August 26, 2015

Secretary Sylvia Mathews Burwell
Department of Health and Human Services
200 Independence Ave., SW
Washington, DC 20201

Director Shaun Donovan
The Office of Management and Budget
725 17th St., NW
Washington, DC 20503

Dear Secretary Burwell and Director Donovan:

The below signed organizations thank you for your leadership in ensuring America’s food supply remains the safest in the world. As you develop the President’s fiscal year (FY) 2017 budget request, we respectfully ask that you request adequate funding for the U.S. Food and Drug Administration’s (FDA) food safety activities as one of your highest priorities rather than proposing new user fees on consumers and food makers.

We believe that while FDA requires additional funds in FY 2017 in order to support food inspection activities and meet the upcoming implementation deadlines of the FDA Food Safety Modernization Act (FSMA), the administration should seek all such funding through the Congressional budget and appropriations process rather than asking for authorization of new regulatory taxes that Congress has repeatedly rejected.

The administration’s proposed FY 2016 budget for FDA included a proposal to impose a food facility registration and inspection fee to fund agency activities related to FSMA. Congress has rightly rejected such fees each and every time they have been proposed by the administration.

As you know, FDA’s budget request for FY 2015, FY 2014, FY 2013 and FY 2012 recommended raising substantial new revenue from new facility registration fees to help fund the agency’s food safety activities. Congress rejected those proposals. Congress also considered and failed to adopt food facility registration fees during its consideration and passage of FSMA in 2011.

Maintaining the safety of the foods we produce and sell is the highest priority of food makers and retailers 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 and lead to higher retail food prices for the most vulnerable consumers. As such, we believe imposing new regulatory taxes on food makers is the wrong option for funding food safety programs.

We appreciate your request for new Budget Authority (BA) in your FY 2016 budget and we strongly encourage you to ensure that FDA has the resources it needs to implement FSMA through a similarly robust BA request in FY 2017. We stand ready to work with you in support of efforts to ensure we maintain the safest food supply in the world.
Thank you for your leadership and consideration of our views.

Sincerely,

Agribusiness Council of Indiana  Michigan Bean Shippers Association
American Bakers Association    Midwest Food Processors Association
American Council of Independent Laboratories    Minnesota Grain and Feed Association
American Dairy Products Institute    Montana Feed Association
American Farm Bureau Federation    National Association of Manufacturers
American Feed Industry Association    National Association of Margarine Manufacturers
American Frozen Food Institute    National Automatic Merchandising Association
American Fruit and Vegetable Processors and Growers Coalition    National Confectioners Association
American Spice Trade Association    National Fisheries Institute
Association for Dressings & Sauces    National Frozen Pizza Institute
Association of California Egg Farmers    National Grain and Feed Association
California Grain and Feed Association    National Grocers Association
California League of Food Processors    National Pasta Association
California Seed Association    National Renderers Association
California Warehouse Association    National Turkey Federation
Canned Food Alliance    Nebraska Grain and Feed Association
Cheese Importers Association of America    North American Meat Institute
Corn Refiners Association    North Dakota Grain Dealers Association
Flavor & Extract Manufacturers Association    Northwest Food Processors Association
Florida Feed Association, Inc.    Ohio AgriBusiness Association
Food Marketing Institute    Pacific Egg and Poultry Association
Fresh Produce Association of the Americas    Peanut and Tree Nut Processors Association
Frozen Potato Products Institute    Pet Food Institute
Global Cold Chain Alliance    Produce Marketing Association
Grain and Feed Association of Illinois    Shelf-Stable Food Processors Association
Grocery Manufacturers Association    Snack Food Association
Independent Bakers Association    United Dairymen of Arizona
Institute of Shortening and Edible Oils    United Egg Producers
International Association of Refrigerated Warehouses    United Fresh Produce Association
International Bottled Water Association    The Vinegar Institute
Juice Products Association    West Coast Seafood Processors Association
Michigan Agri-Business Association

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