

**Testimony for Proponent Group for Changes to the
NATIONAL LEAFY GREENS MARKETING AGREEMENT**

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My name is Charles Hall. I am Executive Director of the Georgia Fruit and Vegetable Growers Association. Our organization is a member of the proponent group.

On behalf of the proponents, we appreciate the time and effort that USDA has spent to hold this series of hearings across the US. As we have heard the testimony given there are several changes to the proposed agreement that we wish to submit to the record.

We ask to add in the definition section:

970.23(a) Region.

Region means a growing area distinguished by common environmental or growing conditions including, but not limited to, topography, climate, production practices, water sources and distribution systems, or wildlife. Regions are not synonymous with zones.

The definition of 'region' continues to be a question as to how a region is defined and what makes up a region. It is our desire that this definition would clarify 'region.'

In Section 970.45 a Technical Review Board is established. The following changes in the language expand that board to broaden the make-up of that body.

§ 970.45 Technical Review Board.

A Technical Review Board is hereby established for the purpose of assisting the Committee in developing audit metrics in § 970.67 and any other function that the Committee may recommend and the Secretary approve. The Technical Review Board shall consist of 21 members as follows: 1 handler representative and 1 producer representative from each zone who are elected by the Committee handler and producer members from the corresponding zone; 1 producer representative, considered a small farmer under SBA guidelines and 1 USDA certified organic producer, who are elected by all producer and handler members on the Committee; 1 produce food safety expert from a land grant university within each zone elected by the producer and handler members from the corresponding zone; 1 representative from USDA Natural Resources Conservation Service (NRCS) appointed by the Secretary; 1 representative of the US Environmental Protection Agency (EPA) designated by the Administrator, and 2 representatives from FDA designated by the Commissioner. The Technical Review Board shall appoint subcommittees as necessary to facilitate input and review from regions throughout the production area. Subcommittees may consist of producers, handlers, academic, and other interested parties as deemed appropriate by the Technical Review Board. The Technical Review Board shall seek input from other governmental agencies including but not limited to U.S. Fish and Wildlife Service, USDA Animal Plant Health and Inspection Wildlife Service, National Oceanic and Atmospheric Administration National Marine Fisheries.

The major changes proposed in this language includes,

1. Increases the members of the Board from 13 to 21.
2. Adds a small producer as defined by the SBA.
3. Adds a USDA certified organic grower
4. Requires the Technical Review Board to appoint subcommittees to facilitate input and review from regions throughout the production area. The original draft stated the Board 'may' appoint subcommittees. The new language is 'shall'.

5. A new sentence was added that requires the Board to seek input for several governmental agencies as the matrices are developed.

These changes are being added based on the testimony we have heard over the past six weeks.

And finally a new paragraph is requested – 970.97 to outline the sign-up period.

Subsequent paragraphs would be renumbered to allow for this paragraph to be added.

§ 970.97 Sign-up

An initial sign-up period is established beginning with the formal approval of a leafy green vegetable marketing agreement. Handlers who become signatories during this initial sign-up period and their corresponding producers will be eligible for service on the Administrative Committee.

(a) The Committee shall establish a second sign-up period that shall be held for 45 days following the establishment of GAP, GHP and GMP audit metrics.

(b) Thereafter the Committee shall establish an annual sign-up period to correspond with the marketing agreement crop year.

This establishes the Sign-up authorization and subsequent operation.

In closing, let me again thank the members of the USDA panel and other USDA staff for holding this series of hearings. It is the proponent's goal to put this agreement to work for the U.S. consumer as soon as possible.

Thank you for the opportunity to submit these recommended changes to the document.

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