

# NATIONAL UNIFORMITY FOR FOOD COALITION

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## **Coalition Analysis Sets Record Straight on Impact of Uniformity for Food Act *Eleven – Not 200 – State Laws Affected***

Washington, D.C. – Today representatives of the National Uniformity for Food Coalition released a legal analysis showing that H.R. 4167, the National Uniformity for Food Act, would affect only 11 state laws and regulations as part of the effort to set national food safety standards and warning requirements.

The legal analysis was produced by John Bode and Stuart Pape, nationally recognized experts in food and drug law. Bode is currently a principal with Olsson Frank & Weeda; Pape is a managing partner at Patton Boggs.

Despite claims by H.R. 4167 opponents that the bill would eliminate 200 state food safety laws and regulations, the uniformity provision of the proposed legislation in fact would be triggered by only 11 existing state rules. In each case, the bill offers the state a process for review by the U.S. Food and Drug Administration (FDA) to consider adopting the state's standard nationwide.

“The safety of the American food supply is too important to rely on a patchwork approach. This legislation will improve the existing partnership between state and federal food safety professionals, and bring to bear the best science to protect consumers equally nationwide,” said C. Manly Molpus, president and CEO of the Grocery Manufacturers Association. “It’s time for the bill’s opponents to stop spreading misinformation in an attempt to defeat this important piece of legislation.”

The rest of the rules cited by the bill’s opponents would NOT be affected because H.R. 4167 does not preempt state laws on food sanitation, inspections, enforcement, nutrition standards, response to immediate food safety risks, requirements identical to those of the federal government, notification requirements (unless requiring warnings about food safety), or the safety of dietary supplements. Critics have repeatedly claimed that all these functions would be affected, when in fact H.R. 4167 is narrowly crafted to address only food safety standards and warning labels. As one example, 15 states currently have reserved the authority to go beyond FDA standards for food and color additives, but have never exercised that authority in recognition that the federal standards are appropriate.

“The National Uniformity for Food Act is a logical extension of the approach to consumer information that currently exists for nutrition labeling, allergen labeling, meat and poultry standards, prescription drugs, pesticide residue standards, and medical devices,” said Cal Dooley, president and CEO of the Food Products Association and a former California congressman. “Under national uniformity, consumers will be able to pick a product off the

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grocery shelf in any state and find on the label consistent, science-based information that has been reviewed and accepted by government health authorities.”

The National Uniformity for Food Act would:

- Set uniform national food safety standards that will provide all Americans with the same high level of confidence and protection.
- Put food safety in the hands of the nation’s top food scientists and food safety experts.
- Preserves the appropriate roles for both the state and federal government when it comes to food safety.

H.R. 4167 passed the U.S. House of Representatives in March with the strong bipartisan support of 283 Members of Congress. The National Uniformity for Food Act would provide for uniform national food safety standards for packaged foods. This will provide all Americans with the same high level of confidence and protection in packaged foods sold throughout the nation.

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**About the National Uniformity for Food Coalition:**

The mission of the National Uniformity for Food Coalition is to provide consumers with a single set of food safety standards that are developed in cooperation with state policymakers, and that are based on a consensus interpretation of the entire body of scientific evidence. [www.uniformityforfood.org](http://www.uniformityforfood.org)

**About the Grocery Manufacturers Association:**

The Grocery Manufacturers Association (GMA) represents the world’s leading branded food, beverage and consumer products companies. Since 1908, GMA has been an advocate for its members on public policy issues and has championed initiatives to increase industrywide productivity and growth. GMA member companies employ more than 2.5 million workers in all 50 states and account for more than \$680 billion in global annual sales. The association is led by a board of member company chief executives. For more information, visit the GMA Web site at [www.gmabrands.com](http://www.gmabrands.com).

**About the Food Products Association:**

The Food Products Association is the largest trade association serving the food and beverage industry in the United States and worldwide. FPA’s laboratory centers, scientists and professional staff provide technical and regulatory assistance to member companies and represent the food industry on scientific and public policy issues involving food safety, food security, nutrition, consumer affairs and international trade. [www.fpa-food.org](http://www.fpa-food.org)