

To my Government Representative,

Cross-contamination of food products and hazardous materials during transportation is not in the best interest of the people. This is my Memo in support of the below action on this issue.

The FDA and DOT have not been able to stop the Cross-contamination between loads of food products and hazardous material because the DOT does not uphold laws like Hazardous Materials Transportation Act of 1974. The summary states:“ The Act, as last amended in November 1990, is the federal legislation, which governs the transportation of hazardous materials in the nation. The policy of Congress is to improve the regulatory and enforcement authority of the Secretary of Transportation to protect the Nation adequately against the risks to life and property which are inherent in the transportation of hazardous materials in commerce” “**RESOURCES COVERED:** Transportation of hazardous materials, including, but not limited to, solvents, asbestos, PCBs, paints, pesticides, hazardous wastes, etc.”

The problem is that a transportation company can haul hazardous materials like those named above one way and food products in the very next load without letting the food industry know it was hauling hazardous waste.

1990-1998 Congress enacted the Sanitary Food Transportation Act that had a provision for the tracking of all of America’s food supply, along with many other provisions that we need to protect America’s food supply from terrorism whether it is from hauling toxins then foods in the same Trucks/Trailers/Rail cars or from terrorist. These Acts can be viewed at <http://www.comfortncolor.com/HTML/CompleteLaw.html>

Unfortunately neither President Bush number one, President Clinton nor the current President Bush **ever signed** The Sanitary Food Transportation Act of 1990-1998 into law. However, President Bush #2 signed into law the Sanitary Food Transportation Act of 2005. This Act only addresses the tanker trailers/trucks that haul our food supply it does not address the dry vans or the refrigerated trailers/trucks that haul most of America’s food supply.

There is Guidance for Industry from the FDA titled “A Notice from the Food and Drug Administration to Growers, Food Manufacturers, Food Warehouse Managers, and Transporters of Food Products on Decontamination of Transport Vehicles” (Here is the link to this Guidance notice, <http://www.cfsan.fda.gov/~dms/decongu2.html>).

This Guidance notice did not address the day-to-day decontamination of trailers/trucks. It only addresses the decontamination of trailers/trucks that have been affected by flood areas or otherwise impacted by hurricanes.

However, this sets a precedent for why all trailers/trucks that haul our food supply should be decontaminated.

It also shows a need for Section 5706 (Dedicated vehicles) of the Sanitary Food Transportation Act of 1990-1998.

An E-mail was written by Mr. Kashtock of the FDA on September 22, 2008 it stated; "We have not issued guidance or regulations specific to daily procedures for food transportation operations."

On October 16, 2008 the Associated Press released an article; "FDA seeks advice to improve tracking of produce". In this article it states that the industry was subject to 900 safety recalls over the past two years.

Evidently the FDA has not been looking too hard to solve this problem. The 1990-1998 Sanitary Food Transportation Act will solve these problems.

An amendment will be needed to uphold Section 5706 (Dedicated Vehicles) of the 1990-1998 Sanitary Food Transportation Act, this amendment could be written, **"when a trailer is inspected and is going to haul food or food products and/or food packaging, that trailer should have a letter F on the inspection sticker that is affixed to that trailer."** The rest of the system is already in place. We have D.O.T. inspection stations all over the United States. When a truck is pulled into these inspection stations it is weighed; then the inspectors check the manifest for the load that it is hauling and inspect the vehicle. What would be so hard in having the inspector look at the inspection sticker to see if this vehicle should be hauling the freight that is in it? When an inspector looks at the driver's manifest and then checks the inspection sticker, if there is an F on the inspection sticker and there are chemicals in the trailer or other toxic substances, the trailer would be impounded and the inspection sticker stripped from the trailer. The company should also be heavily fined.

This would stop the FDA and the DOT from arguing over jurisdiction. America's food supply would be free of Cross-contamination between food products and hazardous material loads.

Please fight to have President Obama sign the 1990-1998 Sanitary Food Transportation Act into law.

Please keep me informed on the progress of this issue and let me know if you support action on this issue.

Thank you for your time.