

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

Dear Senator:

The 87 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 Democracy Now!
Adopt a Family Farm of America	Freedom 21
Alliance for Natural Health – USA	Local Harvest
American Grassfed Association	National Family Farm Coalition
American Policy Center	National Hmong American Farmers
Appalachian Sustainable Development	Natural Environmental Ecological Management
Carolina Farm Stewardship Association	Organic Consumers Association
Center for Food Safety	R-CALF USA
Citizens for Health	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

### **State and Local Organizations**

Arkansas Animal Producers Association	Montana Cattlemen's Association
Bountiful Cities Project (NC)	Montana Farmers Union
Community Farm Alliance (KY)	Nebraska Sustainable Agriculture Society
Corvallis-Albany Farmer's Markets (OR)	North Missoula Community Development Corp. (MT)

Dakota Rural Action	Northern Plains Resource Council
Dakota Resource Council	Northwest Farmer to Farmer Exchange (OR)
<i>Edible Austin</i> (TX)	Oregon Rural Action
Edible San Marcos (TX)	Oregon Sustainable Agriculture Land Trust
Empire State Family Farm Alliance (NY)	Ozarks Property Rights Congress (MO)
Idaho Rural Council	Powder River Basin Resource Council (WY)
Independent Cattlemen of Wyoming	Presentation Peace & Justice Center (CA)
Innovative Farmers of Ohio	Raw Milk Association of Colorado
Iowa Citizens for Community Improvement	Rural Vermont
Lane County Food Policy Council (OR)	Salmon Valley Stewardship (ID)
Maine Alternative Agriculture Association	Sustainable Food Center (TX)
Massachusetts Farm Bureau Federation	Texas Organic Farmers and Gardeners Association
Massachusetts SmallHolders Alliance	Tuscaloosa Property Rights Alliance (AL)
Michigan Land Trustees	Virginia Independent Consumers and Farmers Assoc.
Missouri Rural Crisis Center	Western Colorado Congress
Monroe/ LaCrosse County Farmers Union (WI)	Winter Green (NC)

### Co-Ops

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

**Date: April 7, 2010**