

### ***Federal Court Rules FDA Denial of Two Citizen's Petitions "arbitrary and capricious"***

Rochester, NY – Congresswoman Louise Slaughter (NY-28), the only microbiologist in Congress, today applauded a court order mandating that the U.S. Food and Drug Administration (FDA) reconsider two citizens' petitions to limit all antibiotics important for human health in farm animals. Judge Katz stated that the FDA's decision to deny the petitions was "arbitrary and capricious."

[The ruling on the petitions](#), filed in 1995 and 2005, stems from a lawsuit brought last year by a coalition of consumer of advocacy groups suing the FDA over its inaction in addressing the growing public health threat posed by the daily dosing of antibiotics in livestock feed and the rise of antibiotic-resistant bacteria. The lawsuit came on the heels of an FDA report released to Slaughter confirming that 80 percent of antibiotics are sold for use in agriculture.

The ruling comes just days after the FDA [filed an appeal](#) to overturn a [March ruling](#) stating that the FDA must act on safety findings about two types of antibiotics, penicillin and tetracyclines.

"I'm pleased to see the court holding the FDA's feet to the fire on this," said Slaughter. "The American people deserve to have their voices heard on this looming public health crisis. Watching the agency tasked with protecting public health and well-being fight so vigorously against sound public health policy is a profound disappointment. I hope against all hope that the court's ruling will prompt the FDA to act in the public's best interests."

In his ruling, Judge Katz stated that, "the Court finds the Agency's denial of the Petitions to be arbitrary and capricious. For over thirty years, the Agency has been confronted with evidence of the human health risks associated with the widespread subtherapeutic use of antibiotics in food-producing animals, and, despite a statutory mandate to ensure the safety of animal drugs, the Agency has done shockingly little to address these risks."

"This lawsuit really just highlights the need for legislative action on this issue," said Slaughter. "We must get out in front of the problem of antibiotic resistance, which now claims more

American lives than AIDS. That's why I will continue to press for passage of PAMTA."

Since 2007, Congresswoman Slaughter has been the author of legislation titled The Preservation of Antibiotics for Medical Treatment Act (PAMTA), designed to ensure that we preserve the effectiveness of antibiotics for the treatment of human disease. The legislation would prevent the overuse of seven classes of antibiotics and has been endorsed by over 350 organizations.

[For a copy of the court ruling, please click here.](#)

[For more on her work to protect public health, click here.](#)