

KEY VOTE **ALERT!**

March 7, 2006



Congressional & Public Affairs
U.S. Chamber of Commerce
1615 H Street, N.W.
Washington, D.C.
20062-2000

202/463-5600

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES:

The U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations of every size, sector, and region, urges you to support H.R. 4167, the National Uniformity for Food Act of 2005. This legislation would amend the Federal Food, Drug, and Cosmetic Act by extending national uniformity to food safety and warning label laws. The Chamber also urges you to oppose the Capps-Eshoo-Stupak-Waxman amendment and any other amendments that would subvert the purpose of the legislation.

With the enactment of H.R. 4167, national uniformity would be extended to one of the very few areas where it has been lacking: food safety and warning labeling. Meat and poultry regulations, nutritional labeling, and pesticide tolerance standards are all regulated at the federal level. Food safety and warning label requirements, on the other hand, have been governed by a "patchwork quilt" of state and local regulations. This collection of inconsistent requirements is burdensome for food businesses and confusing for consumers.

H.R. 4167 takes a commonsense, measured approach to achieving national uniformity for food safety and warning label requirements, striking an appropriate balance between national and state interests. The legislation provides ample time for review and harmonization of preexisting state rules, and establishes procedures under which states can opt out of uniformity requirements. Furthermore, H.R. 4167 does not impact the states' inspection and enforcement authority over food safety and warning label requirements.

However, the Capps-Eshoo-Stupak-Waxman amendment would subvert the purpose of H.R. 4167 by reintroducing the element of consumer confusion that the legislation seeks to prevent. This amendment would exclude multiple and likely inconsistent warnings related to cancer, birth defects, reproductive health issues, and allergic reactions associated with sulfiting agents in bulk foods, from the scope of food safety uniformity requirements. A primary objective of H.R. 4167 is to ensure that warnings about the safety of food are uniform throughout the country and that consumers are not subjected to mixed messages about important and scientifically substantiated concerns. By excluding these select categories from the scope of warning uniformity, the amendment would perpetuate the adoption of a multitude of inconsistent warnings by states that may lead consumers to ignore warning labels altogether.

With the increase in new food sources from overseas, thousands of new products introduced each year by domestic manufacturers, and faster communications and transportation, the need for a national food safety system is greater today than it was even ten years ago. Consumers should not have to endure conflicting standards that declare an identical food product safe in Alabama, but hazardous in Florida. **The Chamber strongly urges you to vote yes on H.R. 4167 and to oppose the Capps-Eshoo-Stupak-Waxman amendment along with any other amendments that would subvert the purpose of the legislation. The Chamber may consider votes on, or in relation to, this issue in our annual *How They Voted* scorecard.**

Sincerely,

A handwritten signature in black ink, appearing to read "R. Bruce Josten". The signature is fluid and cursive, with the first name "R." and last name "Josten" being more prominent.

R. Bruce Josten