

# Protect Our Farmers and Local Food Producers

**New regulations will burden sustainable farmers and small-scale food producers – raising prices and reducing availability of good food for consumers.**

Congress passed the Food Safety Modernization Act in 2010, but left a lot of the details up to the FDA, which is abusing that authority. The agency has proposed new regulations that pose significant problems for sustainable farmers, local food producers, and food hubs across the country.

Under the proposed regulations, many farmers will be forced to comply with high-cost, industrial-scale regulations, and to rely on chemicals rather than natural fertilizers. Food hubs and local food businesses will be forced to deal with costly and burdensome paperwork. **The costs will have to be passed on to consumers who seek out healthy, wholesome local food.**



Congress exempted small-scale, direct-marketing producers from the new federal regulations. But the law allows FDA to take away the exemption, and the FDA has proposed regulations that would leave small farmers and food producers at the mercy of an individual bureaucrat's discretion. In practical terms, any farmer or food processor targeted by the FDA for revocation of its exemption will almost certainly go out of business.

*See back of this flyer for an overview of the significant problems created by these proposed regulations.*

## TAKE ACTION BY FRIDAY, NOVEMBER 22!

Are you concerned with the survival of sustainable agriculture and the local food movement? Then submit comments to the agency before November 22 (\*deadline has been extended)!

**Please take a few minutes to:**

- 1. submit comments to the FDA**
- 2. contact your federal elected officials**
- 3. share this information on social media (we have shareable flyers on [www.facebook.com/FarmAndRanchFreedomAlliance](http://www.facebook.com/FarmAndRanchFreedomAlliance))**

For more information, including step-by-step instructions on submitting your comments:  
**[www.farmandranchfreedom.org/alert-fda-comments-food-safety-regulations](http://www.farmandranchfreedom.org/alert-fda-comments-food-safety-regulations)**



**[www.farmandranchfreedom.org](http://www.farmandranchfreedom.org)**

Questions? Contact [info@farmandranchfreedom.org](mailto:info@farmandranchfreedom.org) or (254) 697-2661

## What's wrong with the proposed FDA regulations?

1. **Too expensive.** By FDA's own estimates, the proposed regulations will cost even small farmers thousands of dollars, and will cost mid-size family farms much more. Farmers do not have enough of a profit margin to absorb these costs, and they will either go out of business or be forced to dramatically increase their prices.
2. **Empower individual agency officials to force a small farm** – which should be exempt from the regulations – to comply with extensive, burdensome regulations *without* presenting any proof of a real public health threat.
3. **Fail to give local farmers and food producers the basic due process protections.** If an FDA official decides to revoke a small producer's exemption, the producer has no effective opportunity to respond or defend itself. In just 60 days, producers could find themselves put out of business.
4. **Make it nearly impossible to use natural fertilizers.** The proposed rules would require farmers to wait 6 weeks between applying heat-treated compost and harvesting the crop, which makes it difficult to use compost in many cases. The rules go much further, requiring a 9-MONTH waiting period after applying manure, static compost, worm casting, compost teas (or many other natural fertilizers) – making it effectively impossible to use these proven, safe methods for sustainably growing crops.
5. **Require excessive water testing and set unreasonable standards.** The rules require farmers to test their water sources for harmless bacteria (generic e. coli) every single week, and to stop using water that tests positive. The tests alone could cost thousands of dollars a year, and the inability to use certain water sources – many of which pose no threat of illness to people – will make farming impossible for some farmers.
6. **Discriminate against diversified farms, which are healthy for people and our environment.** The regulations require farmers to take steps to prevent contamination by domestic livestock or wildlife, which sounds reasonable – but the rules leave the decision about what is required almost entirely to the discretion of individual inspectors. So farmers could be required to build expensive fences around their crops, destroy wildlife habitat, stop using draft horses, or other difficult and unnecessary measures. For sustainable, diversified farms, these regulations would impose significant expense; many simply won't be able to come into compliance.
7. **Treat many low-risk activities as if they were high-risk.** Farmers who run a joint CSA and handle each others' produce, or farmers who sell each others' products at a farm stand, will be forced to do a costly and difficult HARPC plan. Farmers who make low risk products like pickles or jams, or who mill grains or dehydrate vegetables, will also have to spend thousands of dollars on these paperwork requirements.



**PLEASE SPEAK UP!** The deadline for submitting comments to the FDA is Friday, November 22, 2013. For more information and step-by-instructions: [www.farmandranchfreedom.org/alert-fda-comments-food-safety-regulations](http://www.farmandranchfreedom.org/alert-fda-comments-food-safety-regulations)