



August 10, 2012

Richard Sellers, P.A.S.
Vice President, Feed Regulation & Nutrition
American Feed Industry Association
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Arlington, VA 22201

David Fairfield
Vice President of Feed Services
National Grain and Feed Association
1250 I Street, NW, Suite 1003
Washington, DC 20005

David Ailor
Executive Vice President, Regulatory Affairs
National Oilseed Processors Association
1300 L Street, NW, Suite 1020
Washington, DC 20005

Dear Mr. Sellers, Mr. Fairfield, and Mr. Ailor:

This responds to your June 20, 2012, letter on behalf of the American Feed Industry Association, National Grain and Feed Association, and National Oilseed Processors Association, concerning FDA's plans regarding the preventive controls and foreign supplier verification provisions in sections 103 and 301 of the Food Safety Modernization Act (FSMA). Your letter was prompted by the statutory effective date of July 3, 2012, for the preventive controls provision.

FDA is committed to full and timely implementation of FSMA and will be issuing proposed rules to implement sections 103 and 301. Those rules, when final, will contain provisions that clarify industry's responsibilities and will foster compliance with FSMA's new requirements in an orderly and effective manner. FDA will expect to enforce compliance with these new FSMA requirements in timeframes that will be described in the final rules.

Other food safety provisions of the Federal Food, Drug, and Cosmetic Act (FD&C Act) and its implementing regulations for human and animal food continue in effect. If we find a food that poses a public health risk to humans or animals, or if an inspection reveals a facility operating under insanitary conditions or otherwise failing to operate safely, we will continue to take action as appropriate under the FD&C Act.

Sincerely,

Michael R. Taylor
Deputy Commissioner for Foods