

## Myths and Facts

### What the FDA Food Safety Modernization Act Doesn't Do

A number of worrisome claims about what the FDA Food Safety Modernization Act would do have circulated over the Internet. The bill, in fact, is intended for one purpose – to safeguard consumers from preventable foodborne illness and modernize a food safety system that is stuck in the 1930s. It introduces a preventive system that requires food businesses to live up to their obligation to make sure that food they produce for sale to us is safe to eat. Here is a point-by-point response to some of the claims.

**Myth:** *The bill would outlaw traditional organic growing methods.*

**Fact:** The bill prevents FDA from issuing new produce safety standards that conflict with or duplicate the requirements of the national organic program.

**Myth:** *The bill sells out U.S. sovereignty over our own food supply by ceding to the authority of both the World Trade Organization (WTO) and Codex Alimentarius.*

**Fact:** The bill's provision on trade states the obvious fact that we are going to honor our trade commitments. It does not cede any power to the WTO.

**Myth:** *The bill would create an unreasonable paperwork burden that would put small food producers out of business, resulting in more power over the food supply shifting to large multinational corporations.*

**Fact:** The bill specifically requires FDA to follow the Paperwork Reduction Act which limits the regulatory burden of paperwork requirements on small businesses. Even without this, small producers can choose to be exempt from the requirements to have food safety plans under the Tester Amendment.

**Myth:** *The bill gives FDA power to inspect backyard gardens and arrest gardeners who don't follow federal produce safety standards.*

**Fact:** The bill explicitly states that the safety standards do not apply to produce that is grown by an individual for personal consumption.

**Myth:** *The bill puts all food production, even food produced in your own garden, under the authority of the Department of Homeland Security.*

**Fact:** The bill has provisions for dealing with intentional adulteration by terrorists. Homeland Security has responsibility for coordinating with FDA and USDA on addressing a potential terrorist threat, but nothing in the bill turns food production over to Homeland Security.

***Myth:** This law would also give the U.S. government the power to arrest any backyard food producer as a felon (a “smuggler”) for merely growing lettuce and selling it at a local farmer’s market.*

**Fact:** The bill’s farm provisions only apply to commercially grown produce and do not affect home gardens at all. The “smuggler” claim is entirely false since the food smuggling provision, which is located under the Import Title of the bill, only applies to food smuggled into this country. It is intended to stop the dangerous trade in products like “suitcase cheese” which is made in Mexican bathtubs and smuggled into the country where it has a history of sickening and killing consumers.

***Myth:** The bill would criminalize seed saving, turning backyard gardeners who save heirloom seeds into common criminals. This is obviously designed to give corporations like Monsanto a monopoly over seeds.*

**Fact:** The bill only applies to commercially grown produce, so backyard gardens are not at risk. Nothing in the bill affects anyone’s right to save seeds, nor does it criminalize the practice in any way. The bill is a food safety bill; not a farm production bill.