

## Support Fresh, Safe Local Food in the Food Safety Bill

Dear Senator:

The 97 undersigned organizations represent consumers, farmers and ranchers, and local food producers 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, local 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) EXEMPTION FOR 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 three-year period was less than \$500,000.

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

(f) EXEMPTION FOR CERTAIN FACILITIES – The traceback and recordkeeping requirements under this section shall not apply to a facility for a year if the adjusted gross income of such facility for the previous year was less than \$500,000.

### **FDA Produce Standards**

We also request that you consider an 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 MARKET FARMS – This section shall not apply to farms whose annual value of sales of food products directly to consumers, hotels, restaurants, or institutions exceeds the annual value of sales of food products 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](mailto:sara@worc.org), or Judith McGeary at 512-243-9404 or [Judith@FarmaAndRanchFreedom.org](mailto:Judith@FarmaAndRanchFreedom.org).

Sincerely,

### **National and Multi-State Organizations**

<i>Acres USA</i>	Food First/ Institute for Food Development and Policy
Adopt a Family Farm of America	Freedom 21
Alliance for Natural Health – USA	Local Harvest
American Goat Society	National Family Farm Coalition
American Grassfed Association	National Hmong American Farmers
American Policy Center	Natural Environmental Ecological Management
Appalachian Sustainable Development	Organic Consumers Association
Carolina Farm Stewardship Association	Paragon Foundation
Center for Food Safety	Pesticide Action Network – North America
Citizens for Health	R-CALF USA
Community Food Security Coalition	Real Food Campaign
Constitutional Alliance	<i>Small Farmer's Journal</i>
The Cornucopia Institute	Small Farms Conservancy
Family Farm Defenders	Western Organization of Resource Councils
Farm and Ranch Freedom Alliance	Weston A Price Foundation
Food Democracy Now!	

### **State and Local Organizations**

Arkansas Animal Producers Association	Montana Farmers Union
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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)  
Food for Maine's Future  
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  
Missouri Rural Crisis Center  
Monroe/ LaCrosse County Farmers Union (WI)  
Montana Cattlemen's Association

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)  
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)  
South Dakota Stockgrowers Association  
Sustainable Food Center (TX)  
Texas Organic Farmers and Gardeners Association  
Tuscaloosa Property Rights Alliance (AL)  
Virginia Independent Consumers and Farmers Assoc.  
Western Colorado Congress  
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)  
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)  
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)  
Yellowstone Community Cooperative (MT)  
Willimantic Food Co-op (CT)

**Date: April 9, 2010**