

November 1, 2007

The Honorable Tom Harkin, Chairman
United States Senate Committee on
Agriculture, Nutrition & Forestry
328A Russell Senate Office Building
Washington, DC 20510

The Honorable Saxby Chambliss, Ranking Member
United States Senate Committee on
Agriculture, Nutrition & Forestry
328A Russell Senate Office Building
Washington, DC 20510

Dear Chairman Harkin and Ranking Member Chambliss:

The groups signed below share with you and your committee a strong commitment to the safety of food produced, processed and sold in the U.S. To that end, we write to convey our interest in Sec. 11060, the Congressional Bipartisan Food Safety Commission (“the commission”), of the en bloc amendment to The Food & Energy Security Act.

The establishment of the commission has potential benefits to the oversight of federal food safety programs, and may lead to more coordinated and efficient federal food safety programs. However, an effort may be made on the Senate floor to add language to sunset U.S. Department of Agriculture (USDA) and Food & Drug Administration (FDA) food safety programs. This could be misconstrued to mean the commission will ultimately recommend combining these agencies’ respective food safety programs under USDA or FDA, or through creation of a single federal food safety agency.

We urge you to oppose a provision to sunset federal food safety authorities. The commission is to study and make recommendations regarding the most efficient use of federal dollars, manpower and program resources to enhance federal food safety oversight. A sunset of the USDA and FDA programs in question appears to “prejudge” the outcome of the commission’s deliberations, undermining its credibility and effectiveness. In lieu of a sunset provision, we recommend the commission’s authorization be amended to stipulate that it attain one or more milestones on its progress within the 360-day time frame allotted for it to complete its work.

We also believe an amendment is warranted to provide more flexibility for the commission to consider new information upon which to base its evaluation and recommendations. The bill requires the commission to prepare a report that “summarizes information about the food safety system *as in effect as of the enactment of this Act...*” (emphasis added). The bill contains a very prescriptive list of federal authorizing statutes, reports by USDA’s Office of Inspector General and the Government Accountability Office (GAO) to be considered by the commission.

We are concerned the ultimate value of the commission’s report will be diminished if its deliberations are limited to a review of existing, and in some cases outdated, reports rather than new and emerging information. Such information includes the forthcoming report of the FDA’s Food Safety Action Plan, the Presidential Working Group on Import Safety and the Presidential Commission on Food Safety included in the Senate Agriculture Committee’s farm bill. In addition, other government or industry initiatives and private and public research will inevitably become

available during the commission's deliberations. We recommend the addition of the following language, at the appropriate place: "The commission's review and consideration shall include, **but not be limited to**, the statutes, studies and reports described in..."

Thank you for your consideration of our views. Please do not hesitate to call on us if we can provide any further assistance.

Sincerely,

American Beekeeping Federation
American Farm Bureau Federation
American Feed Industry Association
American Sheep Industry Association
American Veal Association
Animal Health Institute
National Grain and Feed Association
National Meat Association
National Milk Producers Federation
National Oilseed Processors Association
National Pork Producers Council
National Turkey Federation
North American Millers Association
Pet Food Institute
United Egg Association
United Egg Producers
United Fresh Produce Association
Western Growers Association

Cc: The Honorable Richard Durbin

V:\stm\coalition\foodsafety07.o31