

November 5, 2015

The Honorable Harold Rogers,  
Chairman  
House Committee on Appropriations  
The Capitol, Room H-305  
Washington, DC 20515

The Honorable Thad Cochran,  
Chairman  
Senate Committee on Appropriations  
The Capitol, Room S-128  
Washington, DC 20510

The Honorable Nita M. Lowey,  
Ranking Member  
House Committee on Appropriations,  
Minority  
1016 Longworth House Office Building  
Washington, DC 20515

The Honorable Barbara A. Mikulski,  
Ranking Member  
Senate Committee on Appropriations,  
Minority  
The Capitol, Room S-146A  
Washington, DC 20510

Dear Chairmen Rogers and Cochran, Ranking Member Lowey and Vice Chairwoman Mikulski:

On behalf of state, local and tribal food safety regulators and the educational institutions that support the Cooperative Extension Service for farmers, ranchers and small processors, we write to express our deep concern that proposed funding levels in current FY2016 appropriations legislation allocated for implementation of the FDA Food Safety Modernization Act (FSMA) will leave the Agency without the resources needed to fully and effectively implement this important law. While we understand the challenges facing Congress as you work to identify additional resources for discretionary programming, **we strongly urge you to fund the U.S. Food and Drug Administration's (FDA) request for \$109.5 million in new Budget Authority (BA) for food safety modernization.**

In particular, we are aware of FDA's comprehensive strategy for FSMA implementation, which envisions active collaboration under the National Integrated Food Safety System (NIFSS) among the more than 3,000 state, local, and tribal government agencies involved in food safety. We expect that FDA will finalize appropriate regulations that are science-based, consistent and practical. Only then will these partnerships strengthen the quality and reliability of food safety inspections, enhance public health, and provide training and technical assistance to fully support the effective implementation of the new standards. Even with the rules right, unfortunately, without sufficient resources to properly fund the activities performed by states, localities, tribes and extension educators, FDA cannot make the vital investments needed to modernize food safety oversight. FSMA implementation will require increased emphasis on prevention, and include significant additional training for food safety officers and extension agents, real-time information sharing capacity, state laboratory accreditation, and updated inspector certification programs.

In order for the NIFSS to succeed, federal grants and cooperative agreements needed to fund these activities must be negotiated and obligated well in advance of the expected increase in state-level inspections, training and technical assistance. FDA has said that it needs to ramp up its commitments to state, local, and tribal regulators and trainers beginning in 2016. Delay in funding these important capacity investments will hamper our efforts to prepare for these new responsibilities and communicate regulatory certainty to the agricultural operators and food processors who already know and rely on state, local and tribal food safety agencies and educators. **It is very important that FSMA not become an unfunded federal mandate to governments and educators** already burdened with challenging fiscal environments and highly diverse regulatory and public safety responsibilities.

We understand the challenges you face as you complete your work on the FY2016 appropriations process, and we strongly recommend that any final agreement provide the funding needed to meet the Agency's request for FSMA implementation. Our members stand ready to be an ongoing resource to members of Congress on food safety modernization and we appreciate your consideration.

Sincerely yours,

Association of Food and Drug Officials (AFDO)  
Association of Public Health Laboratories (APHL)  
Association of State and Territorial Health Officials (ASTHO)  
Board on Agriculture Assembly of the  
Association of Public and Land-grant Universities (APLU)  
National Association of County and City Health Officials (NACCHO)  
National Association of State Departments of Agriculture (NASDA)  
National Environmental Health Association (NEHA)