

May 28, 2013
Dr. Margaret Hamburg
Commissioner
U.S. Food and Drug Administration

Dear Commissioner Hamburg:

Thank you for extending the comment period for the proposed Food Safety Modernization Act (FSMA) rules by 120 days to allow our producers and other stakeholders additional time to review these proposed rules and provide comment. While we appreciate and support the implementation of this law, we write today requesting that you hold a public hearing and listening session in New England during this extended period to take comments from producers about the regional implications of these proposed rules.

New England is home to over 33,000 farms—a number that is growing every year. Agriculture is a robust and vital sector of our New England economy and greatly contributes to our environmental and public health. Rising consumer demand for organic and locally produced farm goods has led to increased economic opportunity, often aided by support from programs administered through the USDA. Substantial public investments have been made to ensure a robust and environmentally sustainable agricultural infrastructure in New England, and parts of the proposed FSMA rules threaten to undermine those investments.

It appears to us that many aspects of the rules were derived from existing practices of large scale farming operations that do not represent the majority of farms or farming practices in New England. The average farm in New England is only 110 acres and fully 65% of our farms have yearly sales totaling under \$10,000. The produce safety and preventive control rules as currently proposed by the FDA threaten to impose substantial regulatory and financial burdens that will impede the growth of these small farms and value-added on-farm enterprises. We urge you to come to New England to hear firsthand from our producers about the potential financial and environmental impact that these proposed rules could have on our unique agricultural sector.

We recognize the FDA's desire to implement these rules expeditiously, but it is imperative that these rules reflect the needs of the many different regions throughout our nation, including New England's growing local and regional food system. We would welcome an opportunity to host the FDA in New England to explore science- and risk-based food safety standards that are appropriate to New England agriculture and in the best interest of both the farmers and consumers that we represent.

We appreciate your consideration of this request, and look forward to your response.

Sincerely,

Jeanne Shaheen
United States Senator

Ann McLane Kuster
Member of Congress

William "Mo" Cowan
United States Senator

Joe Courtney
Member of Congress

Susan M. Collins
United States Senator

Jim Langevin
Member of Congress

Christopher S. Murphy
United States Senator

Peter Welch
Member of Congress

Richard Blumenthal
United States Senator

Chellie Pingree
Member of Congress

Kelly A. Ayotte
United States Senator

Niki Tsongas
Member of Congress

Angus S. King, Jr.
United States Senator

Carol Shea-Porter
Member of Congress

Bernard Sanders
United States Senator

Michael H. Michaud
Member of Congress

Patrick J. Leahy
United States Senator

James P. McGovern
Member of Congress

Jack Reed
United States Senator

William R. Keating
Member of Congress