April 11, 2017

Open letter to Campbell Soup Company, Cargill, Coca-Cola, CVS Health, Domino's Pizza, General Mills, PepsiCo, Target, Walgreens, Walmart, Yum! Brands

We urge you to join the opposition to H.R. 5, the so-called Regulatory Accountability Act of 2017, which more aptly should be named the "Filthy Food Act." Together, we can ensure that the U.S. Senate rejects that bill and any similar efforts that jeopardize the safety of our food supply.

Food safety rules help reduce the risks posed by pathogens, additives, and pesticides. But, the "Filthy Food Act" passed by the House would create an unprecedented regulatory gauntlet through which no food safety rule or guidance could pass. The "Filthy Food Act" would arbitrarily cut science out of the regulatory process, replacing public input and expert analysis with never-ending reviews and layers upon layers of wasteful Congressional and judicial red tape. These changes would paralyze the federal response to emerging public health and safety threats, including threats to food safety.

Your company is a member of at least one trade association that has endorsed the "Filthy Food Act." We urge you to join our organizations in opposing H.R. 5 and to publicly affirm your support for reasonable and effective food safety rules.

Food safety rules have saved thousands of lives and prevented millions of cases of foodborne illness, according to the Centers for Disease Control and Prevention (CDC). Their adoption has often followed terrifying foodborne illness outbreaks that exposed food system problems in urgent need of a solution. For example, the year after the 1993 Jack in the Box outbreak, the United States Department of Agriculture declared *E. coli* O157:H7 to be an adulterant, effectively banning the sale of meat contaminated with the pathogen. According to CDC estimates, the rate of *E. coli* illnesses has fallen by nearly 50 percent since this rule went into effect. Likewise, the Food and Drug Administration (FDA) Food Safety Modernization Act (FSMA) of 2011 was passed after shipments of salmonella-contaminated peanut butter from one producer caused nine deaths and required thousands of products to be recalled. Despite these advances, unsafe food continues to sicken an estimated 48 million people, hospitalize 128,000, and kill 3,000 every year. Regulatory policy must be able to address emerging threats, such as disease-resistant "superbugs" and risks arising out of new production methods. This is why food safety rules under FSMA are so critical, and are expected to prevent more than 800,000 cases of foodborne illness each year, according to the FDA's regulatory impact analysis.

As we know you appreciate, food safety rules are not only good for consumers, but are also good for businesses. Passage of FSMA was strongly supported by the food industry, because food businesses thrive when consumers have confidence that their food will not make them sick. Good rules help industry build consumer confidence, weed out bad actors, quickly recall contaminated food, and open new markets. But, if the "Filthy Food Act" had been law, critical

food safety rules and guidance on which American consumers rely—not to mention protections to keep air clean, get lead out of gasoline and paint, improve school foods, and inform consumers about what is in the foods they eat—might still be held up in unnecessary, wasteful reviews and needless red tape.

Americans have a right to safe food. Your consumers overwhelmingly support reasonable food safety rules. But this bill would take America in the wrong direction—and put children, families, and your businesses at risk. **We urge you to do the right thing for your customers and make clear that your company opposes the "Filthy Food Act."**

Sincerely,

Center for Science in the Public Interest
Consumer Federation of America
Consumers Union
Environmental Working Group
Food & Water Watch
Food Policy Action