February 26, 2018

The Honorable Lamar Alexander
Chairman
Committee on Health, Education, Labor and Pensions
U.S. Senate
Washington, D.C. 20510

The Honorable Patty Murray
Ranking Member
Committee on Health, Education, Labor and Pensions
U.S. Senate
Washington, D.C. 20510

The Honorable Greg Walden
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Alexander, Ranking Member Murray, Chairman Walden, and Ranking Member Pallone,

As representatives of the U.S. food value chain, we urge you to reject any amendments to the reauthorization of the Animal Drug User Fee Act (ADUFA) that could undermine or conflict with the National Bioengineered Food Disclosure Standard Act (the Disclosure Act or the Act). Congress passed the Disclosure Act in 2016 with overwhelming bipartisan support, and President Obama signed it into law. The Act provides the framework for the United States Department of Agriculture (USDA) to provide consumers with consistent, truthful, and non-misleading information they may wish to have about their food in a way that does not stigmatize the use of technology to produce that food. USDA is currently implementing the Disclosure Act through rulemaking.

When considering the Disclosure Act, Congress was explicit that the Act must prevent a patchwork of bioengineered food disclosure regulations, as the existence of such would likely

cause widespread consumer confusion. Consequently, Congress set the definition of "bioengineered" food, thus establishing the scope of the uniform mandatory disclosure standard. Those foods that meet the definition of a "bioengineered food" fall within the uniform disclosure mandate. The Act sets out a number of options for compliance and recognizes the 30-plus years of proven safety of bioengineering in food and agriculture.

It is important for Congress to fully support the framework set out in the Disclosure Act and the authority vested in USDA to implement that framework. To do that, Congress must reject any attempts to undermine the Act. We are extremely concerned that a proposed amendment to S. 2434, the Animal Drug and Animal Generic Drug User Fee Amendments of 2018 would do just that. The proposed amendment would require a separate and conflicting mandated label for a specific bioengineered food product that is already covered by the Disclosure Act. If this provision becomes law, it will undermine the congressionally-mandated USDA uniform disclosure standard and generate consumer confusion as the proposed FDA label would mandate different disclosure language from that required by the Disclosure Act. Consumers would likely be left wondering as to the differences in disclosures.

As you work over the next few weeks to finalize the reauthorization of ADUFA, we ask that you oppose inclusion of this harmful bioengineered food labeling provision from any final bill.

Sincerely,

Agricultural Retailers Association
American Farm Bureau Federation
American Feed Industry Association
American Seed Trade Association
American Soybean Association
Animal Health Institute
Biotechnology Innovation Organization
Corn Refiners Association
Enzyme Technical Association
National Association of State Departments of Agriculture
National Association of Wheat Growers
National Black Growers Council
National Cattlemen's Beef Association
National Corn Growers Association
National Council of Farmer Cooperatives
National Grain and Feed Association
National Milk Producers Federation
National Oilseed Producers Association
National Pork Producers Council
National Renderers Association
National Turkey Federation
North American Meat Institute
North American Millers' Association