Testimony for the Georgia Fruit and Vegetable Growers Association

Presented by Charles T. Hall, Jr., Executive Director

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Leafy Green Vegetables Handled in the US

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My name is Charles Hall, Executive Director of the Georgia Fruit and Vegetable Growers Association. The Georgia Fruit and Vegetable Growers Association represents the interests of growers, shippers, handlers and allied companies involved in the production and distribution of fruits and vegetables grown in Georgia. In 2008, fruit and vegetable production in Georgia covered over 175,000 acres of land and had a farm gate value of almost one billion dollars.

In Georgia, the primary commodity covered in the National Leafy Greens Marketing Agreement (NLGMA) is cabbage. Georgia produced over 9,300 acres of cabbage in 2008 at a farm gate value of \$35 million. Georgia also produced 18,000 acres of 'other leafy greens' at a farm gate value of \$57 million. This acreage includes a small percentage of kale, spinach and leaf lettuce. Most of the 'other leafy greens' are collards, turnips and mustard greens and are not included in the marketing agreement as they are primarily cooked prior to consumption.

I am pleased to provide this testimony in support of the National Leafy Greens Marketing Agreement on behalf of the Association. We have worked with other national and regional organizations to develop the proposed leafy greens marketing agreement, and we believe it is an excellent vehicle to maximize the safety of these products that may propose some threat to consumers. We believe with the help of consistent government oversight, the risk from pathogens associated with leafy greens can be reduced. The Georgia Fruit and Vegetable Growers Association is pleased to be a member of the proponent group for this marketing agreement.

We have reviewed the proponent testimony submitted at the hearings in Monterey, CA on September 22-24, 2009. We support the provisions of the National Leafy Greens Marketing Agreement entered into the record by the proponents at that hearing.

For almost ten years the Georgia Fruit and Vegetable Growers Association has operated a food safety education program to assist our growers in meeting the requirements that would insure a safe and wholesome food supply from their farms. Currently we have



one full time staff member and several contracted consultants that work with GFVGA members to insure their operations meet the appropriate food safety guidelines for third party audits.

As food borne disease outbreaks have continued, we have lost some consumer confidence in our fresh produce. We believe the National Leafy Greens Marketing Agreement will provide a program to help the consuming public be confident in both domestic and imported leafy greens.

The goals of the NLGMA are:

- To provide a mechanism to enable fresh leafy green handlers to organize;
- To enhance the quality of fresh leafy green vegetable products available in the marketplace through the application of good agricultural and handling practices;
- To implement a uniform, auditable, science-based food safety enhancement program;
- To provide for USDA validation and verification of food safety program compliance;
- To foster greater collaboration with local, state and federal regulators;
- To improve consumer confidence in fresh leafy greens; and
- To protect public health.

For my testimony today, I would like to address several areas which have generated a number of questions and discussion as the proponent group received input during the education phase.

USDA vs. FDA

There has been some questions as to whether USDA is the proper agency for this a marketing agreement focused on food safety. The proposal through the National Leafy Green Marketing Agreement is not intended to over ride FDA's initiatives but rather to allow industry to collaborate with FDA, USDA and state governments to develop a program that meets the needs of all parties. In addition, any best practices adopted by the marketing agreement are to be based on FDA guidance or standards that would be issued by FDA. FDA is the enforcement and policy making body, with USDA providing the operational and auditing oversight for the NLGMA. USDA currently has a produce

auditing body both domestically and internationally that covers good agricultural, manufacturing, and handling practices. They are rooted in the agricultural industry and understand audits performed in an agricultural setting.

Administrative Structure

The Georgia Fruit and Vegetable Growers Association supports the organizational and administrative structure of the NLGMA. There is an Administrative Committee that provides governance oversight to the agreement which is organized by Zones.

The regulation outlines the members per Zone making up the committee. While the representation is not perfect, it is a workable and regionally represented committee. Although the majority of leafy green production is in California and Arizona, no zone has controlling votes on the committee. For example, CA is in Zone 1 which has 6 votes and AZ is in Zone 2 with 4 votes. The two Zones # 1 and #2 in which California and Arizona are represented account for only 10 of the 23 votes on the committee.

In addition to a specific number of handlers and producers from each of the zones, the Administrative Committee will also have one representative from retail, foodservice, the public and an importer.

Small Farms

The NLGMA is a voluntary program, and as such is not mandatory for any handler to participate. It is the policy of the Georgia Fruit and Vegetable Growers Association that any produce offered for commercial distribution and sales should follow good agricultural practices and the minimum guidance as outlined by FDA. It is critically important for all farms to have the proper safeguards in place to meet these standards if their produce is in commercial distribution.

Some concern has been expressed that small producers are not properly represented on the Administrative Committee. Section 970.40 (a) (9) (b) specifically requires that 'two producers must be small producers as defined in the rules and regulations.' As such, it would appear that small growers will have proper representation on the Administrative Committee.

Technical Review Board

The regulation provides for a Technical Review Board which is critically important to the NLGMA. This is the body charged with developing the food safety guidelines and audit metrics utilized by the marketing agreement. Section 970.45 in the Agreement specifics the people making up the Technical Review Board. The Board is charged with appointing subcommittees as necessary to facilitate input and review from regions throughout the production areas as metrics are being developed. There is much

interest in these is metrics and these best practices as they can have a great impact on the cost of the food safety programs required of the signatories.

The Technical Review Board and subcommittees will use best science based technologies from several disciplines in developing the metrics for the various production areas under consideration. Utilizing this system, the Technical Review Board plays a key role in tailoring the metrics to enhance food safety without adversely impacting smaller growers, handlers or their environments.

This scientific review system along with the makeup of the Board was designed to bring together varying expertise in one body. GFVGA believes this is the most effective method to address sound scientific practices and regional differences. The proposed NLGMA rule would, at the industry's recommendation, introduce a blueprint for food safety that brings together growers, handlers and our customers to insure we are producing the safest product possible for the US consumer.

In closing, GFVGA believes it is in the best interest of not only Georgia producers but the entire leafy green industry to approve the National Leafy Greens Marketing Agreement. We see this proposed agreement as a strong, effective tool to minimize risk, build consumer confidence and ensure a safe food supply. We thank USDA and FDA for their support of this concept and their willingness to provide guidance in helping us understand the rules we must follow in recommending this proposal. We appreciate USDA's willingness to hold this series of hearings, so our leafy green handlers can vote to put this agreement to work for the US consumer as soon as possible.

Thank you for the opportunity to speak today.

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