

Hard-Boiled Policy: The Decades-Long Journey to the Egg Rule

1986

- After an outbreak sickens 3,000, CDC identifies eggs as a source of SE food poisoning.

1987

- USDA decides not to establish a mandatory SE control program.

1989

- FDA and USDA simultaneously develop competing SE control programs.

1991

- USDA begins control program targeted only at flocks that have been identified as the cause of human illness through tracebacks.
- Congress passes law requiring egg refrigeration; USDA never enforces it.

1992

- USDA, Pennsylvania government, and industry begin voluntary pilot program.

1995

- Congress cuts funding for successful pilot program and for traceback program, at egg industry request.

1996

- After watching an increasing incidence of SE in eggs, the Food Safety & Inspection Service (FSIS) and FDA initiated a risk assessment to assess the interventions needed to reduce the risk of illnesses from SE

1997

- CSPI petitions to require egg producers to implement on-farm process control programs. The approach supported by CSPI's petition was also recommended in the first SE risk assessment.

1998

- FSIS and FDA publish Risk Assessment, providing further support for the need for on-farm controls to reduce SE in hens.
- FSIS and FDA issue a joint advanced notice of proposed rulemaking.

1999

- President Bill Clinton announces as part of a Presidential radio address the need for egg safety regulation, and indicates that FDA will take the lead on the issue.

1999 – 2004

- Progress stalls as FDA and FSIS continue internal debate over which agency has jurisdiction.

2004

- FDA publishes a proposed rule.
- FSIS publishes a second Risk Assessment documenting the need for regulatory action.

2005 – 2008

- FDA extends its comment period on the 2004 proposed rule through 2005. Thereafter, the rule languishes, and is not sent to OMB for review until 2008.

2008

- FDA withdraws the proposed rule from OMB, citing the need to address comments received during interagency review.

2009

- FDA resubmits final rule to OMB.