



CORNUCOPIA
INSTITUTE

Action Alert

The FDA's new food safety rules have the real potential to force some of the very safest local and organic farms out of business

There is a critical need for the *good food community* to come together, right now. **Please sign and mail back the linked [proxy-letter](#) today!**

In response to deadly outbreaks involving spinach, peanut products and eggs, Congress acted decisively three years ago to pass the **Food Safety Modernization Act (FSMA)**.

Unfortunately, **the FDA's draft regulations designed to implement the new law** appear to ignore the will of Congress and instead would **ensnare the country's best and safest farmers in unnecessary and burdensome regulations** — all in a misdirected attempt to rein in abuses that are mostly emanating from industrial-scale factory farms and giant agribusiness food processing facilities.

SHORTAGES/RISING PRICES OF ORGANIC AND FARM-DIRECT PRODUCE?

We thought we had won a victory with the Tester Amendment adopted by Congress exempting farmers doing less than \$500,000 in business from these new rules but the FDA seems more interested in a one-size-fits-all food safety law.

But the FDA is proposing that if a small owner-managed farm, delivering directly to consumers or local stores, does anything the FDA doesn't like, the agency can, without any due process, almost immediately force small farms to comply with the same expensive testing and record-keeping requirements for factory farms — potentially forcing many out of business instantly.

Just as important, for farms over \$500,000 in volume (and there are plenty of excellent medium-sized organic farms in the \$1-\$3 million range or larger), some of the provisions will not only be economically damaging (some farmers might not survive this) but actually prohibit some basic practices in the Organic Food Production Act. Yet if all farms, conventional as well as organic, had to follow the organic regulations for manures/composts, we'd have safer produce.

Please download and sign the [proxy](#) and mail it back to protect our nation's safest farmers. Cornucopia will hand-deliver the thousands of proxies collected to the FDA.

These new rules are just as much about protecting industrial agriculture, and their giant factory farms, as they are about protecting human health. Consider:

1. The FDA has **wildly inflated the number of foodborne illnesses that originate from farm production** (seed to harvest) rather than contamination that takes place later, in processing /distribution — in justifying supposed economic benefits from their rules.
2. The FDA **fails to recognize that some processed crops, grown in certain regions, are the genesis of 90% of dangerous outbreaks!** Thousands of individual illnesses come from **food processing** practices — not farming practices — for fresh cut/bagged salads, greens, and sprouts. And there are almost no outbreaks linked to most other vegetables. Yet these very onerous rules will apply to all farmers. We need to target our tax money where it will do the most good: addressing high risk areas and practices.
3. Almost all pathogenic **pollution that contaminates ground and surface water, fertilizers and even the air comes from giant concentrated animal feeding operations, or CAFOs (factory farms), not from fruit and vegetable growers**. In fact, the riskiest pathogens are found on CAFOs. But the FDA proposes nothing to address sick livestock in animal factories and their pathogen-filled manure that's contaminating surrounding rural communities, farms and our food supply.

The giant spinach E. coli contamination a few years ago was from an organism commonly found in feedlot cattle. And, according to FDA news releases, the recent Cyclospora outbreak, sickening customers eating bagged salad at Red Lobster and Olive Garden in multiple states, originally attributed to the giant Taylor Farms' Mexican operation — not U.S. family farms.

To protect our health, and guarantee the supply of truly safe and nutritionally superior food, we must focus food safety rules on the truly risky operations and practices – this is not what the FDA's proposed rules do.

NO MORE ORGANIC EGGS?

Just like imported/factory farm produce might be dangerous, and requires regulatory oversight, the 2010 salmonella outbreak in eggs, centered in Iowa, shone a spotlight on industrial-scale egg houses confining tens of thousands of hens in filthy and dangerous conditions.

The salmonella outbreak led to this new egg guidance. Even though there is scientific evidence tying higher rates of pathogenic contamination to older, massive factory farms with cages and forced molting (practices banned in organics), the FDA is zeroing in on flocks with outdoor access (certified organic).

Their new guidance, on the one hand, will make it difficult, expensive and maybe even impossible to have medium-sized flocks of birds outside. At the same time, the FDA has colluded with the USDA's National Organic Program to say that tiny "porches," which hold only a minute fraction of the flock, will now legally constitute "outdoor access."

This will not stand. We need to simultaneously protest overreaching government regulations, and defend produce and egg farmers.

Cornucopia might very well be headed to court over the governmental abuses in violating the spirit and letter of the organic law in regards to confining organic livestock (poultry).

So we are asking for your help. And we are on a tight timeline. We need you to make your voice heard over the next couple of weeks by downloading, printing and signing the [proxy letter](#). We will hand-deliver it directly to the FDA. We know this involves more hassle than signing an online petition but together, with thousands of others, these proxies will, literally, carry more weight.

If you have the time please write “over” and **add additional comments on the back of the proxy letter**. If you are farming, briefly describe your operation and why this could be a threat to your livelihood. If you are a customer of a CSA, co-op grocer, farmers market or purchase from local organic farms, please let the policymakers in Washington know why you have confidence in these high-quality farmers rather than corporate agribusiness.

Additional talking points and background are available at: <http://www.cornucopia.org/food-safety>

Join Cornucopia members, farmers and consumers, in stepping up to help counter the power of agribusiness lobbyists in Washington.

I know you enjoy the bounty of nutritious, healthful food produced by our nation’s best farmers. Please help us defend and protect this alternative in the marketplace. It is worth fighting for.

Mark A. Kastel
Codirector and Senior Farm Policy Analyst

*PS: And you can do more. Please forward this e-mail or a link to this campaign to your friends and family who care about the quality of their food: <http://www.cornucopia.org/food-safety> ... And, although **completely voluntary**, we hope you will **consider making a [financial contribution to underwrite what has been an expensive campaign](#)** (whether you contribute or not all proxies will be hand delivered to the FDA).*