



USDA Agriculture Marketing Service Hearing:
Proposed National Leafy Green Marketing Agreement (NLGMA)
Greater Columbus Convention Center, Columbus, Ohio
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My name is Carol Goland and I am the executive director of the Ohio Ecological Food and Farm Association, a non-profit organization that works to educate about, promote, and advocate for sustainable agriculture. OEFFA also operates OEFFA Certification, a USDA-accredited organic certifier. We appreciate the opportunity to be here today to give testimony regarding the proposed National Leafy Greens Marketing Agreement, which we oppose.

Many of our concerns with the specifics of the proposal have been voiced in testimony by opponents at the other hearing sites and so I will not repeat them here. I do this both as a courtesy to our panelists who have already spent countless hours listening to them, but also for a more important reason: we do not believe that improvement to the specifics of this proposal can save it from its fundamentally flawed premises. I am here today to express our complete opposition to the proposed National Leafy Greens Marketing Agreement, which we do not believe is an effective way to address food safety concerns.

Our opposition is based on three arguments:

The USDA Agricultural Marketing Service is not the right agency

First, the stated aim of the proposed National Leafy Greens Marketing Agreement is to improve the food safety of leafy green vegetables. While we endorse the goal of a safer food supply, we do not believe that the Agricultural Marketing Service of the USDA is the right agency to be charged with ensuring the safety of leafy greens.¹ We feel, instead, that the effort to establish food safety standards should be guided by an agency with greater expertise in food safety, such as the U.S. Food and Drug Administration, whose core mission is safeguarding public health.²

¹ The AMS website includes the information that the purpose of the agency is to administer "programs that facilitate the efficient, fair marketing of U.S. agricultural products." AMS Administrator Rayne Pegg, in testimony before the U.S. House Domestic Policy Subcommittee of the of the Oversight and Government Reform Committee on July 29, 2009 stated " . . . the Food and Drug Administration (FDA) is the Federal agency with primary responsibility for the food safety of fruits and vegetables . . . The mission of AMS is to facilitate the strategic marketing of agricultural products in the domestic and international marketplace. AMS is not a food safety agency" (emphasis added).

² "The FDA is responsible for protecting the public health by assuring the safety, efficacy, and security of human and veterinary drugs, biological products, medical devices, our nation's food supply, cosmetics, and products that emit radiation." U.S. Food and Drug Administration, "What We Do."

Now is not the right time

Second, we do not believe that this is the right time for a marketing agreement focused on food safety to be brought forward. Congress is currently considering legislation³ that would have the FDA establish science-based standards for raw agricultural commodities, including leafy greens. At the same time, the President's Food Safety Working Group has recommended a new, public health focused approach to food safety. While concerned about the risks of delaying, we believe these efforts should be allowed to reach their conclusions in order to avoid potentially conflicting sets of standards.

A marketing agreement is not the right instrument

Third, we are concerned that a marketing agreement is not the right instrument for something as fundamentally important to public health as food safety. Adopting processes that minimize the risk of pathogenic contamination should not be voluntary. In addition, a marketing agreement that takes a crop-by-crop approach to food safety is both inefficient as well as impractical. We are concerned that diversified farms, characteristic of many farms in Ohio, could be asked to implement multiple standards for food safety based on a variety of commodities grown or be forced to shift to monoculture agriculture, either of which could be economically and ecologically devastating.

None of this critique in any way is meant to signal that the safety of leafy greens is not important. It is vitally important. However, we believe that the agent (AMS), the time (now), and the tool (a marketing agreement) are all wrong for this critical task. We urge the USDA to not further pursue this proposal and instead to work in support of other efforts aimed at developing and implementing food safety standards that are regionally appropriate and scale sensitive. We hope that these standards will address food safety in a manner that gives priority to the highest risk foods and processes⁴ while maximizing producers' abilities to maintain farming operations consistent with conservation, organic standards, and their own economic well-being.

Thank you for this opportunity to testify.

³ H.R. 2749, The Food Safety Enhancement Act would require the FDA to consider food safety and environmental concerns in crafting rules for food safety and further requires any standards developed to take into account the needs of sustainable and organic farming operations.

⁴ For example, fresh-cut packaged leafy greens appear to pose significantly higher risk than do whole greens.