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Food Additives Legislation

WITHIN A MONTH the next session of Congress will convene with the possibility that new legislation on food additives will be considered. During the past few years there has been a great deal of discussion and some controversy over the proper manner of handling regulation of the intentional addition of chemicals to foods. For the most part there is agreement that conditions and situations have changed to such an extent as to call for modification of the present food and drug law.

There have also been changes in the apparent philosophy of the Food and Drug Administration's administration of the 1938 act. Charles Wesley Dunn, eminent leader in matters of food law, made some critical remarks last summer before the Institute of Food Technologists regarding certain of the tendencies. One trend he criticized was that of the growing disposition to transform the 1938 act into one of government-permission control. He pointed out that this began in drugs with the advance batch control on insulin and was extended temporarily to certain antibiotics. But removal of the control over antibiotics has not been sanctioned even though the manufacture of those products has been stabilized. Certain aspects of that philosophy are now being suggested for application to the control over new chemical additives in food. This could mean approval or disapproval of new food ingredients by the Food and Drug Administration before they enter the market. The final decision could rest on the judgment of a single government official. It would place the FDA, now a policing organization, in the position of licensing food additives.

The O'Hara Bill (H. R. 9166), introduced last year, incorporates the prior approval approach. It has had a certain amount of backing but a number of undesirable weaknesses have been pointed out. At a meeting in Chicago last August, Fredus N. Peters of Quaker Oats Co. pointed out that the bill transfers responsibility for the safety of food "from the manufacturer where it belongs, to one individual who has to pass on every new food additive" (AG AND FOOD, Sept. 1, 1954, page 957). Not only was it foreseen that this would produce a bottleneck, greatly reducing the rate of introduction of new additives, but also, by forcing the manufacturer to go to a government official for a decision, it would severely hamper research.

It is unlikely that the administration of an industrial company would approve expenditures for research, the application of which or prevention of same would depend entirely upon the authority of a single individual unless there was assurance as to that individual's point of view. It is highly unlikely that the Secretary of Health, Education and Welfare would make such commitments before a research project is begun.

There can be no question that society has profited by the contributions of scientific research to the knowledge of food and nutrition. Products resulting from such research have made contributions which are unquestionably positive. Furthermore some of these products have been quite profitable to the food industry. It, therefore, seems only reasonable that the food industry and those parts of the chemical industry serving the production of food should cooperate to the fullest and give careful thought and effective action to the development of sound food legislation.

Fred Bartenstein, Jr., in a statement before the Chicago meeting mentioned above, outlined some very sound suggestions for changes in the Federal Food, Drug, and Cosmetic Act which seem very practical and which should result in strengthening of that statute (AG AND FOOD, November 10, 1954, p. 1200). His suggestions included requirement for submission to FDA of full data on safety of new food ingredients to be shipped in interstate commerce, allowing FDA a reasonable time for review and making it a violation to ship an ingredient, or food containing it, which is unsafe in the manner used or intended, or which has been inadequately tested for safety for food use. He has also suggested provision for informal conferences between FDA and supplier or user of the ingredient and for resort to scientific advisory bodies.

It is important to have definite action on food additives legislation as soon as possible. Under the existing conditions, there is doubt as to what the final shape of such legislation may be. But with a definitive amendment to the current law, industry will know where it stands and along what lines research may be pursued. Clarification will encourage technical progress and positive contributions to improvement in our foods.

Organic or Chemical Fertilizers?

CHEMICAL FERTILIZERS frequently have been condemned by those who believe that "organic farming" is the entire answer. There is a great deal of experimental evidence pertaining to this argument. In the feature article of this issue (page 1216), Dr. Bradfield puts into perspective some of the facts from years of observation. The conclusion is that organic matter is valuable but alone it cannot give optimum results. Furthermore, the condition and the management of the organic matter are very important. Chemical fertilizers, it appears, will continue to be essentials as sources of plant nutrients for the best type of farming.