

2017 -- S 0919 SUBSTITUTE A

=====
LC002775/SUB A/2
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

SENATE RESOLUTION

**RESPECTFULLY REQUESTING THAT THE RI CONGRESSIONAL DELEGATION WORK
TO REVISE THE FOOD SAFETY MODERNIZATION ACT AND TO DELAY ITS
IMPLEMENTATION**

Introduced By: Senators Sosnowski, Coyne, Calkin, Kettle, and Miller

Date Introduced: May 30, 2017

Referred To: Senate Environment & Agriculture

1 WHEREAS, The Food Safety Modernization Act was signed into law in 2011 by
2 President Obama, with the goal to ensure the U.S. food supply is safe by shifting the focus from
3 responding to contamination to preventing it; and

4 WHEREAS, The American public deserves access to the safest food in the world, and an
5 important way to meet that goal is through policy that prevents food contamination; and

6 WHEREAS, Although the Food and Drug Administration has been charged with
7 implementing the Food Safety Modernization Act, the FDA lacks experience with the
8 complexities of overseeing our nation's agricultural lands which experience would allow it to
9 effectively regulate food production; and

10 WHEREAS, the United States Department of Agriculture was founded by President
11 Abraham Lincoln in 1862, when half of the Nation's population lived and worked on farms, the
12 USDA's role has evolved with the economy; and

13 WHEREAS, the USDA works towards our shared goals of rural prosperity, preservation
14 of forests and working lands, sustainable agricultural production, job opportunities and safe,
15 nutritious food for every American; and

16 WHEREAS, the USDA provides leadership on food, agriculture, natural resources, rural
17 development, nutrition, and related issues based on sound public policy, the best available
18 science, and efficient management; and

19 WHEREAS, the USDA has a multi-year strategic plan consisting of five strategic goals

1 which contain 16 objectives including increasing agricultural opportunities by ensuring a robust
2 safety net, creating new markets, and supporting a competitive agricultural system, and

3 WHEREAS, Regulating the way foods are grown in order to prevent food contamination
4 should therefore be overseen by the United States Department of Agriculture; and

5 WHEREAS, Rhode Island agriculture is an important and growing sector of the state's
6 economy with over 1,200 farms employing more than 2,500 workers, covering over 69,000 acres;
7 and

8 WHEREAS, A strong local food system creates growth in many related businesses from
9 food processors, to storage facilities and transportation networks, to restaurants and tourism; and

10 WHEREAS, Rhode Island's farms are predominantly small-scale family run businesses
11 that have made the state a national leader in the quantity of fresh fruits and vegetables sold
12 directly from the farm to consumers; and

13 WHEREAS, According to the United States Department of Agriculture, there are 2,055
14 people who operate farms in Rhode Island; 773 of them are women and for 619 of them, farming
15 is their primary source of income, and only 86 farmers in the state of Rhode Island receive 100%
16 of their income from farming, and

17 WHEREAS, Farms vary in size in the state with 433 farms that are 9 acres or less in area
18 and only four farms in Rhode Island that are over 1,000 acres, and the average Rhode Island farm
19 has 56 acres; and

20 WHEREAS, Rhode Island has the highest farmland prices in the nation, while the
21 average income for a Rhode Island farm is \$47,990 per year, and the US Department of
22 Agriculture classifies any farm with gross sales of less than \$250,000 as a small farm; and

23 WHEREAS, The largest age groups for Rhode Island farmers are 45-49 years old and
24 people who are 70 years or older while the average age for a Rhode Island farmer is 57 years old;
25 and

26 WHEREAS, When the Food Safety Modernization Act is fully implemented, farms will
27 be responsible for adhering to the Act. At that point, the U.S. Farm Bureau claims it will be
28 uneconomical for small farmers to continue to operate; and

29 WHEREAS, The Tester-Hagan Amendment to the Food Safety Modernization Act would
30 exempt farms with gross food sales of less than \$25,000 annually, and would exempt farms with
31 gross food sales of between \$25,000 and \$500,000 from much of the Act if their sales are to
32 qualified retailers and sales are not more than 275 miles from the farm; and

33 WHEREAS, the Food and Drug Administration has proposed rules that will allow that
34 agency to revoke the Tester-Hagan Amendment and to require that even small-scale, direct

1 marketing farms comply with the Food Safety Modernization Act, and

2 WHEREAS, The various categories and methods of farming in addition to the various
3 sizes of farms throughout the United States create myriad complexities requiring different
4 regulatory treatment with which the US Department of Agriculture works, regulates, preserves
5 and sustains since it is charged with overseeing, protecting and increasing agricultural
6 opportunities. The USDA has thus earned the trust of American farmers; now therefore be it

7 RESOLVED, That this Senate hereby respectfully requests that the President of the
8 United States and Congress delay the implementation of the law and ensure the Tester-Hagan
9 Amendment is complied with or delay the implementation of the law as it pertains to small farms
10 until it can be further amended so that the United States Department of Agriculture is responsible
11 for its implementation and so that it exempts small farms from regulations that are cost
12 prohibitive and could force our farmers out of business; and be it further

13 RESOLVED, That failing such amendments, this Senate respectfully requests that the
14 Food Safety Modernization Act be repealed; and be it further

15 RESOLVED, That the Secretary of State be and hereby is authorized and directed to
16 transmit duly certified copies of this resolution to the Rhode Island Congressional Delegation.

=====
LC002775/SUB A/2
=====