Monday, the Senate approved the cloture motion and the Manager's Amendment, now called the "Reid substitute" by a vote of 69 For and 26 Against. Following this, two amendments related to last year's health-care reform law were voted down. And, debate started on the two amendments offered by Senator Tom Coburn (R-OK).

One Coburn amendment proposes to replace the provisions of S.510 with alternative bill language that would force the U.S. Department of Agriculture (USDA) and FDA to do what they already have the authority to do. The amendment is modeled along the lines of recommendations that have been made by the Government Accountability Office (GAO) for several years. It calls for no new regulations, new registration or inspection fees, and very little more in government spending to improve the safety of the food supply. The second amendment proposes banning Congressional earmarks. Neither is given much of a chance of passing. However, if approved, the earmark amendment is essentially a poison pill amendment in that a Senate-passed final bill would most likely not be approved by the House because the House has the constitutional authority to first pass any type of spending legislation, to which the earmark ban would apply. Anything is possible in the current political/legislative environment. Otherwise, the S.510 substitute bill is expected to be passed by the close of business on Tuesday (today).

The NHF lobbyist has been lobbying Senators and their staffs throughout the past week, and will be to the bitter end. The NHF has been lobbying against the Waxman bill in the House and S.510 since last year. Hundreds of thousands of health-freedom advocates, NHF members, and interested parties have registered their opposition with their Senators over the past 3 months. The NHF sent out legislative alerts and more recently news releases on all of these issues on March 7, April 21, May 21, August 22, September 29, and November 20th and 23rd, and today.

If S.510 passes the Senate there is still more to come. First, the bill will go to the House of Representatives. Rather than try to reconcile the bill with the House version (H.R.2749), the House leadership has agreed to put S.510 to a vote on the floor of the House. Because time is running out for this Congress, any changes by the House would almost certainly kill the bill.

If the House passes S.510, it then goes to President Obama for his almost-certain signature into law. Then, next year, Congress will face the question of appropriating the

money to implement the new laws and regulations. S.510 authorizes, but does not appropriate, the funds for the FDA-expanded regulations and the hiring of more FDA bureaucrats to carry out all of the new rules and FDA authorities. Congress will have to approve \$1.4 billion of new spending or cut other programs while starting the processes for writing all of the new rules. So, more opportunities do exist to bridle the out-of-control FDA and growth of the Federal government.

Although at this stage it may be too late to have any impact, one can never know. Once again, immediately contact your Senators at (202) **224-3121** to state your firm opposition to S.510.