

CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA

R. BRUCE JOSTEN
EXECUTIVE VICE PRESIDENT
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November 29, 2010

TO THE MEMBERS OF THE UNITED STATES SENATE:

The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, supports final passage of the manager's amendment for S. 510, the "FDA Food Safety Modernization Act of 2009."

This legislation would improve food safety by requiring all food manufacturers to develop a food safety plan, providing the U.S. Food and Drug Administration (FDA) with new tools to ensure the safety of imported food, and employing a rational, risk-based approach to inspection.

To be clear, the Chamber is troubled by some provisions in S. 510, most notably the very broad delegation of discretionary power to FDA, especially over small farm, food processor, and consumer activities. In certain respects, the unusual scope of the delegation is due to imprecise legislative drafting. Therefore, the Chamber expects Congress will vigorously oversee FDA's implementation and administration of S. 510 to ensure the agency does not overreach. Also, the Chamber urges the Senate to reject any attempt to attach the Feinstein Amendment to the bill. If Congress substantively modifies the manager's amendment in this fashion, then the Chamber will strongly oppose enactment of S. 510 and ask that this important matter be addressed in the 112th Congress.

Despite these concerns, the Chamber recognizes that the manager's amendment, if sensibly implemented by FDA, will improve America's ability to prevent food borne illness and boost consumer confidence in U.S. food supplies while minimally burdening small farms and consumers. On this basis alone the Chamber supports final passage of the bill.

Sincerely,



R. Bruce Josten