

November 28, 2018

Dear Chairman Shelby and Ranking Member Leahy, Chairman Frelinghuysen and Ranking Member Lowey, Chairman Hoeven and Ranking Member Merkley, Chairman Aderholt and Ranking Member Bishop,

The undersigned organizations write to strongly oppose inclusion of Section 736 of the House Agriculture Appropriations bill in conference.

Section 736 would require that the U.S Department of Agriculture (USDA) “issue regulations prescribing the type and frequency of inspection required for the manufacture and processing” of meat and poultry products made through cell technology, often called cell-based or cultured meat. This direction is unnecessary, given the announcement by USDA and the Food and Drug Administration (FDA) on November 16, 2018, that the agencies plan to work collaboratively and appropriately to oversee the safety of these products.

Specifically, under the announced agreement, the FDA will oversee the production of cell-based or cell cultured meat at the growing stage, while the USDA will oversee the products starting from the point of harvest, including “the production and labeling of food products derived from the cells of livestock and poultry.” This agreement draws on the strengths of both regulators by including the FDA’s expertise at reviewing novel and cell-culture technologies as well as the USDA’s experience regulating meat and poultry products from the point of harvest.

Section 736 would disrupt this agreement. It ignores FDA’s historical and critical role in evaluating the safety of ingredients and novel food processes. The FDA has a long history of overseeing substances produced by cultured cells and evaluating safety, both as direct food ingredients (bacterial, algal and fungal forms) and when used to produce other ingredients, including enzymes, oils and transgenic proteins. In addition, the FDA regulates the health and feeding of livestock pre-harvest, through its oversight of animal feed, antibiotics withdrawal periods, and artificial insemination, while the USDA’s food safety oversight historically begins at the slaughterhouse door. The FDA’s expertise in biotechnology will be particularly useful in controlling risks related to cell culture, including risks related to contamination and to the use of novel additives and ingredients.

Simply put, while the USDA may retain responsibility for inspections and labeling, the FDA is best positioned to assess the safety of the inputs for novel food technologies, including the cellular scaffolding and growth media for cell-based meat, as provided in the recently-announced inter-agency notice. The House rider directing only the USDA to exercise its traditional role skips a critical step needed to assure that these products are safe. By failing to take note of the FDA’s important pre-harvest role, Section 736 could undermine the collaboration between the USDA and the FDA, leaving a gap in the food safety framework for cell-based meat.

Given the recent progress within the Administration, the proposed House appropriations measure is unnecessary, and should be omitted in conference.

Sincerely,

Center for Science in the Public Interest
Consumer Federation of America

cc: Honorable Members of the House Committee on Appropriations
Honorable Members of the Senate Committee on Appropriations