

USDA National Leafy Greens Marketing Hearing
Syracuse, New York, October 20, 2009
William M. Pool
Wegmans Food Markets

Good Morning. My name is Bill Pool and I am the Manager of Agricultural Production and Research for Wegmans Food Markets. Wegmans is a family owned business with grocery stores located in New York, Pennsylvania, New Jersey, Maryland, and Virginia. In addition to 74 retail stores, we have distribution centers in New York and Pennsylvania, and approximately 37,000 employees. We started in 1916 as a produce push cart, and today have buying relationships with about 550 local growers in our marketing areas. I am here today to express Wegmans support for a national marketing agreement for lettuce and leafy greens.

After the spinach outbreak in September 2006, a tremendous amount of work was done by the produce industry to address ongoing food safety challenges, and the food safety concerns of large retail and food service buyers of lettuce and leafy greens. Wegmans was an integral part of the buyer led coalition that demanded a plan from the produce industry to deal with repeated food safety problems. One of the outcomes of those efforts was the updated "Commodity Specific Food Safety Guidelines for the Lettuce and Leafy Greens Supply Chain", which had been developed by the produce industry in conjunction with academia and regulatory agencies several years earlier. In addition to updating the Commodity Specific Food Safety Guidelines, the Good Agricultural Practices (GAPs) document developed by the U.S. Food and Drug Administration in 1998 was updated with specific metrics that would verify compliance with the requirements of the guidance document. For example, instead of a somewhat vague recommendation that water used in agricultural production be "adequate" for its intended use, there was now a defined set of protocols for water sampling, testing, and remediation if necessary. We think the revised "Commodity Specific Food Safety Guidelines for the Lettuce and Leafy Greens Supply Chain, combined with the GAPs metrics are a very positive step towards reducing the potential for food borne illness linked to lettuce and leafy greens.

Another outcome of industry food safety efforts following the spinach outbreak of 2006 was the California Leafy Greens Marketing Agreement, which is the template for a national marketing agreement. The California Leafy Greens Marketing Agreement has been expanded to include production in California and Arizona, and brings a uniform set of food safety practices for leafy greens distributed by signatory handlers. The California Leafy Greens Marketing agreement is a voluntary program, and the national marketing program for leafy greens would also be a

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voluntary program. The requirements of a national marketing program would only become effective after a handler signs on to participate. A national marketing agreement for leafy greens would bring uniform food safety practices to production areas other than California and Arizona, and reduce the potential for food borne illness linked to leafy greens from other production areas. The produce business is unique in how customers respond to outbreaks of food borne illness linked to produce. When this happens, the entire produce category is affected and considered suspect. That doesn't seem to happen with beef, chicken, pork, or seafood. Every outbreak dilutes our industry's message that increased consumption of fruits and vegetables has positive health benefits. After the spinach outbreak in 2006, we know that produce was at a tipping point, and people were beginning to question if produce really was good for you. We know that our business was affected and did not begin to rebound until well into 2007; we know that other retailers continued to see lost sales much longer ^{than} ~~that~~ we did. We estimate that we lost about \$2 million dollars in sales of spinach, and salad blends containing spinach. We know that the produce industry was the subject of editorial humor after the spinach outbreak, and there were numerous cartoons illustrating how Popeye meet his match when he ate spinach. All in all, it was not a positive image of the produce industry. Changes in the leafy greens industry started right after the spinach outbreak. I visited production areas in the Imperial Valley shortly after the spinach outbreak, and was asked to put on a hairnet before walking into the fields. That was a sign that things were different, and this was before the California Leafy Greens Marketing Agreement went into effect. There has been a substantial change in the leafy greens industry in California and Arizona as a result of the California Leafy Greens Marketing Agreement. I had the opportunity to visit California in July, and to spend time with people from the California Leafy Greens Marketing Agreement. We visited fields, observed harvest operations, and watched an inspector from the California Department of Food and Agriculture conduct an audit. We talked with a harvest supervisor and asked questions about the rinse water for the knives used during the romaine harvest. The supervisor knew about the chlorine levels in the rinse water and had the chlorine test kit in his pocket. That would not have been the case before the spinach outbreak in 2006. There is an awareness that wasn't there before, and people are taking food safety very seriously. The California Leafy Greens Marketing Agreement has been a major reason for the change and a national marketing agreement for leafy greens could do the same for other leafy greens production areas.

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In addition to bringing uniform food safety practices to the leafy greens industry in the United States, the national marketing agreement would require handlers to have GAP/GHP/GMP validation and verification audits by USDA licensed inspectors for leafy greens produced in foreign countries. We think this is a very good idea, and brings all handlers onto the same playing field as well as addressing concerns that some consumers have about imported produce. I regularly hear from our local growers who ask if growers outside the United States are being held to the same standards, and this would help address their concerns.

We think that a national marketing agreement for leafy greens has the potential to address and ultimately reduce the audit fatigue that is now prevalent in the produce industry. Obviously that will depend on what the final buyer or customer demands of the handler, but there is an opportunity to reduce the number of audits currently being done. We have taken the position with our leafy greens suppliers in California and Arizona that as long as they are members of the California Leafy Greens Marketing Agreement and able to use the service mark on their Bills of Lading, we will not require any additional audits. We appreciate the time and money being spent on duplicate and in many cases, redundant audits and believe a national marketing agreement provides a way to cut down on the number of audits being required.

The California Leafy Greens Marketing Agreement has a set of metrics developed by experts from industry, academia, and regulatory agencies. The metrics compliment the Commodity Specific Guidance for the Lettuce and Leafy Greens Supply Chain, and provided specific measures to validate the GAPs program. For a national marketing agreement, metrics will be recommended to USDA and the proposed national marketing agreement suggests those metrics will accommodate differences in “production and handling environments of different regions and different leafy green vegetable products”. We support this concept, and also recognize that there will be some metrics that will be the same no matter where the leafy greens are produced. It doesn’t matter if you are in California or upstate New York; good personal hygiene practices are going to be the same.

We think a national marketing agreement should apply to all handlers of leafy greens, no matter how big or small the operation, or whether it’s conventional or organic production practices. Food safety practices needs to be in place across the board. I’ve heard some of

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those opposed to a national marketing agreement say that small producers or organic producers should be exempt. First, this is a voluntary agreement and if someone doesn't want to be involved, they don't have to be. Secondly, I don't know how as a food retailer I can tell my customers that I'm offering them leafy greens that were grown by a producer that didn't want to implement Good Agricultural Practices. Even if I don't come out and say that, I can't in good conscience bring those items into my store. We believe that having relaxed standards for small and/or organic production sends the wrong message about produce safety. As I stated at the beginning of my testimony, we have buying relationships with about 550 local growers in our marketing areas. Some of them grow leafy greens and we've been working with them since 2005 to help them implement GAPs on their farms. There are a tremendous number of resources available to small growers to help them understand GAPs and incorporate GAPs into their operations. These include the National GAPs Program located at Cornell University, Cooperative Extension, other land-grant universities like Rutgers and Penn State, and local states Departments of Agriculture. There have been grants available to help growers offset the cost of audits, and I know of at least two retailers in the Northeast who have provided financial help to growers who have passed USDA GAPs audits. I've got some great examples of small growers who have implemented GAPs and successfully passed a USDA GAPs audit. It can be done.

In closing, I want to again state our support for a national marketing agreement for leafy greens. We think this is a good opportunity to ensure the adoption of science based, scalable, and regionally flexible metrics combined with Good Agricultural Practices (GAPs), Good Handling Practices (GHPs), and Good Manufacturing Practices (GMPs). This is an opportunity to utilize government trained auditors to verify conformance with these requirements, and to minimize microbial contamination of leafy greens whether produced domestically or imported. This is also an opportunity to reduce the number of redundant audits now taking place in the produce industry and adding significant expense to the process. Lastly this is an opportunity to help build consumer confidence in the safety of leafy greens and further reinforce our message that produce is good for you.

Thank you for the opportunity to participate in this hearing and to enter our testimony into the record.