KEYNOTE ADDRESS OF HONORABLE JOHN E. FOGARTY, U. S. REPRESENTATIVE SECOND CONGRESSIONAL DISTRICT OF RHODE ISLAND AT SIXTY-FIFTH ANNUAL CONFERENCE OF THE ASSOCIATION OF FOOD AND DRUG OFFICIALS OF THE UNITED STATES, MAYFLOWER HOTEL, WASHINGTON, D.C. JUNE 19, 1961 at 10 A.M.

I can assure you I have never felt more at home than here with officials interested in pure foods and drugs. In the 15 years I have been on the Appropriations Committee of the House of Representatives, I have listened each year with great interest as Commissioner George P. Larrick and his predecessors have come before us and described their accomplishments and their plans. I have shared a feeling of satisfaction with the Food and Drug Administration in their good years, and struggled with them when the appropriation climate went against them. In the 11 years I have chaired this committee, I take pride in our record of greater and greater recognition of the needs and accomplishments of this fine organization.

In 1952 we appropriated $5,626,000 for the Food and Drug Administration; Congress now has before it, with the approval of my Committee, a 1962 equivalent appropriation for $23,580,000. And my studies of the agency's responsibilities and facilities for dealing with them raise serious question as to whether this is adequate.

On May 17 it was my privilege to present to the members of the House, the unanimous report of my Committee on this 1962 appropriation for the Food and Drug Administration. I would like to repeat now my opening remarks dealing with this portion of the bill.

"Mr. Chairman, few agencies of the Federal Government fulfill a more responsible and necessary role than the Food and Drug Administration. And few areas, subject to Federal action are experiencing more dynamic changes than those over which the Food and Drug Administration has responsibility. In a very literal sense, this agency has the direct and personal welfare of every man, woman, and child in the United States under its protection. Every American relies upon the Food and Drug Administration each day for a supply of safe and pure foods, drugs, and cosmetics. And in times such as these when technology provides us with a myriad of new food preparations, complex drugs undreamed of even 5 or 10 years ago, and almost unimaginable varieties of cosmetic products, these responsibilities of the Food and Drug Administration become all the more vital to the everyday health and well-being of the American people."

Ladies and gentlemen, I deeply believe this and I'll tell you some of the reasons why.

Millions of tons of toxic pesticides and other agricultural chemicals are used today in producing food. I never pass a produce market or eat a vegetable salad without wondering if these vegetables are from the few shipments the food and drug administration inspects for safety. The agency inspects only one-fifth of one percent of the crops a year which may bear pesticide residues. Commissioner Larrick tells me he should inspect five times that number, one percent, just to determine the extent of the problem. There is a problem, for every year FDA has to seize tons of crops that have too much poison on them. The budget my Committee has sent the Congress will provide half of this minimum--I will feel better when we go all the way to the 1% figure and even higher if experience shows that to be too low.

New drugs for our health and well-being are being placed on the market at a rate of more than one a day. We call many of them wonder drugs because they are so effective. They are effective because they are potent, thus then can and do cause harm if labeled and used improperly. FDA clears these drugs for safety before they reach the market.

Last year it was revealed the phenomenal changes which have occurred in the development, manufacture and distribution of drugs, thus underlining the responsibility of government agencies charged with control. Later a special medical scientific committee, selected by Dr. Detlev W. Bronk, President of the National Academy of Sciences, looked into the scientific decisions of the FDA. It concluded that facilities and staff were inadequate, but that even so, scientific judgments were sound. This Administration is going to provide the agency with funds that will let it do the job adequately.

When I read in the newspapers of the arrest of a "bennie" peddler, or of another seizure of counterfeit drugs, I recall the painstaking investigating work, the long hours, the dangers and the difficulties that have gone into these actions. I know how important such things are to all of us--how the integrity of our drug supply and the normal channels of drug distribution could soon be destroyed without the vigilance and zeal of the Food and Drug Administration.

Food additives are widely used today in almost all foods--over 2,000 different chemicals, in fact. The FDA must have enough scientists and administrators to study the evidence manufacturers send in with their requests for approval of new food additives. We are going to see that the agency has adequate personnel to do the job.

Similarly we will see that it has the funds and facilities to do a sound and thorough job of administering the new color additive amendments to the pure food and drug law, and the new Federal Hazardous Substances Labeling Act.

My Sub-Committee on Appropriations has been working for several years to strengthen the Government's ability to safeguard consumers of foods and drugs. While in control of Congress we granted every dollar requested by the previous Administration, and upon occasion appropriated more than requested.

I learned with great satisfaction during our appropriation hearings this year, that the FDA is recommending that the pure food and drug law be modernized in several respects. I endorse the principle of better, adequate Government controls in the areas of:

Factory inspection authority

Safety controls over drug manufacturing

A requirement that manufacturers report injuries caused by their drugs to the Government

Certification of all antibiotics

Testing cosmetics for safety before they are marketed

Testing new drugs for effectiveness before they are marketed

Testing therapeutic devices for safety and effectiveness before they are marketed.

Better control of the distribution of certain habit-forming drugs - the barbiturates and amphetamines.

I know that within your individual States and municipalities you have problems similar to those of FDA. In my home State, the State of Rhode Island, we are taking steps to solve them. In 1959 the State legislature enacted the Uniform Food, Drug, and Cosmetic Bill, endorsed by your organization. We are working diligently to implement this fine Bill with adequate funds and staff. Our staff, although small, is made up of dedicated and fine public servants who work closely with the Boston District of the Food and Drug Administration to their mutual benefit.

The regulatory program facing State and local food and drug officials is tremendous. You food and drug officials have a big stake in the total control effort of our society:

In controlling the $500 million a year business in nutritional quackery

In curbing the cancer racket that takes in over $50 million a year

In wiping out the arthritis and rheumatism quackery which milks the public of $250 million per year

and in applying routine controls in countless other areas.

I commend you for the progress you have made already. In particular I commend you for the significant work your association is doing on a frozen food code, and in efforts to get a thorough study of State and local laws and programs in your field. I urge you to press forward without ceasing to become better prepared and equipped for your vital work.

May I suggest that in your States you consider the benefit to be derived from a study of your operations by a Citizens Advisory Committee. As you know such a committee studied FDA in 1955 with the express approval of Congress. Its report has been an indispensible guide to my Committee and the Congress in appropriating funds. I know that the Executive Branch has also found the report invaluable in its reviews of FDA programs. This same approach is one that could be supplied at the State level with equally beneficial results. If responsible citizens of your communities will examine their consumer needs in the health, food and drug fields, and then examine the resources of their local government to fill these needs, the result will be not only better understanding of your problems but also better support of your appropriations, laws, and activities.

The 1955 Citizens study of FDA needs to be repeated. There have been too many changes in the last 6 years, for it to be an adequate blueprint for the agency's future growth. My Committee has recommended twice that a new study be made. The previous Administration failed to act on the first recommendation. I am confident that the present Administration will see that a new study is made to guide the Congress and the Executive Branch. We are not going to stand by and let food and drug regulation suffer from inaction. I will be greatly disappointed if this Administration does not establish this new advisory committee this year.

You have my wholehearted support in your deliberations. I wish you not only success during this week of conference but also in the days, months, and years ahead.