



Support HB 1846

Provide proper process before Texas agencies implement federal food safety regulations

HB 1846 provides important transparency and accountability before Texas state agencies take any steps to implement new federal food safety regulations.

The U.S. Food and Drug Administration (FDA) is in the final stage of adopting extensive new food safety regulations to implement the federal Food Safety Modernization Act, the most sweeping overhaul of federal food safety laws in over 70 years. FDA has announced that it plans to enter into cooperative agreements with states as a significant portion of the implementation of these regulations.

HB 1846, by Representative Susan King, provides a vital opportunity for Texas farmers, consumers, and legislators to be involved before our state agencies use state resources to implement these new federal regulations. The bill requires the Department of State Health Services (DSHS) and the Texas Department of Agriculture (TDA) to publish notice of any proposed agreement to implement federal food safety regulations and allow for public comment. The agencies will also be required to consult with the chairs of the relevant House and Senate standing committees. Before finalizing the agreement with FDA, the agencies will have to publish a summary of the public comments and identify if any changes were made in response to the public or legislators' comments.

This process is very similar to the standard process the agencies must undergo before adopting **state** regulations. The bill does not prevent the agencies from taking federal funding or force them to defy federal law; it merely requires them to follow a procedure that allows Texans to make their voices heard to ensure that any such agreement is in the best interests of Texas farmers and consumers.

The method of implementing the federal food safety regulations will impact farmers and food businesses of all sizes and types. FDA's proposed regulations will set standards for how fruits and vegetables are grown and harvested, including standards for personnel qualification and training, health and hygiene, irrigation water, washing water, soil amendments, domestic livestock, wildlife, harvesting and packing activities, equipment, tools, buildings, and sanitation. The regulations will also place extensive requirements on any business that stores, processes, or manufactures food; these businesses will have to develop Hazard Analysis and Risk-Base Preventive Controls plans, conduct environmental and product testing, and verify the safety of their ingredient sources.

The involvement of DSHS and TDA in implementing these extensive new regulations will have major economic, environmental, and health ramifications for the entire state. Requiring the agencies to provide notice of their plans and engage in discussions with legislators and the public is a small, but vital, safeguard.

HB 1846 is supported by the Farm and Ranch Freedom Alliance, Texas Certified Farmers Market Association, Texas Organic Farmers and Gardeners Association, Sustainable Food Center, Food Policy Council of San Antonio, Slow Food Austin, Farm and Food Coalition (East Texas Community Food Coalition), Farm-to-Consumer Legal Defense Fund, Weston A. Price Foundation, and Homegrown Revival.

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