

Congress of the United States
Washington, DC 20515

March 20, 2011

The Honorable Margaret Hamburg, M.D.
Commissioner
U.S. Food and Drug Administration
10903 New Hampshire Ave.
Silver Spring, MD 20993

Dear Dr. Hamburg:

We write to request information relating to the potential impacts on seafood, produce, meat and dairy products resulting from radiation emissions coming from the Fukushima Daiichi nuclear power plant after the devastating earthquake and tsunami in Japan. As the situation in Northeastern Japan unfolds, reports have indicated that variable but high levels of dangerous radiation are being emitted from the plants whose containment structures or spent fuel pools have been compromised. These radioactive particles that have spewed into the air will subsequently settle on pastures or grasses where they have the potential to contaminate the food chain. Furthermore, as radioactive particles are picked up by weather systems they can be carried over the open ocean and fall out with precipitation, raising questions regarding whether there may be subsequent contamination of the food web that would find its way into fish intended for consumption by humans.

Since the United States imports hundreds of thousands of dollars worth of fish, shellfish, dairy products and other agricultural commodities from Japan and because ingestion of radiation tainted products would be a serious public health concern, it is imperative that the Food and Drug Administration (FDA) set up a rigorous and prudent monitoring system for screening imported food from Japan so that the public can have full confidence in the seafood and other foods imported from Japan that it eats.

One of the biggest concerns from radioactive fallout is the ability of long lasting radiation to contaminate plants or animals, which can take up radioactive material into their structure by ingesting contaminated nutrients. Once this radioactive material is ingested by the plant or animal, it can continue to emit powerful radiation, which, depending on the radioactive element can last for decades. This radiation can subsequently be passed on to any human that consumes products generated from the radioactive plant or animal. Atomic bomb tests in Nevada during the 1950s and 1960s released radioactive iodine, or I-131, into the atmosphere that was blown thousands of miles away. Cows and goats grazing on pastures contaminated with I-131 had the radioactive material transferred into their milk, which is believed to be a major contributor to the development of thyroid cancer in children who drank contaminated

milk from these animals.¹ This phenomenon also occurred after the 1986 reactor accident at Chernobyl where consumption of cow's milk contaminated by radioactive iodine from the fallout contributed to an estimated 6,000 extra cases of diagnosed thyroid cancer in the affected region.²

In addition to radioactive iodine, other radioactive materials including cesium and plutonium can also be released during nuclear meltdowns. While I-131 is primarily associated with thyroid cancer, radioactive cesium and plutonium are toxic in very small amounts and are associated with bone cancer, leukemia, lung cancer, blood diseases, cessation of liver function and death. To date, published reports indicate that there has been some release of radioactive iodide and cesium associated with explosions at Fukushima.

In recognition of the impacts that radiation can have on food products and subsequently public health, South Korea, Indonesia, Thailand, Malaysia, Singapore and the Philippines have all taken steps to ensure that fruit, vegetables, meat and seafood imported from Japan are checked for the presence of nuclear material, in response to the nuclear emergency there.³ Furthermore, the European Union's executive arm has advised the governments of its member states to check levels of radioactivity in food imports from Japan since the nuclear accident.⁴ Following the Chernobyl nuclear disaster in 1986, the European Union adopted legislation fixing the maximum levels of radioactive contamination allowed in food and animal feed following a nuclear accident.

As the nuclear situation in Japan continues to unfold it is vital that the U.S. government vigilantly monitor the impacts that radiation may have on agricultural imports to prevent any compromise of food safety and public health. Consequently, we ask that you respond to the following questions:

1. Does the FDA have protocols in place to monitor and screen for radiation contamination in food? Does the FDA expect to increase the frequency or sampling size of monitoring activities given the situation in Japan? If yes, what would trigger this change in activity? If not, why not?
2. Will the FDA continue to conduct monitoring to ensure that as these radioactive materials move up the food chain from vegetation to animals or animal by-products (such as milk) intended for human consumption, that they don't appear months or years after the crisis in Japan is contained?

¹ http://www.cancer.gov/cancertopics/causes/i131/get-facts-about-exposure/get_the_facts.pdf

² http://www.unscear.org/docs/reports/2008/Advance_copy_Annex_D_Chernobyl_Report.pdf and http://www.birdflumanual.com/resources/Self_Defense/files/Guidance%20for%20use%20of%20KI%20for%20nuclear%20emergency%20USG.pdf

³ <http://www.bloomberg.com/news/2011-03-15/radiation-scare-prompts-asian-countries-to-screen-imports-of-japanese-food.html>

⁴ <http://www.reuters.com/article/2011/03/16/us-eu-urges-radiation-tests-japanese-food-idUSTRE72F9BR20110316>

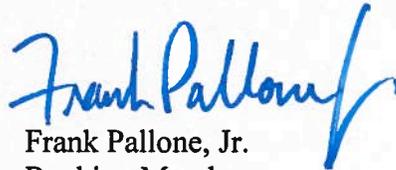
3. What radioactive materials does the FDA currently monitor food products for? Does the FDA expect to tailor its monitoring activities towards specific radioactive materials that are known to have been or anticipated to be released from the Fukushima plants? If so, please explain. If not, why not?
4. What are the FDA's current limits for acceptable levels of radiation in food and animal feed, respectively? Do these maximum levels vary for specific radioactive elements or specific food products? If so, please describe what the limits are for the ten most common radioactive materials that have the potential to be released from nuclear power plants and for the ten most common agricultural imports from Japan.
5. Does the FDA coordinate with the Department of Energy, the National Oceanic and Atmospheric Administration or other federal agencies to model the impact that the Japanese nuclear situation may have on domestic food supplies?
6. What actions will the FDA be required to take if it is determined that consumption of radiation-contaminated products is a human health concern?

Thank you for your assistance and cooperation in responding to this request. Should you have any questions, please have your staff contact Dr. Avenel Joseph of Rep. Markey's staff at 202-225-2836 or Tiffany Guarascio of Rep. Pallone's staff at 202-225-4671.

Sincerely,



Edward J. Markey
Ranking Member
Natural Resources Committee



Frank Pallone, Jr.
Ranking Member
Subcommittee on Health
Energy and Commerce Committee