



U.S. Chamber of Commerce

June 3, 2020

The Honorable Richard Shelby
Chairman
Committee on Appropriations
U.S. Senate
Washington, DC 20510

The Honorable Nita Lowey
Chairwoman
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

The Honorable Patrick Leahy
Vice Chairman
Committee on Appropriations
U.S. Senate
Washington, DC 20510

The Honorable Kay Granger
Ranking Member
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Shelby, Chairwoman Lowey, Vice Chairman Leahy, and Ranking Member Granger:

We applaud your efforts in responding to the coronavirus pandemic by providing emergency appropriations funding to support America's frontline workers and small businesses. In addition, we thank you for your steadfast commitment to continuing your work on the Fiscal Year (FY) 2021 appropriations legislation including the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies (Agriculture) Appropriations bill.

Given the unprecedented damage caused by COVID-19 across the agricultural sector and the need for Congress to respond quickly, we urge you to oppose legislative provisions that could create additional regulatory ambiguity and delay passage of the FY 2021 Agriculture Appropriations legislation. This includes any proposal that undermines or conflicts with the National Bioengineered Food Disclosure Act (Disclosure Act).

Specifically, we urge you to oppose the inclusion of any legislative language targeting bioengineered salmon. Previous appropriations riders relating to bioengineered salmon have short-circuited the regulatory process by banning the domestic commercialization of a product approved by the Food and Drug Administration (FDA), resulting in adverse impacts across industry. These sort of provisions have a chilling effect on innovation, delaying the research and development of new technologies that address a myriad of challenges in agriculture. On an even broader scale, these provisions not only cost jobs and harm small businesses, they also erode the U.S. regulatory system and impede the ability of technology providers to respond quickly and effectively when challenges like COVID-19 arise.

These riders also have conflicted with the Disclosure Act, causing greater uncertainty across the food and agricultural industry regarding the disclosure of bioengineered food ingredients. Through the issuance of final regulations implementing the Disclosure Act, the U.S. Department of Agriculture (USDA) as well as FDA have ensured that bioengineered products bear uniform disclosures for consumers as required by the law.

Even though the disclosure regulations expressly apply to bioengineered salmon, the FY 2020 Further Consolidated Appropriations Act (P.L. 116-94) mandated that the term "genetically engineered" be disclosed in product labels prior to the salmon's acceptable market name. The inclusion of such language is unnecessary and redundant and creates confusion for consumers. In addition, it undermines implementation of the Disclosure Act and the regulatory expertise of USDA and FDA. For these reasons, we ask you to oppose the inclusion of any provision in appropriations legislation that would further target bioengineered salmon or any other biotechnology product by imposing disclosures beyond those already required by the Disclosure Act. Should such language be included in the FY 2021 Agriculture Appropriations legislation, it will further undermine the intent and implementation of the Disclosure Act and cause even greater confusion among consumers regarding disclosures for bioengineered foods.

We look forward to working with you to ensure that the Disclosure Act can provide meaningful information to consumers while fostering innovation in

agriculture. Thank you for your attention to this important matter as you consider the FY 2021 appropriations legislation and work to provide economic assistance in response to COVID-19 global pandemic.

Sincerely,

Agricultural Retailers Association
American Farm Bureau Federation
American Feed Industry Association
American Seed Trade Association
American Soybean Association
Animal Health Institute
Association of American Veterinary Medical Colleges
Biotechnology Innovation Organization
Corn Refiners Association
National Aquaculture Association
National Association of State Departments of Agriculture
National Association of Wheat Growers
National Black Growers Council
National Corn Growers Association
National Council of Farmer Cooperatives
National Grain and Feed Association
National Milk Producers Federation
National Oilseed Processors Association
National Pork Producers Council
North American Renderers Association
U.S. Canola Association
U.S. Chamber of Commerce

Cc:

The Honorable John Hoeven, Chairman
The Honorable Sanford Bishop Jr, Chairman
The Honorable Jeff Merkley, Ranking Member
The Honorable Jeff Fortenberry, Ranking Member