

National Sustainable Agriculture Coalition

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House Rejects Food Safety Bill with Regressive Fee on Farmers

(Washington, D.C. July 29, 2009) – The House of Representatives today failed to obtain a two-thirds majority to pass the Food Safety Enhancement Act (HR 2749). The vote was 280-150, 6 votes short of the total needed to pass the bill under suspension of the rules with no debate and no amendments. The bill may now come back to the floor at a later date under regular rules allowing for amendments to be considered.

While the National Sustainable Agriculture Coalition applauds Congressional efforts to make the U.S. food supply safer, it finds major flaws in the bill brought up today which works against the interests of small and mid-sized family farms, conservation and the environment, and local and alternative food systems without improving food safety.

“We appreciate Congress’ efforts to strengthen the oversight and enforcement authority of the Food and Drug Administration as well as address some of the concerns of our members and their base of small and mid-sized farmers and ranchers,” said Ferd Hoefner, Policy Director. “In particular, we applaud the common sense provisions in the bill that provide limited exemptions from traceability and registration requirements for direct farmer-to-consumer marketing and farm-to-farm sales.”

“However, this bill ultimately had great potential to economically harm family farms as a result of overreaching provisions that do nothing to advance the important cause of food safety,” continued Hoefner. “Simple, common sense amendments could fix these flaws and allow us to support passage of the bill. We hope that opportunity might now be provided.”

Among other shortcomings, the bill retains a flat registration fee of \$500 per facility that will disproportionately impact small-scale producers who have invested in on-farm value-added processing to meet growing consumer demand and retain a higher share of the food dollar. The same fee would be charged whether the facility was run by a farm family with few if any employees or a multinational corporation with hundreds or thousands of employees.

The final bill also requires farmers who sell their products primarily into the wholesale market to establish expensive and unworkable electronic tracing methods unless they are granted an exemption by the FDA in the Federal Register during the implementation process. The bill does not provide specific guidance so that certified organic farmers will not have to be required to follow duplicative and potentially conflicting food safety standards since the USDA National Organic Program has long had food safety measures in place. Finally, the bill contains language that experience shows can do serious harm to wildlife and biodiversity, while failing to specify the positive role that conservation practices can play to address food safety concerns.

“We will continue to fight to get the concerns of sustainable agriculture advocates addressed as the bill hopefully comes back to the floor under regular order,” said Aimee Witteman, NSAC’s Executive Director. “We firmly believe that new food safety standards can and should be developed that are risk-based and do not work against the interests of small and mid-sized family farms, the environment, and regional food systems.”

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