

United States Senate

WASHINGTON, DC 20510

July 14, 2025

The Honorable John Boozman
Chair, Senate Agriculture, Nutrition, and
Forestry Committee
328-A Russell Senate Office Building
Washington, DC 20510

The Honorable Amy Klobuchar
Ranking Member, Senate Agriculture,
Nutrition, and Forestry Committee
328-A Russell Senate Office Building
Washington, DC 20510

Dear Chairman Boozman and Ranking Member Klobuchar:

We write today expressing our strong opposition to inclusion of the “Food Security and Farm Protection Act” (S. 1326), previously known as the “Ending Agricultural Trade Suppression Act (EATS) Act,” or any similar legislation in the next Farm Bill. Modeled after former Representative Steve King’s amendment, which was intensely controversial and ultimately excluded from the final 2014 and 2018 Farm Bills, the Food Security and Farm Protection Act would harm America’s small farmers and infringe on the fundamental rights of states to establish laws and regulations within their own borders.

This legislation would have a sweeping impact if passed—threatening countless state laws and opening the floodgates to unnecessary litigation. The bill is particularly draconian in that it aims to negate state and local laws when there are no federal standards to take their place, creating an overnight regulatory vacuum. In doing so, it would drastically broaden the scope of federal preemption, and disregard the wisdom of duly-enacted laws that address local concerns.

The range of potentially impacted laws includes measures aimed at protecting states from invasive pests and infectious disease, health and safety standards, consumer information safeguards, food quality and safety regulations, animal welfare standards, and fishing regulations. Below are just a few of the many areas that could be impacted by the Food Security and Farm Protection Act:

- Alabama, Iowa, Nebraska, and South Dakota regulate the labeling of bitter almonds or prohibit their sale as a poison. Florida prohibits the sale of citrus fruits containing arsenic.
- Arkansas, Connecticut, Florida, Illinois, Indiana, Massachusetts, Minnesota, New York, Oregon, Utah, Vermont and Wisconsin have laws that restrict the importation of firewood in order to prevent the spread of invasive pests and diseases. Additionally, at least 23 states have restrictions on the importation of Ash trees in order to prevent the spread of the emerald ash borer. Alabama, Florida, Louisiana, South Carolina and Texas are among states that have passed laws to prevent the spread of the Asian citrus psyllid, which causes citrus greening, and many states have implemented regulations to protect iconic species of trees that grow in various regions of the United States.
- Arkansas, Kansas, Louisiana, Pennsylvania, and Texas have laws governing sales within their states of seeds and seed oils. Dozens of states have enacted laws on noxious weeds,

rules for spraying manure on fields, sourcing requirements, and many other agricultural matters.

- Many states impose additional requirements beyond federal regulations to address risks to cattle from brucellosis (48 states), bovine tuberculosis (41 states), and Johne's Disease (North Dakota, Wisconsin, and Wyoming).

Demand from consumers, food companies, and the farming community has propelled 15 states to enact public health, food safety, and humane standards for the in-state production and sale of products from egg-laying chickens, veal calves, and sows. The Food Security and Farm Protection Act was introduced with the primary goal of undermining these standards – particularly California's Proposition 12, in response to the Supreme Court's recent decision upholding that law, and Massachusetts's Question 3. Last Congress, the House Agriculture Committee included a similarly harmful provision in their Farm Bill draft, adding another poison pill that contributed to a lack of progress on the next Farm Bill.

California's Proposition 12 has been in full effect for over a year, while Massachusetts's Question 3 has been in full effect since 2023. The demand for Proposition 12- and Question 3-compliant products has been met. Countless farmers who wanted to take advantage of this market opportunity invested resources and made necessary modifications to be compliant. Federal preemption of these laws would be picking the winners and losers, and would seriously harm farmers who made important investments.

Due to these concerns, we respectfully ask that you reject inclusion of this provision in any form, as you did in the 2014 and 2018 Farm Bills. Thank you, and we look forward to working with you to pass a bipartisan Farm Bill.

Sincerely,



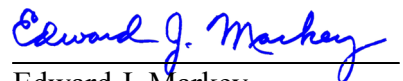
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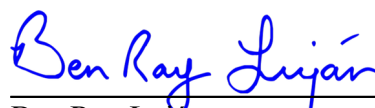
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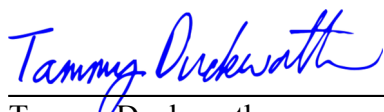
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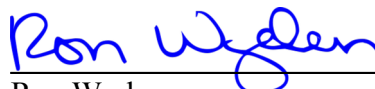
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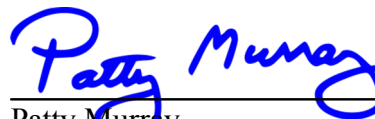
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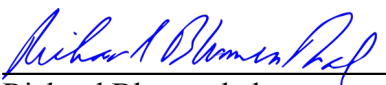
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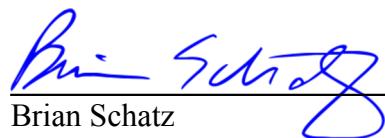
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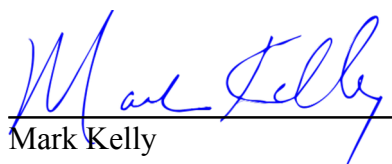
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