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January 22, 2009

The Honorable Edward M. Kennedy  
The Honorable Michael B. Enzi  
Senate Committee on Health, Education, Labor, and Pensions  
U.S. Senate  
SD-428 Dirksen Senate Office Building  
Washington, DC, 20510

Dear Chairman Kennedy and Ranking Member Enzi:

Our organizations urge you to quickly enact food safety reforms. Americans continue to enjoy the safest food supplies in the world but rising food imports and changing consumer preferences pose new challenges that require Congress and the Administration to modernize our food safety net.

In particular, we urge you to:

- **Require Food Safety Plans.** Congress should require every food company manufacturing food for the US market to conduct an evaluation of food safety risks that identifies potential sources of contamination, identifies appropriate food safety controls, and documents those controls in a food safety plan available for FDA review.
- **Require Foreign Supplier Safety Plans and Build Foreign Capacity.** Congress should build the capacity of foreign governments to regulate food safety and to require every food importer to police their foreign suppliers. In particular, Congress should require that food importers document the food safety measures and controls being implemented by their foreign suppliers, and to require food importers to make a foreign supplier food safety plan available for FDA review.
- **Ensure the Safety of Fruits and Vegetables.** Congress should give FDA the power to establish safety standards for certain fruits and vegetables – when risk and science demonstrate that standards are needed. FDA should be permitted to work with states and others to tailor standards to meet local growing conditions and to ensure that standards are being met.
- **Adopt a Risk-Based Approach to Inspections.** Congress should increase food safety inspection and should focus domestic and foreign inspections on facilities that pose the greatest risk of contamination that could result in foodborne illness or injury.
- **Authorize Mandatory Recalls.** Congress should give FDA the authority to order a mandatory recall when a company has refused to conduct a voluntary recall and there is a significant risk to public health. Specifically, where the responsible party refuses to voluntarily recall a product for



The Honorable Richard J. Durbin  
United States Senate  
309 Hart Senate Office Building  
Washington, DC 20510

The Honorable Judd Gregg  
United States Senate  
393 Russell Senate Office Building  
Washington, DC 20510

Dear Senators Durbin and Gregg:

On behalf of the Grocery Manufacturers Association (GMA), I would like to commend your leadership and bipartisan efforts to craft sensible legislation that will strengthen the foundation of America's food safety systems. GMA supports proposals to continually improve the safety of America's food supplies, including many of the reforms contained in the *FDA Food Safety Modernization Act*. We believe that prevention of contamination must be the focus of our food safety strategies. In particular:

GMA supports your proposal requiring all food companies to have a comprehensive food safety plan in place. It is absolutely critical that manufacturers take a preventative approach by identifying and evaluating potential hazards, and by building food safety into the manufacturing process from the very beginning. A food safety plan, combined with rigorous food safety protocols, can significantly improve the safety of our food supplies.

GMA also supports your proposal requiring that food importers document the food safety measures and controls being implemented by their foreign suppliers. We agree that food importers who demonstrate their products pose no meaningful risk should be eligible for expedited entry at the border so FDA can give greater scrutiny to high risk imports. GMA also supports directing FDA to help build the capacity of foreign governments to ensure food safety.

GMA also supports your proposal granting FDA the power to establish safety standards for fruits and vegetables, when risk and science demonstrate that standards are needed. We agree that FDA should be permitted to work with states and others to tailor standards to meet local growing conditions and to ensure that standards are being met.

GMA supports your proposal giving FDA the authority to order a mandatory recall when a company has refused to conduct a voluntary recall and there is a significant risk to public health. Specifically, where the responsible party refuses to voluntarily recall a product for which there is a reasonable probability that the food will cause serious adverse health consequences or death, the Secretary should be permitted to order the company to conduct a recall.

We look forward to working with you to quickly enact food safety reforms that will give FDA new powers to reduce the risk of food-borne illness.

Sincerely,

A handwritten signature in black ink that reads "Pamela G. Bailey". The signature is written in a cursive style.

Pamela G. Bailey  
President & CEO

cc: The Honorable Edward M. Kennedy  
The Honorable Richard Burr  
The Honorable Christopher J. Dodd  
The Honorable Lamar Alexander  
The Honorable Amy Klobuchar  
The Honorable Saxby Chambliss



July 29, 2009

The Honorable Henry Waxman  
Chairman  
House Committee on Energy and Commerce  
U.S. House of Representatives  
2125 Rayburn House Office Building  
Washington, DC 20515

The Honorable Joe Barton  
Ranking Member  
House Committee on Energy and Commerce  
U.S. House of Representatives  
2125 Rayburn House Office Building  
Washington, DC 20515

RE: H.R. 2749, the Food Safety Enhancement Act of 2009

Dear Chairman Waxman and Ranking Member Barton,

On behalf of the Grocery Manufacturers Association (GMA), I would like to commend your bipartisan efforts to craft sensible legislation that will strengthen the foundation of America's food safety system. GMA supports House passage of H.R. 2749, the Food Safety Enhancement Act of 2009, which will provide the U.S. Food and Drug Administration (FDA) with the resources and authorities the agency needs to help make prevention the focus of our food safety strategies.

GMA supports proposals to continually improve the safety of America's food supplies, including many of the reforms contained in the Food Safety Enhancement Act of 2009. In particular, we support proposals to require food companies to have a food safety plan and food defense plan; to set safety standards for certain fruit and vegetables; to improve the safety of imported food and food ingredients; to adopt a risk-based approach to inspection that recognizes the important role played by states and competent foreign authorities; and proposals to give FDA strong enforcement powers. Together, we believe these reforms will prevent contamination, raise the bar for our industry, and deter bad actors.

We look forward to continuing to work with you to address concerns about traceability and testing procedures. We believe it is critical for FDA to conduct pilot projects and to assess the costs, benefits and feasibility of traceability technologies and testing and reporting regimes. We also look forward to ensuring that FDA has appropriate access to food safety records, including trade secret information, and to working with you to ensure that fee revenues are wisely invested.

GMA is committed to working with you to quickly enact food safety legislation which makes the prevention of contamination the foundation of our food safety system. We look forward to working with Congress to enact food safety legislation that boosts consumer confidence and addresses the challenges posed by today's food supply.

Sincerely,

Pamela G. Bailey  
President and CEO

**GROCERY MANUFACTURERS ASSOCIATION**

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