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Division of Dockets Management (HFA-305)
Food and Drug Administration
5630 Fishers Lane, Rm. 1061
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Docket ID FDA-2011-N-0920

Part 117-Current Good Manufacturing Practice and Hazard Analysis and Risk-Based Preventive Controls for Human Food

FDA-2011-0921 Standards for Growing, Harvesting, Packing & Holding of Produce for Human Consumption

I would like to take this opportunity to stress the importance of careful consideration of all comments received about the proposed rule for the Food Safety Modernization Act of 2011. The State of North Dakota plays a major role in food production not only for domestic but also global consumption. As the sole Representative in the United States House of Representatives from North Dakota, I ask you to look closely at the comments submitted by our Agriculture Commissioner, the National Sunflower Association and our local food producers. Following are a few highlights from their comments, but I would refer you to their full comments and expertise of the concerns from this rule.

"SUNFLOWERS ARE A FOOD GRAIN AND SO ARE NOT COVERED PRODUCE

A. SUNFLOWERS ARE PRIMARILY AN EXEMPT OIL SEED

B. SUNFLOWER SEEDS ARE RARELY CONSUMED RAW

C. SUNFLOWERS ARE GROWN, HARVESTED AND STORED JUST LIKE OTHER CEREAL GRAINS, LEGUMES, GRASSES AND COTTON

Wild and Domesticated Animals

The proposed rule regarding monitoring of domestic and wild animals in cropland fails to recognize the ubiquity of animals in agricultural systems. FDA should consider pursuing additional scientific studies regarding the risk-level from animal contamination to ensure that regulations are science-based. Risk of contamination from wild animals is low. The lack of definition in these rules prevents farmers from taking action that would limit risk

from certain species, or those most likely to pose a risk, and instead rely on an all-of-the-above approach that is over-burdensome.

Local Foods / Farmers Markets

1. The proposed rules regarding manure management and use, are more strict than and contradict the National Organic Program (NOP).

2. Farmers markets, CSAs, roadside stands, etc. need to be recognized as "direct to consumer" sales venues and not manufacturing facilities.

3. The sales amount thresholds for exemption are very low and will have an adverse impact on small direct to consumer producers that are family operated and do not hire, nor can afford to hire the support staff for all of the required monitoring."

In closing it is my understanding the intention of the FSMA was to provide oversight for imports of raw foods and not to cause undue restriction of our domestic food production. While I recognize the need for Food Safety Oversight, I also recognize our agricultural producers in the United States are the best and most responsive producers in the world. Therefore they need to be partners in the promotion of food safety, not beholden to unnecessary regulations. Thank you for taking the time to carefully consider the comments from the experts in the field as you move forward with the implementation of the rules.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Cramer', is written over a horizontal line.

Kevin Cramer

Member of Congress