



**RE: Proponent Testimony for the Proposed National Leafy Greens Marketing Agreement
No. 970**

October 14, 2009

Tim Dempsey
General Manager, Secretary
Metz Farms LLC
Yuma, Arizona
1,500 acres of leafy greens per year

USDA's Agricultural Marketing Service
Administrative Law Judge

Thank you for allowing me to testify as a proponent of the National Leafy Greens Marketing Agreement.

My name is Tim Dempsey and I am the General Manager and Secretary of Metz Farms LLC of Yuma Arizona. I have worked in the industry for 20 years and have held my current position since March of 2006. We specialize in the production of spinach and baby green lettuces for a variety of markets and several countries.

Our company was only a few months old when the E. coli outbreak occurred in September 2006. We were confronted with a situation in which we did not have any control or involvement and yet our entire industry essentially shut down for weeks. It was during this time when the industry recognized food safety needed to be something all companies would need to be committed to in order to succeed. It has become obvious when any food contamination event occurs the entire industry's reputation suffers and the financial ramifications are severe.

Our company began implementing the new food safety standards prior to the creation of the Arizona Leafy Greens Marketing Agreement. We do not anticipate any additional costs if the National Leafy Greens Marketing Agreement is implemented, as these costs have already been incurred. Costs associated with food safety compliance have been treated as a normal operating expense and are incorporated into the bottom line cost when negotiating price with our various handlers. If a handler has food safety requirements beyond the Arizona Leafy Greens standards those costs are paid for by the handler.

In our view the most significant benefits of a National Agreement would be a reduction in the potential for events to occur as all leafy greens producers comply with these standards and as the agreement would be nationwide, compliance should become easier for companies which supply product to multiple shippers.

As we have already observed, events occurring outside of our control can have major impacts on all companies. We look at the National Leafy Greens Marketing Agreement as the best option to help ensure all people and entities involved in the production of Leafy Greens comply with the same standards and consumers can be assured the leafy greens are produced using the best and safest practices possible.