

February 4, 2014

The Honorable Margaret A. Hamburg, M.D.  
Commissioner  
U.S. Food and Drug Administration  
10903 New Hampshire Avenue  
Silver Springs, MD 20993

The Honorable Sylvia Mathews Burwell  
Director  
Office of Management and Budget  
Eisenhower Executive Office Building  
Washington, DC 20503

Dear Commissioner Hamburg and Director Burwell:

The below signed organizations would like to thank you for your leadership in ensuring America's food supply remains the safest in the world. As you assist the President in preparing the administration's fiscal year (FY) 2015 budget request, we respectfully ask that you make securing adequate congressional funding for the U.S. Food and Drug Administration's (FDA) food safety activities one of your highest priorities rather than proposing any new food taxes or regulatory fees on consumers and food makers.

We applaud the fact that FDA's budget appropriations has grown from \$1 billion to over \$2.5 billion in the last seven years. We also appreciate that despite last year's sequester, FDA received from Congress an increase of \$96 million over the amount provided in FY 2013 and \$3 million above the agency's budget request. Of this, \$900 million was targeted to the food safety work of the Center for Food Safety and Applied Nutrition (CFSAN).

We believe if FDA requires additional funds in FY 2015 to support food inspection activities and implementation of the *Food Safety Modernization Act (FSMA)*, the agency should request such funding through the Congressional budget and appropriations process, rather than seeking authorization of new regulatory taxes as it has done in the past and Congress has repeatedly rejected.

The administration's proposed FY 2014 budget for FDA included a proposal to impose a food facility registration and inspection fee to fund agency activities related to FSMA. The agency projected it would collect \$59 million in FY 2014 from food and feed producers, makers and distributors if authorized by Congress. A food import fee was also proposed, with projected revenues of \$166 million in FY 2014. Congress rejected enacting both proposals.

FDA's budget proposals for FY 2013 and FY 2012 also recommended raising revenue from new facility registration fees to help fund the agency's food safety activities. Congress rejected those proposals. Congress also considered and rejected such food facility registration fees during the passage of FSMA in 2011.

Maintaining the safety of the foods we produce and sell is the highest priority of the food makers and retailers we represent and should be considered a top national priority. Federal food safety programs and inspections conducted by FDA benefit all American consumers and should be funded through appropriated funds.

As consumers continue to cope with a period of prolonged economic recovery and food makers and retailers struggle with fluctuating commodity prices, the creation of new food taxes or regulatory fees would mean higher costs for food makers lead

to higher retail food prices for struggling consumers. As such, we believe imposing new regulatory taxes on food makers is the wrong option for funding food safety programs.

As you develop a plan to finance food safety oversight for FY 2015, we urge you to request sufficient congressional funding to administer federal food safety programs under FDA's jurisdiction and oppose seeking revenue through taxes on food makers.

We stand ready to work with you and Congress to develop a plan that provides adequate funding to maintain the safest food supply in the world.

Thank you for your leadership and consideration of our views.

Sincerely,

Agribusiness Council of Indiana  
American Bakers Association  
American Dairy Products Institute  
American Farm Bureau Federation  
American Feed Industry Association  
American Frozen Food Institute  
American Meat Institute  
Association of California Egg Farmers  
California Grain and Feed Association  
California League of Food Processors  
Canned Food Alliance  
Cheese Importers Association of  
America  
Food Marketing Institute  
Frozen Potato Products Institute  
Global Cold Chain Alliance  
Grain and Feed Association of Illinois  
Independent Bakers Association  
Institute of Shortening and Edible Oils  
International Association of  
Refrigerated Warehouses  
Juice Products Association  
Midwest Food Processors Association  
Minnesota Grain and Feed Association  
National Association of Manufacturers  
National Association of Margarine  
Manufacturers  
National Automatic Merchandising  
Association

National Chicken Council  
National Confectioners Association  
National Fisheries Institute  
National Frozen Pizza Institute  
National Grain and Feed Association  
National Grocers Association  
National Pasta Association  
National Renderers Association  
National Turkey Federation  
North American Meat Association  
North American Millers' Association  
Northwest Food Processors Association  
Ohio AgriBusiness Association  
Oklahoma Grain and Feed Association  
Pacific Egg and Poultry Association  
Pet Food Institute  
Shelf-Stable Food Processors  
Association  
Snack Food Association  
Texas Grain and Feed Association  
The Association for Dressings &  
Sauces  
United Fresh Produce Association  
USA Rice Federation  
U.S. Chamber of Commerce  
Vinegar Institute  
West Coast Seafood Processors  
Association  
Wisconsin Agri-Business Association

cc: Members of the Senate Health, Education, Labor and Pensions Committee  
Members of the House Energy and Commerce Committee