

Testimony of J Allen Carnes

President of Winter Garden Produce and Vice President of Carnes Farms

Docket # FV09-970-1

Proposed National Leafy Green Marketing Agreement

My name is J Allen Carnes. I am the President of a vegetable shipping company in Texas as well as part owner in a family farming operation. I also served as President of the Texas Vegetable Association from 2005-2009. I come here today not only representing myself and my company but also representing the Texas Vegetable Association which is listed as one of the proponent groups to the National Leafy Greens Marketing Agreement.

My main objective here today is to speak in favor for the adoption of the proposed rule.

My family has been involved in vegetable production business since 1950. We grow and ship cabbage, broccoli, onions, melons and lettuce. We have strived in the past to provide the consumer with safe, quality vegetables and we will continue to do so in the future. Because of the events of the past couple of years involving food borne pathogens involving fresh produce I believe we as an industry need to take the extra step to assure the consumer that fresh produce is as safe as good science and good agricultural practices can make it.

I believe that the proposed National Leafy Greens Marketing Agreement is a step in the right direction. Not only is it a step to show the good faith of our industry but also but can serve as a national blueprint for growers and receivers alike. This national agreement can start the process of sensible consistent government oversight that in my experience has been lacking to this point. My company has been involved with the third party audits since 2003. Since that time to the present, this practice has been scrutinized and looked at by many receivers. To some receivers of my product third party audits have been more than sufficient and adequate to others. Some of the receivers we work with have asked for an

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entirely different audit practice. This agreement would allow for some stream lining of the third party audit guidelines and thus making the process not only more workable for the producers but more concise and understandable for consumer.

I would like to stress that it is critical that scientifically based regional variation be allowed. The Texas Vegetable Association and other proponents are advocating that the “metrics” for growing and handling should reflect some regional differences. Different water quality, weather, soil types and pest intrusions exist in different regions of the country. Any national agreement voluntary or otherwise needs to recognize these variations and the affect they have on specific commodities. I am not saying that we should compromise food safety in Texas or other regions but most scientists agree the metrics in California were done with the best science available at the time. We are learning more all the time about the science of food safety and some of this science is being done for specific regions. Clearly, one size food safety program cannot be applied equally to all regions of the country.

The rule in my opinion would also start to have a “level playing field effect”. One of my chief concerns as far as food safety goes for the Texas and national leafy greens is only as good as our weakest link be that link be our neighbor or someone across the country. I truly believe at the end of the day that food safety is not and should not be used as a marketing ploy. Any marketing plus that I am seeing now because of my company’s food safety practices would be negated tenfold if one of my neighbors had an avoidable food borne illness outbreak traced back to him or even worse traced back to our area that could not be pinpointed because lack of good practices. This agreement, although voluntary to a point, I believe it would be a great start to a process where growers and shippers begin to adopt good agricultural practices in their day to day activities. Most of us know that has not occurred on a consistent bases in the past and at the same time the national frame work will encourage retailers, processors and food service operators alike to adopt this process and quickly demand that their suppliers are signatory’s to the agreement.

I want to thank you for allowing me to share not only my thoughts as far as the National LGMA goes but also some of my experiences with food safety. I believe implementation of this agreement is the right step for the fresh produce industry and for the consumers of our product. So far I am encouraged by the process and USDA's willingness to work with the industry and consumer groups modification as needed for its adoption. I look forward to being involved with this process as it goes forward. Thank you again.