

Congress of the United States
Washington, DC 20515

May 5, 2014

The Honorable Margaret Hamburg, M.D.
Commissioner
U.S. Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20933

Dear Commissioner Hamburg:

We write to share our concerns regarding the Food and Drug Administration's (FDA's) proposed rule for Current Good Manufacturing Practice and Hazard Analysis and Risk-Based Preventive Controls for Food for Animals. The FDA has shown proper judgment in the rulemaking process by agreeing to resubmit the proposal for further comment later this year, and we thank the FDA for its willingness to remain flexible during the rulemaking process.

We support the FDA's efforts to implement rules that fulfill the Food Safety Modernization Act's (FSMA's) intention of improving confidence in our nation's food supply by eliminating risk factors in the national food chain. However, it is imperative that these rules remain focused in their scope and do not attempt to solve food safety problems that do not exist.

For many years, breweries across the country have offered their spent grain to local farmers for little to no cost. This mutually beneficial relationship has provided local farmers with nutritious, cost-effective, and readily available feed for their livestock. Many small dairy farmers, ranchers, and others rely on the inexpensive spent grain to feed their animals. Termination of this beneficial relationship will cause economic harm to both the breweries providing the spent grain and the small farms receiving it. Many small farms, the backbone to America's growing local food boom, rely on the inexpensive spent grain to feed their livestock.

Requiring breweries to comply with these additional regulations will make the current practice of donating or selling spent grain cost prohibitive. Instead of helping small farmers across the country, breweries will be forced to waste spent grain by sending it to landfills. Many small breweries are leaders in making their companies sustainable and environmentally conscious. This proposed rule would greatly inhibit those efforts.

The proposed rule would be especially burdensome to the 2,700 craft breweries in the U.S. These breweries employ over 110,000 people and provide more than \$15 billion in economic activity throughout the U.S. In addition to potentially stifling this growing industry, we are concerned that this proposed rule could have a devastating impact on small and family-owned farms, and could force them to shut down if they lose access to affordable feed.

When the proposed rule governing animal food is republished, we encourage the FDA to address these concerns, to include a specific exemption for alcohol-related facilities identified in Section 116 of FSMA, and to avoid placing an undue burden on our nation's small breweries and farms.

Thank you again for your work on this issue, which affects breweries and farms across the country. We urge you to ensure that your proposed rule is fair to all affected parties. Thank you for your consideration.

Sincerely,



Carol Shea-Porter
Member of Congress



Jim Gerlach
Member of Congress



Peter DeFazio
Member of Congress



Mike Kelly
Member of Congress



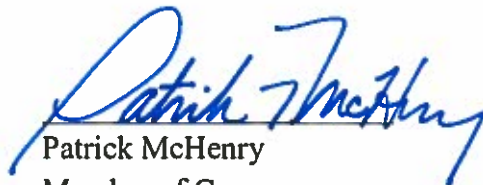
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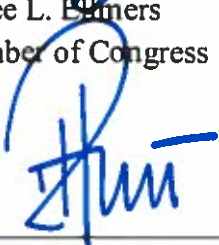
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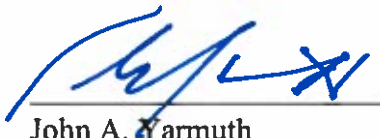
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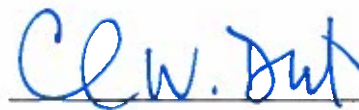
Paul Tonko
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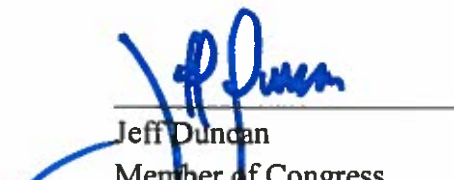
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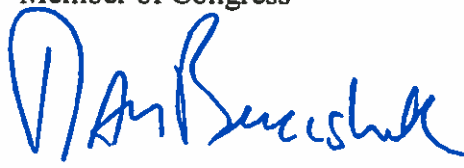
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