



C. MANLY MOLPUS
PRESIDENT AND
CHIEF EXECUTIVE OFFICER

March 7, 2006

The Honorable Mike Rogers
United States House of Representatives
Washington, DC 20515

Dear Congressman Rogers:

On behalf of the Grocery Manufacturers Association (GMA), I want to thank you for co-sponsoring H.R. 4167, the "National Uniformity for Food Act of 2005." The House will vote on this vital legislation on Wednesday, March 8. We urge you to oppose any crippling amendments and to support final passage of the legislation.

H.R. 4167 is common-sense legislation that will help consumers make educated decisions for themselves and their families in an ever-changing and currently confusing food labeling environment. Consumers deserve a single standard when it comes to food safety, and this bill will allow states and the FDA to work collaboratively in establishing sound food safety policies that benefit, not confuse, consumers.

In particular, we urge you to vote "No" on an amendment that may be offered by Representative Capps that would defeat the purpose of the legislation and prevent the establishment of uniform national safety warning requirements.

Under the Capps amendment, states could still require inconsistent, confusing, misleading and, in some cases, unsubstantiated warnings. Consumers deserve consistent, science-based information regardless of what state they live in and H.R. 4167 provides a process for the states and federal government to work together to harmonize food safety policies.

GMA represents the world's leading branded food, beverage and consumer products companies who employ more than 2.5 million workers in all 50 states and account for more than \$680 billion in annual sales. Passage of H.R. 4167 without changes that undermine its intent is critical to GMA. We consider the votes related to this bill to be "key votes," -- we urge your support for H.R. 4167 and your opposition to the Capps amendment and other amendments that undermine the bill's intent.

Enclosed is a sheet highlighting exactly what this narrowly crafted bill does and does not do.

Sincerely,

A handwritten signature in black ink that reads "C. Manly Molpus".

C. Manly Molpus
President and CEO

NATIONAL UNIFORMITY FOR FOOD ACT

The U.S. House of Representatives has begun consideration of H.R. 4167, the National Uniformity for Food Act and a vote on this important piece of legislation is expected on March 8. Opponents of the bill have put forth a significant amount of misinformation about the bill. Outlined below are key provisions of the bill and clarification of issues that have been raised.

What the Bill Does:

- **Helps Consumers:** Under the current regulatory system, each of the 50 states and the U.S. Food and Drug Administration (FDA) can require separate and conflicting food safety and warning information on packaged foods, fostering confusion among consumers. H.R. 4167 is a common-sense bill that would ensure that the FDA and the states work collaboratively to develop a single set of food safety and warning standards that will help consumers make educated decisions for themselves and their families.
- **Protects State's Rights:** The National Uniformity for Food Act strikes an important balance between states' rights and consumers' need for food safety information that is consistent from state to state. In instances where an existing state standard is different from the national standard, any state can ask the FDA to either be exempted or to set the state's standard as the national standard. While the FDA makes a final determination – based on the best-available science – the state standard remains in effect.
- **Is Narrow in Scope:** In contrast to the picture painted by opponents of H.R. 4167, the bill is narrow and covers only food safety and warning information for packaged food. Any other state food laws are exempt, including those covering the sanitation of pecans and notices as to whether fish is fresh or frozen, to cite two of the more esoteric examples put forth by opponents of the bill.
- **Keeps Sanitation and Inspections Local:** Under the bill, states and localities, not the FDA, will continue to conduct sanitation inspections and enforce regulations covering food and milk preparation/service at local establishments.
- **Lets States Continue Shellfish Warnings:** Under the bill, warnings concerning the consumption of shellfish, important to many consumers, are exempt. States remain free to require these warnings as they deem appropriate.
- **Raises the Bar:** Under H.R. 4167, food safety standards would be based on an expert, consensus review of the entire body of peer-reviewed, published scientific literature, ensuring that science, not politics or fads, drive policy.