

April 25, 2022

Dr. Robert Califf
Commissioner
Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993-0002

Dear Commissioner Califf,

We are writing on behalf of organizations that strongly support the food safety and nutrition mission of the Food and Drug Administration. These organizations represent consumers, the food industry, and state food regulators and are aligned on the importance of FDA's food program for protecting America's consumers and the ability of the food industry to operate successfully, innovate, and thrive.

We appreciate FDA's past collaboration with the food industry, consumer groups, and the states in implementing the Food Safety Modernization Act (FSMA), and we are eager to work in the future with you, the Administration, and Congress to help ensure that FDA succeeds in its critical food mission and to protect, promote, and advance public health.

For these reasons, we are troubled by the recent Politico reporting of serious problems in the FDA food program's organizational structure, governance, and performance. Many throughout the consumer community and food industry have observed such problems and are concerned about their impact on the well-being of both consumers and industry. All of us depend on the FDA to perform its regulatory role effectively, efficiently, and transparently. And every American wants to have confidence in FDA's ability to do that. We fear public confidence is in jeopardy.

The structural, governance, and performance problems, including the lack of a single, fulltime, fully empowered, and expert leader, affect all aspects of the FDA's food program. Perhaps most significant is the effect of these issues on the ongoing implementation of FSMA and execution of the New Era of Smarter Food Safety blueprint. Both of these key initiatives depend on all major food program units – the Center for Food Safety and Applied Nutrition (CFSAN), Center for Veterinary Medicine (CVM), and the Office of Regulatory Affairs (ORA) – working together seamlessly with their state partners and with a common strategic direction, clear priorities, sound resource management, and internal accountability. Success also requires transparency and robust engagement with industry, consumer groups, state associations, and other stakeholders. We hope to see more of these elements in the future.

For these reasons, we call on you to unify the FDA food program under a deputy commissioner for foods, with accountability to the commissioner and direct line authority over CFSAN, CVM, and the food-related components and operations of ORA. This should be done urgently, and the person appointed should have relevant and appropriate food credentials. In addition to bringing focused leadership and accountability to the FDA's food program internally, a unified structure and a full-time senior leader will strengthen the program's standing externally and its ability to be in effective dialogue with its many stakeholders.

We agree that the FDA's food program may need significantly increased funding to fulfill its mission. Congress has provided considerable funding for FDA food programs, especially for implementation of FSMA, stretching back to FY 2015. A transparent accounting of FDA expenditures since that time, within the food arena, would help us to assist the agency bolster its funding. We will continue working with the FDA, the Administration, and Congress to see that the funds FDA needs are requested and appropriated.

We request an opportunity to meet with you and discuss how we can work together to strengthen FDA's food safety and nutrition program and equip it for success in the decades ahead.

Sincerely,

Consumer/Public Health Groups

Antibiotic Resistance Action Center, George Washington University
Center for Biological Diversity
Center for Food Safety
Center for Science in the Public Interest
Consumer Federation of America
Consumer Reports
Defend Our Health
Earthjustice
Environmental Defense Fund
Environmental Working Group
Friends of the Earth
Healthy Babies Bright Futures
Johns Hopkins Center for a Livable Future
Lexicon of Sustainability
Natural Resources Defense Council
STOP Foodborne Illness

Industry Groups

American Bakers Association
American Frozen Food Institute
Consumer Brands Association
Corn Refiners Association
Council for Responsible Nutrition
FMI - The Food Industry Association
Global Cold Chain Alliance
International Fresh Produce Association
National Association of Chemical Distributors
National Confectioners Association
National Fisheries Institute
North American Millers' Association
Western Growers

State Government Representatives

Association of Food and Drug Officials