

Congress of the United States
Washington, DC 20515

March 19, 2021

Norris Cochran
Acting Secretary
U.S. Department of Health and Human
Services
200 Independence Ave, S.W.
Washington, DC 20201

Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Ave, S.W.
Washington, DC 20250

Janet Woodcock, M.D.
Acting Commissioner
Food and Drug Administration
10903 New Hampshire Ave.
Silver Spring, MD 20993

Katherine Tai
U.S. Trade Representative
Office of the U.S. Trade Representative
600 17th St. NW
Washington, DC 20006

Dear Acting Secretary Cochran, Secretary Vilsack, Acting Commissioner Woodcock, and
Ambassador Tai:

We write to you expressing concern that the World Health Organization (WHO), at the urging of China, may modify their assumptions regarding viral transmission of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), the virus causing COVID-19, via food and food packaging, without evidence to support such conclusions. We are encouraged by the Administration's actions thus far to stand up for science and ask the Administration to continue to engage with the WHO and the World Trade Organization (WTO) and promote the U.S. government's scientific understanding of SARS-CoV-2 transmission as it pertains to food and food packaging.

After more than a year since COVID-19 was declared a global health emergency, the U.S. Department of Agriculture (USDA),¹ the U.S. Food and Drug Administration (FDA),² the U.S.

¹ *Food Supply Chain: Food Safety*, U.S. Department of Agriculture, <https://www.usda.gov/coronavirus/food-supply-chain#> (last visited Feb. 23, 2021).

² *FDA Statement, COVID-19 Update: USDA, FDA Underscore Current Epidemiologic and Scientific Information Indicating No Transmission of COVID-19 Through Food or Food Packaging*, Food and Drug Administration, <https://www.fda.gov/news-events/press-announcements/covid-19-update-usda-fda-underscore-current-epidemiologic-and-scientific-information-indicating-no> (last visited Feb. 23, 2021).

Centers for Disease Control and Prevention (CDC),³ peer global regulatory bodies,⁴ and leading food safety experts⁵ have continued to underscore that there is no credible evidence to support the transmission of this virus via food or food packaging.

For example, a recent opinion from the International Commission on Microbiological Specifications for Food (ICMSF) noted that despite the billions of meals and food packages handled since the beginning of the COVID-19 pandemic, to date there has not been any evidence that food, food packaging, or food handling is a course or important transmission route for the virus.⁶ Several additional literature reviews and analyses from leading experts and agencies around the world have similarly found that COVID-19 is a respiratory illness spread from person to person, and the chances of infection by touching the surface of food packaging or eating food is extremely low.⁷

Recent reports suggest that the WHO may accept claims made by the Chinese government that COVID-19 can be a foodborne disease or spread through food packaging.⁸ We are concerned about the implications of conclusions that are not supported by science. Such guidance risks not only eroding trust in our institutions but also jeopardizing the efforts of individuals at every step of the food supply chain who have been working to ensure a safe and secure food system as the pandemic persists.

We appreciate the USDA-FDA statement on February 18, 2021 reiterating current epidemiological and scientific information indicating the absence of SARS-CoV-2 transmission through food and food packaging, and we ask the Administration to recommend that the WHO commission a panel of objective and independent virus experts to review the evidence presented by the Chinese government.

We also ask that USTR continue to engage with Members of the WTO's Sanitary and Phytosanitary (SPS) Committee to represent the views of the United States Government regarding the science of SARS-CoV-2 transmission as it may relate to exports of food and food

³ *COVID-19: Food and Coronavirus Disease 2019 (COVID-19)*, Centers for Disease Control and Prevention, <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/food-and-COVID-19.html> (updated December 30, 2020).

⁴ *Coronavirus (COVID-19): Information for Consumers About Food Safety and Animal Health*, Canadian Food Inspection Agency, <https://www.inspection.gc.ca/covid-19/information-for-consumers-about-food-safety-and-an/eng/1584648921808/1584648922156#q1> (updated Feb. 2, 2021).

⁵ See Lauren Mascarenhas, *Food and Food Packaging Highly Unlikely to Spread COVID-19, Experts Say*, CNN (Feb. 18, 2021), <https://www.cnn.com/2021/02/18/health/food-packaging-coronavirus-wellness/index.html>.

⁶ *ICMSF Opinion on SARS-CoV-2 and Its Relationship to Food Safety*, International Commission on Microbiological Specifications for Foods (Sept. 3, 2020), <https://www.icmsf.org/wp-content/uploads/2020/09/ICMSF2020-Letterhead-COVID-19-opinion-final-03-Sept-2020.BF.pdf>.

⁷ Joanne M. Kingsbury & Rob Lake, *Potential for Foodborne Transmission of COVID-19: Literature Review Update, Version 5*, New Zealand Food Safety Science and Research Centre (Dec. 15, 2020), <https://mia.co.nz/assets/Covid-19/2021-01-14-NZFSSRC-COVID-19-foodborne-transmission-final-Kingsbury.pdf>; Rachael J. Oakenfull & Anthony J. Wilson, *Qualitative risk assessment on the risk of food or food contact materials as a transmission route for SARS-CoV-2*, U.K. Food Standards Agency (Apr. 29, 2020), <https://www.food.gov.uk/sites/default/files/media/document/qualitative-risk-assessment-covid-19-v.2.2.pdf>.

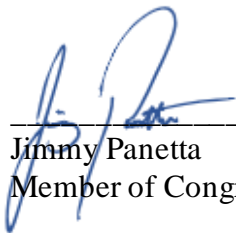
⁸ Emily Feng, *WHO: 'Very Unlikely' Coronavirus Leaked From Lab, More Study Needed To Trace Source*, NPR (Feb. 9, 2021), <https://www.npr.org/sections/coronavirus-live-updates/2021/02/09/965814241/who-very-unlikely-coronavirus-leaked-from-lab-more-study-needed-to-trace-source>.

packaging and provide any relevant recommendations. We are appreciative of USTR for their previous engagement at the WTO on this issue.

We thank you for the steps that the Administration has taken so far to promote science on virus transmission and food safety. We must continue to do so in a way that is not influenced by unproven assertions that undermine confidence in our food and food supply chains.

Thank you for your attention to this matter and your commitment to sound science.

Sincerely,



Jimmy Panetta
Member of Congress

/s/
Stephanie Murphy
Member of Congress

/s/
Salud Carbajal
Member of Congress

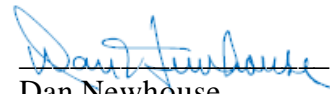
/s/
Thomas R. Suozzi
Member of Congress

/s/
Donald S. Beyer Jr.
Member of Congress

/s/
Suzan K. DelBene
Member of Congress

/s/
Sanford D. Bishop, Jr.
Member of Congress

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Michelle Fischbach
Member of Congress



Dan Newhouse
Member of Congress

/s/
Eric A. "Rick" Crawford
Member of Congress

/s/
Tom Reed
Member of Congress

/s/
Adrian Smith
Member of Congress

/s/
Rodney Davis
Member of Congress

/s/
Brad R. Wenstrup, D.P.M.
Member of Congress

/s/
Tom Rice
Member of Congress