

Congress of the United States
Washington, DC 20515

November 20, 2020

The Honorable Richard Shelby
Chairman
Committee on Appropriations
U.S. Senate
Washington, D.C. 20510

The Honorable Patrick Leahy
Vice Chairman
Committee on Appropriations
U.S. Senate
Washington, D.C. 20510

The Honorable Nita Lowey
Chairwoman
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Kay Granger
Ranking Member
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Shelby, Vice Chairman Leahy, Chairwoman Lowey, and Ranking Member Granger:

As you finalize government funding legislation for Fiscal Year 2021, we write today to express our deep concern with respect to any provision that unfairly targets bioengineered salmon, by imposing unnecessary regulatory requirements on the marketing or distribution of the product, as such an action would harm the state of Indiana and the future of biotechnology. Developed by AquaBounty Technologies, bioengineered salmon was approved by the U.S. Food and Drug Administration (FDA) in 2015 and since then the company has started production at a land-based contained facility in Albany, Indiana.

As you know, FDA approved AquaBounty's bioengineered salmon in November 2015 after a rigorous and decades-long review process, determining that the salmon is as safe and nutritious to eat as traditional farm-raised Atlantic salmon. After subjection to several other regulatory hurdles, AquaBounty began production of its bioengineered salmon in Indiana in 2019. In addition to FDA review, the bioengineered salmon are subject to disclosure requirements implemented by the U.S. Department of Agriculture (USDA) under the National Bioengineered Food Disclosure Standard (the Disclosure Standard). Despite this, the FY2020 Further Consolidated Appropriations Act (P.L. 116-94) included Section 790, which unfairly targets bioengineered salmon by requiring a redundant and unnecessary labeling requirement for bioengineered salmon. By imposing an additional and different labeling requirement for bioengineered salmon, Section 790 conflicts with the Disclosure Standard, which was enacted to establish uniform disclosures for bioengineered foods. As such, Section 790 also undermines the regulatory authorities of the USDA and FDA and creates confusion for consumers. Previous appropriations riders targeting bioengineered salmon have interfered with the regulatory process by banning commercialization or imposing redundant regulatory requirements for the product, despite its approval by FDA and the applicable USDA disclosure requirements for the product. This has adversely impacted not only AquaBounty, but it also has had a chilling effect on innovation and investment across the bioengineered food industry, delaying research and development of new technologies in food and agriculture as well as job creation in places like Indiana. We are deeply concerned that a similar effort to include the same or a related provision will occur in the FY2021 Appropriations process.

AquaBounty's investment has spurred much-needed economic vitality in a rural and underserved region of our state. Indiana boasts a booming aquaculture industry, which is a critical part of diversifying agriculture

and providing more options for Midwest consumers. As Hoosiers, we take pride in creating an environment welcoming to job creators aligned with this mission. Continuing to place unnecessary restrictions on bioengineered salmon could hinder U.S.-based aquaculture, jeopardize investment in this industry, and threaten American jobs. It also perpetuates our country's reliance on imports from other countries, such as Chile and Norway, from where we currently import over 90% of the Atlantic salmon consumed in the U.S.

Provisions unfairly targeting the bioengineered salmon due to reasons other than safety and efficacy are not based on science, sound policy, or law, and would impose undue regulatory burdens that ultimately waste taxpayer dollars without any benefit to the public. Further, this action sends the wrong message to industries that are working to develop innovations in agricultural biotechnology and food security. Indiana plays a key role in the agricultural industry and strongly values the possibilities that aquaculture and biotechnology bring to our economy.

We therefore ask you to oppose any provision targeting bioengineered salmon because inclusion of such a provision will not only harm Hoosiers, it will endanger U.S. innovation and agriculture, and create a dangerous precedent that will undermine confidence in our domestic regulatory system.

Sincerely,



Todd Young
United States Senator



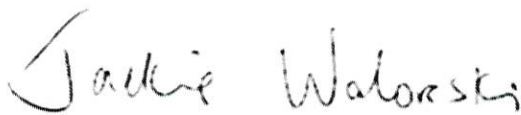
Mike Braun
United States Senator



Greg Pence
Member of Congress



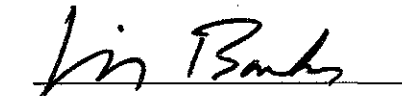
Larry Bucshon, M.D.
Member of Congress




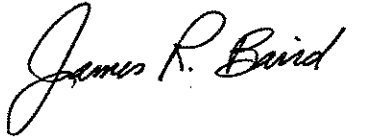
Jackie Walorski
Member of Congress



Susan Brooks
Member of Congress


Jim Banks
Member of Congress


Trey Hollingsworth
Member of Congress


James R. Baird
Member of Congress

cc:

U.S. House of Representatives Speaker Nancy Pelosi
U.S. House of Representatives Minority Leader Kevin McCarthy
U.S. Senate Majority Leader Mitch McConnell
U.S. Senate Minority Leader Chuck Schumer