

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
American Bakers Association
American Council of Independent
Laboratories
American Dairy Products Institute
American Farm Bureau Federation
American Feed Industry Association
American Frozen Food Institute
American Fruit and Vegetable
Processors and Growers Coalition
American Spice Trade Association
Association for Dressings & Sauces
Association of California Egg Farmers
California Grain and Feed Association
California League of Food Processors
California Seed Association
California Warehouse Association
Canned Food Alliance
Cheese Importers Association of
America
Corn Refiners Association
Flavor & Extract Manufacturers
Association
Florida Feed Association, Inc.
Food Marketing Institute
Fresh Produce Association of the
Americas
Frozen Potato Products Institute
Global Cold Chain Alliance
Grain and Feed Association of Illinois
Grocery Manufacturers Association
Independent Bakers Association
Institute of Shortening and Edible Oils
International Association of
Refrigerated Warehouses
International Bottled Water
Association
Juice Products Association
Michigan Agri-Business Association

Michigan Bean Shippers Association
Midwest Food Processors Association
Minnesota Grain and Feed Association
Montana Feed Association
National Association of Manufacturers
National Association of Margarine
Manufacturers
National Automatic Merchandising
Association
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
Nebraska Grain and Feed Association
North American Meat Institute
North Dakota Grain Dealers
Association
Northwest Food Processors Association
Ohio AgriBusiness Association
Pacific Egg and Poultry Association
Peanut and Tree Nut Processors
Association
Pet Food Institute
Produce Marketing Association
Shelf-Stable Food Processors
Association
Snack Food Association
United Dairymen of Arizona
United Egg Producers
United Fresh Produce Association
The Vinegar Institute
West Coast Seafood Processors
Association
Wisconsin 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