

USDA'S "KNOW YOUR FARMER, KNOW YOUR FOOD"



Photo by Annette Kelly, Green Valley News, Green Valley, AZ

Know Your Farmer, Know Your Food is a USDA initiative to promote sustainable local and regional food systems that will support small and mid-sized farms and ranches, promote healthy communities and protect our natural resources.

On September 15, 2009, Agriculture Secretary Tom Vilsack released a video on YouTube that announced a new initiative: *"Know Your Farmer, Know Your Food"*. The 65 million dollar program is an effort to reconnect people to their food source. Vilsack says, "Reconnecting consumers and institutions with local producers will stimulate economies in rural communities, improve access to healthy, nutritious food for our families, and decrease the amount of resources to transport our food".

Jack Lemons of Supernatural Organics farms 40 acres in St. David in Southern Arizona. He and another family grow fruits and vegetables without synthetic chemicals, rely on artesian wells and, when necessary, water from the nearby San Pedro River.

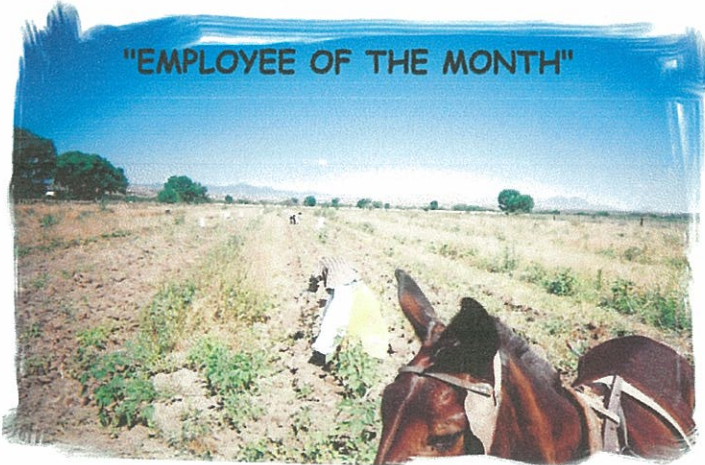
Jack, along with other organic farmers, bring their produce, including leafy greens, to sell at local Farmer's Markets throughout Tucson. On most occasions the produce is harvested that morning and brought to market within a couple of hours therefore retaining higher nutrient value and flavor.

Just as Secretary Vilsack predicted, Jack and other small organic farms are "stimulating rural economies, improving access to healthy, nutritious food and decreasing the amount of resources to transport our food"

I **KNOW MY FARMER**, his name is Jack and I **KNOW MY FOOD**, it comes from Jack's pesticide free farm.

EX-89

SUPERNATURAL ORGANICS FARM



SUPERNATURAL ORGANICS FARM



INTRODUCTION

As a supporter and consumer of produce from small organic farms I am concerned with the proposed voluntary Leafy Green Vegetable Agreement and how it will affect local organic farmers in my community, in your community and communities across the United States. I am also concerned about how this agreement might conflict with USDA Secretary Tom Vilsack's "Know Your Farmer, Know Your Food" program.

Farmer's Markets, who are supported by local farmers, are a wonderful opportunity to purchase recently harvested fresh and healthy produce, and it is becoming the perfect venue for getting to know your neighbor and reenergizing a sense of community. Knowing your farmer and knowing your food perpetuates consumer trust and is a stimulus for positive social networking.

WHY IS THE AGREEMENT BEING PROPOSED?

I am concerned that the Leafy Green agreement proposal states in the Background section that the agreement is in response to the Sept 2006 E. coli outbreak from contaminated fresh spinach that left some 200 people ill and approximately 5 people dead, but does not mention that the leafy green industry lost millions of dollars because consumer confidence in the safety of leafy green vegetables plummeted.

A "marketing agreement" implies that one would market a product or service to attract consumers who would purchase said product or service. Marketing is typically synonymous with generating revenue. Isn't this marketing agreement more about regaining consumer confidence in the leafy green vegetable market and less about the safety of the general public? So wouldn't it make sense to enforce existing metrics or standards to ensure public safety and let the individual growers/handlers and distributors develop their own marketing practices to restore consumer confidence?

And finally, would a "certification mark" that requires more costly regulation, a cost that would be passed onto the consumer, really restore consumer confidence?

The monetary loss omission in the Background section, whether willful or not, makes me wonder if this agreement is about safety or is it about the 74 million dollar loss and the possibility that growers/producers/handlers could face federal criminal charges with another outbreak?

The FBI was involved with the Sept 2006 investigation because it involved approximately 26 states, but there was also speculation that it might be bioterrorism. I would venture to say that the probability of a worthwhile intentional food poisoning target in this country would more likely be the fast food or ice cream industry, not spinach and other assorted leafy greens.

So I guess I am confused. The proposed agreement appears to me to be about large companies making money with the help of the United States Department of Agriculture and not about safety at all.

THE TECHNICAL REVIEW BOARD SELECTION PROCESS

I am concerned about how the Technical Review Board will be selected. Our federal government has a propensity for revolving door policy. The revolving door process has become increasingly commonplace to the point that the boundaries of a conflict of interest have become so blurry that the practice has become almost acceptable. Currently being proposed for the board is one

representative from the USDA Natural Resources Conservation Service appointed by the Secretary, one representative from the EPA selected by the Administrator and two representatives from the FDA chosen by the Commissioner.

How can we safeguard the technical board selections to prevent the development of audit metrics that will serve the corporate interest of the leafy green industry while gradually eliminating competition from the small grower?

I am concerned that the Technical Review Board will only employ "science-based" methods of developing the audit metrics to the exclusion of considering how these standards will impact small farmers and the consumer trust that currently exists.

PREVIOUS TESTIMONY

I am concerned with the testimony given on September 23, 2009 by the representative from Western Growers, a member of the proponent group, who by his own admission, when asked by a member of the USDA panel, could see the proposed Leafy Green agreement becoming mandatory in the future. Mandatory audit metrics cannot mandate consumer trust and will force some growers to go out of business.

Roger Medina, a small organic grower in California, who also testified on September 23rd, described how the current CA Leafy Green agreement with its confusing "super metrics" was already pushing him to the financial limit.

PROPOSED RULES OF AGREEMENT 970

Under the section Proposed Marketing Agreement it says: "The public hearing is held for the purpose of:"

(d) Determining the economic impact of the proposed agreement on the affected leafy green growers, handlers, other industry members and consumers:

As a consumer of produce grown by small organic farmers I am providing my family and I the opportunity to eat food that is grown without pesticides and contains a higher nutrient value due to the produce being brought to market within hours or a couple of days of harvest.

If the agreement impacts small growers, it could potentially impair the health of my family and very likely impede my freedom to choose healthy produce.

Prior to (d) under the Proposed Marketing Agreement section is (c) *Determining whether there is a need for a marketing agreement for leafy green vegetables.*

As stated before a costly certification mark is not a safety guarantee and, in my opinion, would not encourage consumer confidence. As a consumer of organic food, I have never breathed a sigh of relief when I saw the USDA organic food label on a product, but I do grumble as I search an already tight budget for more money to pay for the label on the product.

CONCLUSION

I hope that the USDA panel reconsiders why this costly agreement is necessary when standards have already been established in the leafy green industry and that maybe the current metrics just need to be reviewed and revised for more efficient compliance. If the agreement is implemented, I

would ask that the panel establish a code of ethics to prevent the Technical Review Board from participating in the revolving door policy. And lastly, I would recommend that the panel look to the future and closely examine the long term effects on the economies of small rural town communities throughout the United States and how a mandatory leafy green statute would impact the lives of small growers, handlers, distributors and residents of those communities.

Respectfully Submitted by:

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Resources:

www.usda.gov News Release No. 0440.09 USDA Launches 'Know Your Farmer, Know Your Food' Initiative to Connect Consumers with Local Producers to Create New Economic Opportunities for Communities

www.gvnews.com Monday, June 29, 2009 "Farmer's Market: Melon man finds fans at market"
Annette Kelly, Green Valley News, Green Valley, AZ

www.cbcnews.ca October 4, 2006 "FBI Searches Companies in Connection with E. coli Outbreak"

Federal Register/Vol. 74 No. 170/Thursday, September 3, 2009/Proposed Rules
"Leafy Green Vegetables Handled in the United States; Hearing on Proposed Marketing Agreement
No. 970