



ACTION ALERT

URGENT S.510 Alert – Vote NO on Cloture  
November 16, 2010

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**STOP S.510 and PROTECT LOCAL FOOD -  
VOTE "NO" on CLOTURE**

An action alert earlier requested that readers call their Senators to ask them to OPPOSE S.510--the **FDA Food Safety Modernization Act**.

**It is also imperative to ask your Senators to VOTE "NO" on CLOTURE.**

Senate Majority Leader Harry Reid (D-NV) is trying to stop debate on S.510 by invoking cloture. The best chance to defeat S.510 is to defeat the cloture motion which requires a three-fifths majority of the full Senate [60 votes] to pass.

S.510 is a major threat to the local food movement. It greatly expands FDA's jurisdiction over intrastate commerce and imposes one-size-fits-all regulations that will make it more difficult for small farms and food processors to remain in business. **See Talking Points below.**

**TAKE ACTION**

**1. Call or Fax your Senators and ask them to VOTE "NO" on CLOTURE and OPPOSE S.510--** see contact details below.

**2. Call or Fax Senator Mitch McConnell (R-KY, Senate Minority Leader)** whose support is crucial if cloture is to be stopped. **Tell him you want the Republicans to stop S.510 by voting "NO" on cloture.**

McConnell's Washington Office  
Phone: (202)224-2541  
Fax: (202)224-2499

**3. Call or Fax Senator Tom Coburn (R-OK).** Thank him for his opposition to S. 510 [watch the video 📺]. Ask him to **rally his fellow Republicans to vote "NO" on cloture.**

Coburn's Washington Office  
Phone: (202)224-5754  
Fax: (202)224-6008

**4. Send a live email message to your Senators** through the online petition to **Reject S.510** at **[www.ftclfd.org/stopS510](http://www.ftclfd.org/stopS510)**

Be sure to follow up with phone calls--see contact details below.

S.510 will significantly increase the power of FDA, an agency which has stated on **public record** that the American people have no "fundamental right to their own bodily and physical health" and "do not have a fundamental right to obtain any food they wish". S.510 needs to be stopped.



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### CONTACTING YOUR SENATORS

Go to [Congress.org](http://Congress.org) and type in your zip code in the box in the upper right hand column.

Click on your Senators' names, and then on the contact tab for their phone and fax numbers.

OR call the Capitol Switchboard at 202-224-3121 and ask to be connected to your Senator's office.

Once connected, ask to speak to the legislative staff person responsible for agriculture. If they are unavailable, leave a voicemail message. Be sure to include your name and phone number.

### TALKING POINTS

**1. FDA has more than adequate powers under existing law to ensure food safety and effectively deal with foodborne illness outbreaks.** FDA has power to inspect, power to detain product and can readily obtain court orders to seize adulterated or misbranded food products or enjoin them from being sold. The problem isn't that FDA needs more power; it's that FDA does not effectively use the power it currently has.

**2. S.510 will give FDA extensive power to regulate food in intrastate commerce;** state and local governments are more than capable of handling any problems related to food in intrastate commerce. All the major outbreaks of foodborne illness involve either imported food or food in interstate commerce.

**3. S.510 will hurt our ability as a nation to be self-sufficient in food production;** it has more lenient inspection requirements for foreign than domestic producers creating an unfair advantage for food imports. Giving an advantage to foreign producers will only increase the amount of food imported into this country that does not meet our domestic standards. S.510 does not address food security--the ability of a country to produce enough food to meet its own needs.

**4. S.510 will provide a competitive advantage to industrial food producers--**the sector of the food system causing most of the food safety problems; they will benefit from this legislation because it will cripple many small farmers and local producers--the solution to the food safety problems in this country. The bill will impose burdensome regulations that will punish local food producers, many of whom won't have the economies of scale to comply with S.510's requirements.

**5. S.510 gives FDA the power to dictate growers' practices** by establishing national standards for produce; the same standards applying to big firms--where the food safety problems have occurred--will apply as well to small growers who have had no food safety issues. Small growers will be forced to change practices that have produced safe, quality food.

**6. S.510 does nothing to address many significant food safety problems in this country,** such as those resulting from confined animal feeding operations (CAFOs), genetically modified organisms (GMOs), and various contaminants (e.g., BPA, pesticides, herbicides, etc.).

**7. Food Safety Plan requirements in S.510 can be used to drive small farms and local producers out of business.** Small producers will be overwhelmed with extensive paperwork requirements, most of which have no connection to safe food.



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**HYPERLINKS for PDF version:**

**FDA Food Safety Modernization Act**

[http://www.farmtoconsumer.org/federal/111\\_Cong-S510.htm](http://www.farmtoconsumer.org/federal/111_Cong-S510.htm)

[watch the video ].

<http://www.farmtoconsumer.org/news/news-coburn-video-092510.htm>

**public record**

<http://www.ftcldf.org/litigation-FDA-status.htm>

**Congress.org**

<http://www.congress.org>

**Reject S.510**

<http://ftcldf.org/stops510>