



2013 Special Order of Business Food Safety Modernization Act

National Farmers Union urges the Food and Drug Administration (FDA) to implement the Food Safety Modernization Act (FSMA) in a manner that provides genuinely scale-appropriate and risk-based protocols to reduce the incidence of foodborne illness.

FSMA enforcement authority should be lodged in the state departments of agriculture with full federal funding. State departments of agriculture and the U.S. Department of Agriculture (USDA) understand agricultural production and are better situated to assist farmers with compliance. State departments of agriculture and USDA must provide scale-appropriate and federally funded food safety training on produce and preventive controls.

To ensure market access to institutional and wholesale buyers for local producers, food safety rules must facilitate group compliance measures for food hubs, producer cooperatives and other marketing structures designed for aggregation and scaling up to meet demand.

The proposed rules issued by FDA on January 4 are complex and confusing. They fail to make clear the specific compliance measures required of “exempt” farms. FSMA rules should make clear which farms are exempt and for how long and provide clear guidance for food hubs. Rules for manure handling treatment and storage should be realistic and recognize long-standing and traditional manure handling practices.

The potential economic impact of these rules and their potential to deny access to the specialty crop market for family farmers cannot be understated. To facilitate a fully informed dialogue with producers affected by the proposed rule, the FSMA comment period should be extended until all relevant parties are heard from and reasonable protocols are developed.