

April 18th, 2023

Chairs and Ranking Members
U.S. Senate Committee on Appropriations
Subcommittee on Agriculture, Rural Development, Food and Drug Administration,
and Related Agencies
U.S. Senate Committee on Appropriations
United States Senate
Washington, DC 20510

Chairs and Ranking Members
House Committee on Appropriations
Subcommittee on Agriculture, Rural Development, Food and Drug Administration,
and Related Agencies
United States House of Representatives
Washington, DC 20515

Dear Chairs Murray, Heinrich, Granger, and Harris, and Ranking Members Collins, Hoeven, DeLauro, and Bishop:

As you craft the fiscal year (FY) 2024 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies spending bill, the undersigned organizations urge you to fully fund the President's budget requests for the Food and Drug Administration's (FDA) Center for Food Safety and Applied Nutrition (CFSAN), including support for work on food safety, infant formula, and the strategy developed as part of the White House Conference on Hunger, Nutrition, and Health (or National Strategy).

For decades, CFSAN has remained under-funded in its efforts to ensure the safety and transparency of the 80 percent of our nation's food supply over which it has jurisdiction. Efforts by Congress to boost funding for CFSAN over the past decade have met with some success, yet even these increases have served only to bring the food program roughly even with the number of FTEs it had in 1978. Meanwhile, the food industry has evolved dramatically since the 1970s, and Congress has assigned FDA more and more responsibilities, including broad new mandates over infant formula, dietary supplements, food labeling, and food safety.

FDA has requested an increase of \$106,774,000 (for total funding of \$509,542,000, a 17% increase from \$402,768,000 in FY 2023), which includes a \$12,000,000 increase to support the National Strategy. Given the burden of chronic disease in this country and the scope of the agency's commitments under the National Strategy, we urge you to provide the agency with \$24,000,000 in nutrition funding, double the Presidential Budget request. We ask that this funding be provided in addition to, and not detracting from, the money requested in the Presidential Budget.

The \$106.7 million request in the President's FY 2024 budget will bring CFSAN closer to having the resources it needs to promote and protect the public's health. In particular, this funding will support: modernizing oversight of infant formula, empowering consumers to make healthier food choices by improving food labels, reducing exposure to toxic chemicals, implementing new regulatory authorities for cosmetics, and strengthening the food safety system.

For infant formula specifically, some of this funding will cover increased review capacity for premarket notifications, improving surveillance of formula-related adverse events, the development of laboratory methods for *Cronobacter sakazakii*, and more rapid review of inspection findings, all critical to ensuring

an optimal infant formula supply to avoid future shortage crises. This investment builds on the findings of the FDA's internal review of its infant formula response, as well as an independent report on the human foods program ordered by the FDA and conducted by the Reagan-Udall Foundation.

The President's budget request also includes funding to establish a Center for Excellence in Nutrition, which would play a critical role in preventing diet-related chronic disease. FDA has committed to a number of nutrition initiatives as part of the National Strategy, including developing a front-of-package standardized labeling system, interpretive words or symbols on the front of a food package to indicate to the consumer the nutrient content of the product. Such systems have proven effective in improving consumer understanding and promoting healthier purchasing. For example, after Chile implemented front-of-package nutrient warning labels in 2016, total sugar consumption plummeted by 10 percent.

The funding will also aid FDA in ensuring robust implementation and evaluation of food industry efforts to meet short-term voluntary sodium reduction targets, and to issue longer-term targets that would align sodium content of food to safe levels consistent with the Dietary Guidelines for Americans. Meeting longer-term targets could prevent up to 475,000 cases of cardiovascular disease and save \$41 billion in healthcare costs over 20 years.

As part of the National Strategy, the FDA has also committed to assessing the evidence base for strategies to reduce added sugar consumption and collaborating with other federal partners to hold a public meeting. Congress provided \$1,000,000 in the FY 2023 omnibus for the FDA to evaluate progress and work toward longer-term targets, but this funding will not be sufficient to ensure the success of FDA's efforts.

FDA also plans to update the criteria for the claim "healthy" and developing a corresponding symbol and will issue guidance on the use of Dietary Guidance Statements on food labels and request information on how best to facilitate nutrition information when shopping for groceries online.

In conclusion, the importance of FDA's work on food and nutrition cannot be overstated. We urge you to fully fund CFSAN to carry out these initiatives to protect the public's health, including by providing an increase of \$24,000,000 in nutrition funding over current levels.

Sincerely,

Advocates for Better Children's Diets
American Academy of Pediatrics
American Heart Association
American Society for Nutrition
Association of Food and Drug Officials (AFDO)
Association of State Public Health Nutritionists (ASPHN)
Balanced
Center for Food Safety
Center for Science in the Public Interest
Colorado Children's Campaign
Consumer Federation of America
National Education Association
Society of Behavioral Medicine