



701 West 16th Street, Suite 201, Yuma, Arizona 85364 • P.O. Box 2034, Yuma, AZ 85366

Telephone (928) 783-4479 • Fax (928) 783-8932

My name is Victor Smith

I am here today to support the National Leafy Greens Marketing Agreement.

I am the CEO and Owner of Fresh Innovations, LLC, JV Farms, Inc. and Promotora Agricola El Toro. These are related companies that specialize in the production of fresh green leafy vegetables.

JV Farms grows over 6000 acres of iceberg lettuce, romaine and mix leaf lettuces in the Yuma, AZ area. Fresh Innovations and Agricola El Toro produce over 5000 acres of romaine lettuce, spring mix, baby spinach and other specialty fresh vegetables, both conventional and organic in our operations in northern Baja, Mexico. Our companies work with major handlers who are signatories to the California Leafy Greens Marketing Agreement and the Arizona Leafy Greens Marketing Agreement and we have been participants in these state programs since their inception. Our Mexico operations comply completely with the LGMA standards.

I am also the CEO and Owner of Southern Colorado Farms located in Center, CO. Our General Manager of Farming Operations, Amy Kunugi, testified in support of the NLGMA at your Denver, CO hearing. Our Colorado operations also comply completely with the LGMA standards.

ex-82

I believe you have already heard numerous companies testify in support of this National program and they have consistently shared a common theme of food safety standards that are measurable and reasonably achievable. They are scientifically based best practices for our specific commodities. They were developed primarily for the public's safety by greatly reducing the risk of contaminated produce reaching the consumer level. This is a common goal, sincerely shared by all producers and handlers that I am aware of in California, Arizona, Colorado and Baja, Mexico. I truly believe we are united in providing our healthy and nutritious products to our nation without fear of contamination.

To not have these standards in place puts our category of the fresh vegetable industry in great jeopardy. The so called "spinach crisis" of 2006 wreaked havoc in our industry and caused significant economic damage to our companies. Within the past week the Center for Science in the Public Interest, or abbreviated to CSPI, came out with their "List of Ten Riskiest Foods Regulated By the U.S Food and Drug Administration." Appearing on the top of their list is Leafy Greens. While I personally believe this was an irresponsible effort to promote a specific political agenda, it never the less, continues to burden our industry with a very negative image. The NLGMA can be a powerful force to counter these public perception issues.

I am certain that the LGMA program followed by the producers and handlers in the areas that our companies operate has significantly reduced the risk of pathogen contamination with our products. We have "raised the bar" with food safety standards within our industry and have united a group of extremely competitive companies in a common cause for safe crops to be enjoyed by our consumers.

I would advocate that the NLGMA is a logical, efficient and timely program to deal with public concerns about food safety and fits very nicely with the recent initiative between the USDA and the FDA. I am referring to your chief of Fresh Products Branch, Leanne Skelton, joining with the FDA to work with industry sources to better share food safety "best practices" and ideas. By extending this program to a national level our industry can have more confidence that other producers would participate and continue to enhance public safety.

Our companies' costs would not increase by implementation of the NLGMA as we are currently complying with all aspects of this program. In reviewing the costs that we have incurred over the recent years associated with this program, it appears they run in the range of 1 to 2 % of our total production cost. I strongly believe this is a very small price to pay for the better health of our industry and more importantly for the safety of our customers.

In summary, our companies would like to go on record as strongly supporting the NLGMA as an important program for our industry and our customers.