Thank you for the opportunity to submit written testimony on the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriation for fiscal year 2015. My testimony is focused on appropriations for the Foods Program at the Food and Drug Administration (FDA) and the Food Safety and Inspection Service (FSIS) at the U.S. Department of Agriculture. We are requesting additional budget authority above the President’s request for FDA’s Foods Program of $100 million and for FSIS of $9.3 million.

The Center for Science in the Public Interest (CSPI) is a nonprofit health advocacy and education organization focused on health and nutrition, and food safety issues. CSPI is supported principally by the 900,000 subscribers to its Nutrition Action HealthLetter and by foundation grants. We do not accept government or industry funding.

FDA Funding Levels

FDA is in the third year of implementing the Food Safety Modernization Act (FSMA). Under FSMA, food producers, importers, and manufacturers are responsible for the safety of the food they market to consumers. FDA is required to oversee the food industry’s efforts by issuing risk-based standards for growing, manufacturing, and importing food, and by conducting compliance inspections. For FSMA implementation in FY2015, the President has proposed a
$20.6 million increase in budget authority for the Foods Program at FDA. Additionally, the President has proposed two new fees to support FSMA activities. The user fee on imported foods would generate $137.5 million to support border inspections and implementation of FSMA’s import provisions. A registration and inspection user fee would generate $50.7 million to support inspection programs.

In recent years, Congress has recognized the need to increase food safety resources at FDA and fund implementation of FSMA. We are grateful for the Subcommittee’s support and urge that it continue to provide the agency with adequate funding to carry out its critical food safety mission.

It is our belief that an increase of $20.6 million is inadequate, and that it is the two fee proposals that outline the true scope of what the agency needs to fully implement FSMA. However, Congress has not been receptive to new user fee proposals in prior budgets, and we do not anticipate that changing in the current budget cycle. We request that the Subcommittee increase appropriations for food safety, consistent with its past actions, by at least $90 million for FSMA implementation above the President’s request for FY2015. The basis for our request is the May, 2013, report mandated by FSMA in which the agency estimated its funding will have to increase by $400 million to $450 million above the FY2012 baseline over five years to fully implement FSMA. While not fully funding the needs of the agency for implementing FSMA, the requested increase puts FDA’s funding level on a closer trajectory to fulfill its responsibilities than would the President’s budget.

In addition, we believe FDA needs at least an additional $10 million to meet critical public health needs in the area of nutrition policy. FDA has made an initial determination to remove the GRAS (Generally Recognized as Safe) status for partially hydrogenated oils (PHO),
a decision that would save an estimated 3,000 to 7,000 lives annually. The comment period on this proposal has just closed and it is incumbent on FDA to make a final determination in an expeditious manner and implement an aggressive, but reasonable, timetable for industry to comply.

The Agency has also recently published a proposed revision of the Nutrition Facts label that provides for many important improvements based on today’s scientific evidence, including a bolder statement of calories, removal of unnecessary text, and adding a line for “added sugars.” Again, it is critical that FDA acts with dispatch in reviewing the comments that this proposal will engender and make a final decision with a timely implementation schedule. It has been more than 20 years since the Nutrition Facts panel was established and our current knowledge of the roles various nutrients play in our health should be reflected in today’s food labeling. Maintaining the momentum on this issue is essential to reaping the benefits of these changes.

FDA also has much unfinished business in nutrition policy. Front-of-package (FOP) labeling and the clarity of ingredient labels need to be addressed. FDA has sponsored consumer research on front-of-package nutrition labels, and three years ago the Institute of Medicine (IOM) recommended that FDA mandate a uniform national system of FOP labels. FDA should have seized the opportunity provided by the Nutrition Facts panel changes to address the confusing signals sent by many food packages on the front of the label, which every consumer sees. Yet the primary display panels on packages are often jumbles of messages about healthy aspects of food that are misleading when the food is considered as a whole. Also, ingredient labels on many packages remain painfully difficult to read. FDA should have sufficient resources to address this important outstanding business on labeling.
Moreover, more definitive action on sodium is required. Four years ago, the IOM published a landmark report laying out a road map for FDA to reduce sodium in the food supply. The Dietary Guidelines for Americans recommends that people over 50, African-Americans, and people with hypertension—or more than half of all adults—should limit themselves to 1,500 milligrams of sodium per day. Americans average about 4,000 milligrams of sodium per day. That higher level is causing about 100,000 more deaths per year from heart attacks and strokes than would occur if people were consuming 2,000 milligrams per day. While the revisions to the Nutrition Facts panel include a very modest reduction in the daily value for sodium from 2,400 mg to 2,300 mg, much more is needed, especially the publication of a guidance for industry that would provide targets for lowering sodium.

In addition, FDA has yet to publish the final rule for calorie labeling in chain restaurants, where Americans consume one-third of meals and caloric intake is higher than at home. FDA must not let these matters be further delayed, and for this kind of forward movement on public health, with the potential for saving tens of thousands of lives and tens of billions of dollars annually, the agency requires resources. These critical public health needs require additional funding so that FDA has the scientific base and staff resources to act today, not tomorrow or the day after.

**FSIS Funding Levels**

The President’s budget proposes cutting FSIS by $9.3 million in FY2015. This is premised upon the agency achieving savings from implementation of the proposed poultry slaughter inspection program. Since FSIS has not finalized a rule and has not announced a date for doing so, this cut seems to put the cart before the horse. The Subcommittee should reject this premature cut until FSIS can demonstrate that its program is effective at protecting public health
and can achieve the projected savings. We request the Subcommittee fund discretionary programs in FSIS at the FY2014 level of $1,011 million.

Again, thank you for the opportunity to submit testimony on the FY2015 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill.