



Produce Marketing Association

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I am Kathy Means, vice president of government relations and public affairs for the Produce Marketing Association, based in Newark, Delaware. PMA is a member of the proponent group, and today I am pleased to present these comments to USDA encouraging the adoption of the proposed National Leafy Greens Marketing Agreement.

PMA is the largest global not-for-profit trade association representing companies that market fresh fruits and vegetables. We represent 3,000 companies from grower-shippers and supermarket retailers, to hotel and restaurant chains and overseas importers. Within the United States, PMA members handle more than 90 percent of fresh produce sold to consumers.

Prevention of foodborne illness is a top priority for the fresh produce industry and our government partners. The proposed agreement is a key component of a comprehensive effort by industry and government to reduce the risk of foodborne illness. We have seen the success of the California and Arizona Leafy Greens Marketing Agreements and support a similar national effort that provides regional flexibility.

When it comes to food safety every company must commit to do its part to ensure public health. This commitment crosses geographic boundaries, company size, and type of production method. A national marketing agreement facilitates a level playing field that accommodates appropriate differences. Companies that sign on to such an agreement demonstrate their commitment to food safety and public health.

PMA believes that overall food safety requirements are needed for the entire produce industry from field to fork. We also support development of commodity-specific food safety requirements for those produce items that have been identified as the most likely to be associated with foodborne illness outbreaks. Leafy greens is one of those commodities, and we support efforts like this to create metrics that advance food safety by addressing the unique needs of this commodity.

We recognize that FDA is the ultimate authority over produce safety, including leafy greens safety. Yet we believe that a USDA marketing agreement empowers the industry to move forward with government authority to further safeguard public health through risk- and science-based good agricultural and handling practices. USDA and FDA cooperate and collaborate on food safety. Marketing agreements within USDA are not incompatible with FDA regulation, and our support of this agreement is not an effort to forestall FDA regulation. FDA already has issued draft guidance for leafy greens, and we will comment on those and work with FDA as appropriate on

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future regulation. But we see this marketing agreement as an immediate effort to advance important food safety protocols.

It is especially appropriate for this activity to happen through the Agricultural Marketing Service because that agency is the home of marketing orders, which allow industry to work together on collective solutions to industry issues. These are flexible tools that can be tailored to the needs of local conditions while providing a national uniformity that assures consumers and industry of a reliable level of consistency. Programs such as this within AMS address quality issues, and food safety is one of those quality issues. Several programs within the AMS system include food safety components, such as almonds and mushrooms, and it is appropriate for the leafy greens agreement to do so as well.

Though handler participation would be voluntary, once a handler commits to the agreement, the handler would be required to comply with the requirements. This is essential to the success of the agreement and to consumer confidence. In the wake of several foodborne illness outbreaks linked to fresh produce, including the 2006 outbreak linked to fresh spinach, consumer confidence in the safety of fresh produce has declined.

Among U.S. voters, about nine in 10 support the federal government adopting additional food safety measures, and 64 percent believe that imported foods are often or sometimes unsafe, according to a new Pew poll. Overall, 58 percent of voters are worried about bacterial contamination of the food supply – with about a third of those saying they worry “a great deal.”

Seventy-four percent of consumers polled recently by the Hartman Group for PMA said it is very important to them that fruit and vegetable providers support or pursue food safety (e.g., testing and public education) and pesticide reduction (59%).

A strong marketing agreement backed by the government would provide consumers with the assurance that robust food safety practices are in place for leafy greens. It also provides assurances to buyers – both retail and foodservice. Most buyers require food safety assurances from their suppliers. Many of our members on the purchasing side of the business accept the existing California and Arizona audits as sufficient, which helps reduce the audit burden on producers.

These food safety practices must apply to all types of leafy greens signatories, regardless of size and regardless of production method (organic or conventional). Certainly rules must be outcome-based and solutions must be adaptable and scalable. If we look outside the produce industry, the logic becomes clear. Looking at the automobile industry, we wouldn’t ask large producers to comply with safety rules but give smaller manufacturers a pass. Safety has to apply to everyone.

As I mentioned, PMA represents the entire produce supply chain, and we believe that every link in the distribution system – from growers to consumers – must have food safety programs. Fresh produce, particularly leafy greens, does not have a kill step, and prevention of pathogen contamination is essential at every link in the chain because contamination can happen at any link.

Having programs that address the handlers, and through them the growers, is important because contamination at that level can have far-reaching effects depending on distribution patterns. We also urge other types of businesses to have robust food safety programs – wholesalers, distributors, retailers, and foodservice operators. But those businesses lie outside the scope of this agreement.

Although testimony from previous hearings has addressed metrics in a variety of ways, it is important to note that there are no metrics for a national leafy greens marketing agreement. It is not appropriate to assume that metrics from the California or Arizona programs will automatically be included in a national program. It will be important for the technical committee to evaluate appropriate risk- and science-based metrics for a national program that consider and accommodate regional differences and production practice differences. Those metrics must also be balanced against environmental needs.

Certainly there are costs associated with food safety. But any costs involved in enhanced food safety programs pale in comparison to the cost of another outbreak that shuts down the entire leafy greens industry and puts companies out of business.

Thank you for the opportunity to present PMA's support for a National Leafy Greens Marketing Agreement. I'm happy to answer any questions.

