

Support Fresh, Safe Local Food in the Food Safety Bill

May 3, 2010

Dear Senator:

The **117 undersigned organizations** represent consumers, farmers and ranchers, local food producers, and co-ops who have serious concerns over the pending food safety legislation, S.510, the Food Safety Modernization Act. We urge you to support amendments so as to improve food safety without unnecessarily burdening and handicapping small-scale, local food producers.

All of the well-publicized incidents of contamination in recent years – whether in spinach, peppers, or peanuts – occurred in industrialized food supply chains that span national and even international boundaries. The food safety problems in this system can and should be addressed without harming the local food systems that provide an alternative for consumers.

The growing trend toward healthy, fresh, **locally sourced** vegetables, fruit, dairy, and value-added products **improves** food safety by providing the opportunity for consumers to know their farmers and processors, to choose products on the basis of that relationship, and to readily trace any problems should they occur.

Farmers and processors who sell directly to consumers and end users have a direct relationship with their customers that ensures quality, safety, transparency and accountability. In addition, small-scale food producers are already regulated by local and state authorities, and the potential risk their products pose is inherently limited by their size. For these farmers and processors, new federal requirements are unnecessary and would simply harm both the food producers and their consumers.

Although the Committee-passed bill includes some provisions for flexibility for small and diversified producers, S. 510 still would establish new hazard analysis and risk-based preventive controls for all facilities and authorize FDA to dictate growing and harvesting practices for produce. These requirements will impose significant expenses and burdens on individuals and small businesses.

Hazard Analysis and Risk-Based Preventive Controls

We therefore urge you to support **Senator Tester's amendment to exempt small processing facilities from the bill's hazard analysis and risk-based preventive controls requirements and traceability requirements.**

- 1) With respect to the hazard analysis and risk-based preventive controls, add the following new section to Section 103:

(1) DEFERRAL TO STATE REGULATION OF CERTAIN FACILITIES.—This section shall not apply to a facility for a year if the average annual adjusted gross income of such facility for the previous 3-year period is less than \$500,000.

- 2) With respect to traceability, add the following new section to Section 204:

(C) LIMITATION FOR CERTAIN FACILITIES.—In the case of a facility, in a year in which the average annual adjusted gross income of such facility for the previous 3-year period is less than \$500,000, the recordkeeping requirements under this section shall be limited to records regarding the immediate suppliers and immediate subsequent recipients of such facility.

FDA Produce Standards

We also urge you to support **the Senator Tester’s amendment to exempt direct-marketing farms from the FDA produce standards**. With respect to the produce standards, we request that you add the following new section to Section 105:

(g) EXEMPTION FOR DIRECT FARM MARKETING – This section shall not apply to farm if, with respect to such farm, the annual value of sales of food directly to consumers, hotels, restaurants, or institutions exceeds the annual value of sales of food to all other buyers.

Food safety is a priority for us all. We share the concerns that have led to this bill and appreciate Congress’s commitment to addressing these problems. Thank you for your consideration, and for your support of a safer, more sustainable food system and consumer access to healthy, local foods.

For more information, contact Sara Kendall at 202-547-7040 or sara@worc.org, or Judith McGeary at 512-243-9404 or Judith@FarmAndRanchFreedom.org.

Sincerely,

National and Multi-State Organizations

Acres USA

Adopt a Family Farm of America

Alliance for Natural Health – USA

American Goat Society

American Grassfed Association

American Policy Center

Appalachian Sustainable Development

Carolina Farm Stewardship Association

Center for Food Safety

Citizens for Health

Community Food Security Coalition

Constitutional Alliance

The Cornucopia Institute

Family Farm Defenders

Farm Aid

Farm and Ranch Freedom Alliance

Food Democracy Now!

Food First/Institute for Food and Development Policy

Freedom 21

Institute for Local Self Reliance

Local Harvest

National Family Farm Coalition

National Health Freedom Action

National Hmong American Farmers

Natural Environmental Ecological Management

Organic Consumers Association

Organization for Competitive Markets

Paragon Foundation

R-CALF USA

Real Food Campaign

Small Farmer’s Journal

Small Farms Conservancy

Western Organization of Resource Councils

Weston A Price Foundation

State and Local Organizations

Arkansas Animal Producers Association
Big Horn Basin Farmers Market Association
Black Mountain Tailgate Market (NC)
Bountiful Cities Project (NC)
Community Farm Alliance (KY)
Corvallis-Albany Farmer's Markets (OR)
Dakota Rural Action
Dakota Resource Council
Edible Austin (TX)
Edible San Marcos (TX)
Empire State Family Farm Alliance (NY)
Farmshed of Waupaca (WI)
Food for Maine's Future
Georgia Organics
Grand Forks County Citizens Coalition (ND)
Haley and Ketchum Farmers Markets (ID)
Idaho Rural Council
Independent Cattlemen of Wyoming
Innovative Farmers of Ohio
Iowa Citizens for Community Improvement
Lane County Food Policy Council (OR)
Maine Alternative Agriculture Association
Massachusetts Farm Bureau Federation
Massachusetts Smallholders Alliance
Michigan Land Trustees
Michigan Land Use Institute
Missouri Rural Crisis Center
Monroe/ LaCrosse County Farmers Union (WI)
Montana Cattlemen's Association
Montana Farmers Union
Montana Organic Association
Nebraska Sustainable Agriculture Society
North Missoula Community Development Corp. (MT)
Northern Plains Resource Council
Northwest Farmer to Farmer Exchange (OR)
Oregon Rural Action
Oregon Sustainable Agriculture Land Trust
Ozarks Property Rights Congress (MO)
Portland Farmer's Market
Powder River Basin Resource Council (WY)
Presentation Peace & Justice Center (CA)
Presentation Peace & Justice Center (ND)
Raw Milk Association of Colorado
Rural Vermont
Salmon Valley Stewardship (ID)
The Second Chance Foundation (NY)
Slow Food – Austin (TX)
South Agassiz Resource Council (ND)
South Dakota Stockgrowers Association
Sustainable Food Center (TX)
Sustainable Living Systems (MT)
Texans for Accountable Government
Texas Organic Farmers and Gardeners Association
Tuscaloosa Property Rights Alliance (AL)
Two Coves Community Garden (NY)
Virginia Independent Consumers and Farmers Assoc.
Western Colorado Congress
Western Wake Farmers' Market (NC)
Willamette Farm and Food Coalition (OR)
Winter Green (NC)

Co-Ops

Abundance Cooperative Market (NY)
Buffalo Mountain Food Cooperative (VT)
Chatham Marketplace (NC)
City Market/ Onion River Co-op (VT)
Common Ground Food Co-op (IL)
Deep Roots Market (NC)
French Broad Food Co-op (NC)
Good Earth Market (MT)
The Good Food Co-op (MN)
Good Harvest Market (WI)
GreenTree Cooperative Grocery (MI)
Hungry Hollow Co-op (NY)
Kimberton Whole Foods (PA)
Ocean Beach People's Organic Food Co-op (CA)
People's Food Co-op of Kalamazoo (MI)
Queens Harvest Co-op (NY)
Rising Tide Community Market (ME)
Spiral Natural Foods (MN)
Swarthmore Co-op (PA)
Trillium Natural Foods Community Co-op (WI)
Uncle Mindee's Food
Upper Valley Food Co-op (VT)
Willimantic Food Co-op (CT)

For a Fact Sheet on the Tester Amendments, please go to
<http://www.worc.org/userfiles/file/Local%20Foods/QA-Tester-Amendment-April-15.pdf> or
<http://farmandranchfreedom.org/content/files/QA-Tester-Amendment-April-15.pdf>