

September 27, 2010

The Honorable Margaret Hamburg
Commissioner, Food and Drug Administration
10903 New Hampshire Ave
Silver Spring, MD 20993-0002

Dear Commissioner Hamburg:

I write to request that the Food and Drug Administration postpone making any decisions in regards to genetically engineered salmon until your agency has vetted and approved a new framework that is specifically tailored to address the unique issues and concerns relating to the consumption of genetically modified foods, particularly animals and animal products.

As you know, the recent steps FDA has taken towards approving genetically engineered salmon through the animal drug regulatory process has raised objections and concerns from consumer protection and environmental groups. They argue that the current approach does not provide for sufficient transparency, oversight or public input. I share their concerns, and given the precedent-setting nature of this decision, I ask that the agency consider the question of whether or not to allow the consumption of a genetically modified animal through a framework that is designed to address the unique circumstances surrounding the approval of genetically modified foods.

It is my belief that any new regulatory framework for approving the consumption of genetically modified food should:

- o Fully evaluate the risks of consumption of genetically modified foods, including the triggering of food allergies and intolerances,
- o Fully consider the risks to the environment, such as genetically modified salmon escaping into the wild, and out-competing or hybridizing with native species;
- o Provide information to the public and provide adequate opportunities for public comment, so that Americans can fully assess the risks themselves;
- o Be flexible and broadly applicable to the lengthy list of products that have potential to be genetically modified; and
- o Allow the FDA to revisit any decisions based on newer or better scientific data so that if a product is found to be unsafe at a later date, the FDA can easily remove it from the market.

I recognize that creating, vetting and approving such a complex regulatory framework will require significant agency resources, and may even require Congressional approval. If necessary, I stand ready to help facilitate these important and much-needed reforms. I look forward to working with you on this time-sensitive issue.

Sincerely yours,
Dianne Feinstein
United States Senator