
SENATE JOINT MEMORIAL 8001

State of Washington

54th Legislature

1995 Regular Session

By Senators Rasmussen, Morton, Snyder, Newhouse, A. Anderson and Hochstatter

Read first time 01/09/95. Referred to Committee on Agriculture & Agricultural Trade & Development.

1 TO THE HONORABLE BILL CLINTON, PRESIDENT OF THE UNITED STATES, AND
2 TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
4 UNITED STATES, IN CONGRESS ASSEMBLED, THE ADMINISTRATOR OF THE FEDERAL
5 FOOD AND DRUG ADMINISTRATION, THE ADMINISTRATOR OF THE UNITED STATES
6 ENVIRONMENTAL PROTECTION AGENCY, THE SECRETARY OF THE UNITED STATES
7 DEPARTMENT OF AGRICULTURE, AND THE NATIONAL ASSOCIATION OF STATE
8 DEPARTMENTS OF AGRICULTURE:

9 We, your Memorialists, the Senate and House of Representatives of
10 the State of Washington, in legislative session assembled, respectfully
11 represent and petition as follows:

12 WHEREAS, The United States Food and Drug Administration regulates
13 pesticide residues in foods under the Federal Food, Drug, and Cosmetic
14 Act; and

15 WHEREAS, Section 408 of the Federal Food, Drug, and Cosmetic Act
16 contains provisions for the establishment of legally permissible levels
17 of pesticide residues that can exist in raw food products based upon a
18 scientific risk-benefit analysis; and

19 WHEREAS, Section 409 of the Federal Food, Drug, and Cosmetic Act,
20 written in 1958, contains the Delaney Clause, which sets the standard

1 for pesticide residues in processed foods that has been interpreted by
2 the court to be a "zero risk" standard; and

3 WHEREAS, Using a "zero risk" standard, in a world where current
4 technology allows residues to be detected in parts per trillion, no
5 longer has a meaningful relationship to the safety of processed foods;
6 and

7 WHEREAS, The ability to produce high quality food products that
8 meet the standards of American consumers is dependent on the safe use
9 of pesticides; and

10 WHEREAS, Having two different standards for different types of
11 edible foods shows a lack of coherent federal policy regarding food
12 safety;

13 NOW, THEREFORE, Your Memorialists respectfully pray that section
14 409 of the Federal Food, Drug, and Cosmetic Act be amended to establish
15 a negligible risk standard for pesticide residues in processed foods,
16 a standard that would permit the scientific evaluation of risk in
17 decisions for protecting the safety of the food supply and would be
18 compatible with the standards that exist with unprocessed food
19 products.

20 BE IT RESOLVED, That copies of this Memorial be immediately
21 transmitted to the Honorable Bill Clinton, President of the United
22 States, the President of the United States Senate, the Speaker of the
23 House of Representatives, each member of Congress from the State of
24 Washington, the Administrator of the Federal Food and Drug
25 Administration, the Administrator of the United States Environmental
26 Protection Agency, the Secretary of the United States Department of
27 Agriculture, and the National Association of State Departments of
28 Agriculture.

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