

March 6, 2013

Commissioner Margaret Hamburg
Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993
Via mail and email: margaret.hamburg@fda.hhs.gov

Re: Comment period on FSMA proposed rules, Docket Nos. FDA–2011–N–0920 and 0921

Dear Commissioner Hamburg:

The 277 undersigned organizations, food businesses and farms urge you to extend the public comment period on the two major proposed rules under the Food Safety Modernization Act for an additional 120 days.

Our organizations represent a wide range of constituencies, including organic farmers, conventional farmers, and consumers from across the country. While we recognize that the agency has provided more than the minimum comment period already, the 120-day comment period in the proposed rule is still insufficient for several reasons:

- The volume of material is overwhelming. The two proposed rules and the explanatory comments encompass over 1,200 pages. There are hundreds of additional pages that must be reviewed to understand them, including the regulatory impact analyses and the draft qualitative risk assessment of activity/food combinations for activities conducted in a facility co-located on a farm.
- The challenge of analyzing the rules stem from more than just volume of pages. The two rules have numerous points of intersection, and there are multiple outside references that need to be consulted to understand their probable application.
- The spring months are busy for farmers as they prepare for and begin spring planting. Because of the widespread drought in 2012, many farmers are already stretched thin and focus their efforts on their farm work.
- Many of the affected farmers do not have internet access. According to the 2007 Census of Agriculture, more than 40 percent of farms do not have internet access. In addition, several undersigned organizations have Amish and Mennonite members, who can only be contacted by mail or through print publications. In turn, comments from these farmers and ranchers will need to be conveyed to the FDA by US mail. This dynamic demands more time for dialogue among a large percentage of the affected constituency.
- Substantively, we have identified numerous areas that will require extensive discussion among our constituencies to understand the full impacts. For example, the restrictions on the use of biological soil amendment of animal origin have very different potential impacts in the northeast, where vegetable-based amendments are more easily accessed, than in western states, where manure-based composts and amendments are commonly used. The length and complexity of the

proposed rules is multiplied by the wide divergences in the ecosystems and types of operations affected. The undersigned organizations represent a wide diversity of constituencies, and we need more time to talk with our members before submitting comments.

It is critical that the agency extend the comment period and that it do so as soon as possible. Our organizations face difficult decisions in spreading the word to our members, including the use of resources to send first class mail or bulk (less expensive but slower) to reach those without internet access. Waiting until the last minute to announce the extension would impose unnecessary burdens on nonprofits who are doing a service for both the public and the government by notifying people of the proposed rule and the opportunity to comment.

For these reasons, we urge you to announce an extension of the public comment period immediately until September 13, 2013, providing a 120-day extension for public comment.

Thank you for your consideration.

Sincerely,

National Organizations

Alliance for Natural Health	Keep Food Legal
Citizens for Health	Local Food Association
The Cornucopia Institute	Local Harvest
Family Farm Defenders	National Health Freedom Action
Farm Aid	National Family Farm Coalition
Farm and Ranch Freedom Alliance	Natural Environmental Ecological Management
Farm-to-Consumer Legal Defense Fund	Organic Consumers Association
Independent Women's Forum	School Food FOCUS National Office
Institute for Agriculture and Trade Policy	Weston A. Price Foundation

Regional Organizations

Appalachian Sustainable Development (VA)	Southern Exposure Seed Exchange (VA)
Carolina Farm Stewardship Association	THRIVE
Land Stewardship Project (MN)	Western Organization of Resource Councils
Northeast Organic Farming Association – Interstate Council	

State Organizations

Alabama Sustainable Agriculture Network	Dakota Rural Action (SD)
Alternative Energy Resources Organization (AERO) (MT)	Food Freedom Oregon
Arkansas Design Work Group	The Gleaning Network of Texas
Community Food and Agriculture Coalition (MT)	Hawaii Farmers Union United
Cook for Good (NC)	HI Child Nutrition Programs (HI)
Dakota Resource Council (ND)	Illinois Stewardship Alliance
	Kettle River Enterprises (WA)
	Maine Alternative Agriculture Association

Massachusetts Food Policy Alliance (MA)
Massachusetts Farm Bureau Federation
Michigan Land Trustees
Missouri Rural Crisis Center
Montana Farmers Union (MT)
Na Pualani Learning Ohana (HI)
Nebraska Sustainable Agriculture Society
New Hampshire Farm Bureau Federation

North Country Sustainability Center, Inc. (MA)
Northern Utah Organic Group
Northern Plains Resource Council (MT)
Oregon Rural Action
Powder River Basin Resource Council (WY)
Rural Vermont
Texas Organic Farmers & Gardeners Assoc.
Western Colorado Congress

Local Organizations

Barefoot Organics, LLC
Community Food Bank Farmers' Markets (AZ)
Greater Grand Rapids Food Systems Council
(MI)
Growing Places Indy (IN)
Inter-Faith Food Shuttle (NC)
Kauai Farmers Union United (HI)
Kona Farmers Union United (HI)
Maui Farmers Union United (HI)
Miller's Mercantile (WA)
North-Missoula Community Development
Corporation (MT)
North Shore Oahu Farmers Union United (HI)

Onslow County Farmers Market (NC)
Oxbow Center (WA)
Pima County Food Alliance (AZ)
San Diego Roots Sustainable Food Project (CA)
Slow Food Austin (TX)
Soule Homestead Education Center (MA)
Sustainable Food Center (TX)
Sustainable Tucson (AZ)
The Sustainable Restaurant Corps (NY)
Transition Port Gardner (WA)
Willamette Farm and Food Coalition (OR)
Wren Thicket Market (AR)

Co-ops and Food Business

Aiken Organics (SC)
Bianca's Gourmet (CA)
Black Mountain Farmers Market (NC)
Bon Appétit Management Company (CA)
Brightside Bamboo (NC)
Central City Co-op (TX)
Del Valle Pecans, LLC (NM)
Filo Pastries
Fire From The Mountain (NC)
Friends Trading Co (CO)
Front Porch Pickings (FL)
Global Organics (FL)
Global Organic Specialty Source, Inc. (FL)
Heirloom Project (MT)
Independent Organic Services, Inc.
Jack's Nut Butters (NC)

Kimberton Whole Foods (PA)
LaRocca Vineyards (CA)
Leading Green Distributing, Inc (NC)
Main Street Farmers Market
Missoula Community Food Co-op (MT)
MRE Star
Natural Grocers by Vitamin Cottage
North Frontier Foods LLC (MT)
Ocean Beach People's Organic Food Co-op
(CA)
Raley Fuel (TN)
Six Rivers Community Market LLC (ID)
South East Trading Company
Sustainable Sea Cliff Cooperative (NY)
Virginia Garden Organic Grocery (VA)

Farms

3 Sister's Dairy
A Thyme For Peace (WA)
A Thyme to Plant Herb Farm
Adelyn's Organic Garden (IA)
Against the Grain (NC)
Alexzanna Farms
Alfrey Farms (AL)
All We Need Farm (TX)
Allee' Bubba Farms (NC)
Andrews Farms Inc (OH)
Anichini - Moore Ranch & Farm (OK)
The Arizona Sprouthouse
Bagaduce Farm (ME)
Barn Door and Produce (NC)
Bean Tree Farm (OK)
Betteridge Farm (WA)
Big Muddy Urban Farm (NE)
Blumenberry Farms (FL)
Boulder Belt Eco-Farm (OH)
Bowers Farm (PA)
Braeburn Farm (NC)
Braga Organic Farms Inc. (CA)
Burning River Farm (WI)
Cane Creek Asparagus & Company (NC)
Cane Creek Valley Farm Inc (NC)
Carter Farms (NC)
Castle Rock Organic Dairy, LLC (WI)
Chattooga Belle Farm (SC)
Chimney Creek Farm (NE)
Cienega Orchards (CA)
Common Good Farm (NE)
Coonridge Organic Goat Cheese (NM)
Cottonwood Creek Farms (CO)
Crows Pass Farm (CA)
CRS Growers
Daisy Acres
Dancing Roots Farm (OR)
Danly Farms, LLC (MT)
Dark Star Organics
David's Produce LLC (NC)
Deer Run Farm
DeFere Family Dairy (WI)
Denison Farms LLC
Dickey Farms (AR)
Dog Mountain Farm LLC (WA)
Dogwood Farms LLC (NC)
Downriver Orchard (WA)
Dufner Farm (ND)
Eatwell Farm (CA)
EIEIO'S Farm (TX)
Fern Creek Farm (OR)
Fiddler's Green Farm, Inc. (ME)
Filaki Farms, LLC (CA)
First Blossom Farm
First Fruits Farm
Foote Path Farms (CA)
Forever Yong Farm
Fort Hill Farm (CT)
Foundation Farm (AR)
Fox Creek Farm (NY)
Fresh Green Organic Garden
Gaining Ground Farm
Galaxy Farm (CA)
Garcia Farm
Georgia's Finest Organic farms Inc.
Grandma's Organic Farm (WI)
Green Edge Organic Gardens (OH)
Green Hills Harvest
Hammond Farm (TX)
Hartsell Farms (NC)
Hawaiian Noni farm
Heavens Harvest Farm (MA)
High Lonesome Farm (NY)
Huckleberry Ridge Farm (NC)
Intervale Farm (ME)
J.L.Hawkins Family Farm (IN)
Jake's Farm (NC)
James F Fealy Farm (NY)
Janet Reuter Farm (ID)
Jericho Settlers Farm (VT)
Jessica's Organic Farm (FL)
John Saeli Farm (NY)
JuJo Acres Farm (PA)
Kandela Organic Dairy (WI)
Karefree Produce Inc
la Tercera Farm (CA)

Land's End Farm
 Lennon Ranch (CA)
 Let's Go Farm (CA)
 Local Appetite Growers, LLC (AL)
 Marquis Farms (ME)
 Marsh Haven Farms (NY)
 McClendon's Select (AZ)
 Miller Farms, LLC (NC)
 Mohala Fams (HI)
 Morning Sun Organics
 Moss Farms (NC)
 Muddy Fork Farm LLC (OH)
 Muskrat Hill Farm (ID)
 Nash's Organic Produce (WA)
 Natural Builders
 Nevermore Farm (CA)
 North Forty Farm (MA)
 Northwind Organic Farm (WI)
 NS Ranch (TX)
 Oak Grove Farm
 Obermiller's Strawberry Farm (NC)
 OLALA Farms (CA)
 Old Ways Farm (HI)
 Osceola Jerseys LLC (WA)
 Parker Family Farm (ME)
 Peach Valley CSA Farm (CO)
 Peters Point Organics (SC)
 Picadilly Farm LLC (NH)
 Pohl Dairy
 Prairie Song Farms (IA)
 Prariana Farm (WY)
 Prochaska Farms
 Prodigal Farm (NC)
 Providence Farm (NC)
 Pyramid Farms (CA)
 Quest Farms (NY)
 Rancho Harbor Hills (CA)
 Raphael Garden (CA)
 Red Rooster Farms
 Redwood Empire Farm (CA)
 RIC Orchards (WA)
 Rick Olson Organic Farm (MN)
 Rising River Farm (WA)
 River Road Gardens CSA (AZ)
 Robb Farms (HI)
 Rocky Ridge Ranch (WA)
 Roominger Brothers Farms, Inc. (CA)
 Sand Hill Farm
 Seven Springs Farm CSA (VA)
 Shadowlands (NC)
 Sky Valley Familiy Farm (WA)
 Snyder Orchard
 Spring Song Organics (FL)
 Spring Valley Farms (OR)
 Spring Wind Farm
 Springbrook Organic Dairy (WI)
 Stonebridge Farm (CO)
 Sunny Kapoho Citrus (HI)
 Swathmoor Farm
 Sweden Creek Farm
 Ten Lakes Farm (MT)
 The Family Garden (FL)
 The Merry Glen (MO)
 The Neighborhood Gardener
 Threshold Farm (NY)
 TNT Farm N Greenhouse (VA)
 Tower Hill Farm, LLC (MI)
 Traders Point Farm Organics (IN)
 Trautman Family Farm (WI)
 Turtle Ledge Farm (CT)
 Two Doves Farm (GA)
 Van Vuren Farm LLC (WA)
 Vegetable Ranch LLC (NH)
 Viroqua Biodynamic Group (WI)
 Vollmer Farm (NC)
 Wells Family Farm (MI)
 West River Creamery (VT)
 White's Farm
 Wilder Farm
 Willow Ridge Farm
 Witt Road Organics (FL)
 Wolfsen Farms (CA)
 Wren Thicket Gardens

For more information, please contact Judith McGeary, Farm and Ranch Freedom Alliance, 512-484-8821, or Sara Kendall, Western Organization of Resource Councils, 202-547-7040.