

**Testimony – George H. (Harry) Hamil at the NLGMA hearing on 10-22-09 in Charlotte, NC**

First, ladies and gentlemen, let me introduce myself. My name is George H. Hamil. I am called "Harry." My wife, Elaine, and I have been helping rebuild local—market oriented agriculture for over 14 years. During that time, we coordinated, first, the Valley Garden Market and, then, its successor, producer controlled farmers tailgate market, the Black Mountain Tailgate Market, for a total of 14 years. We also sold plants, produce, baked goods and beverages at the market throughout its annual season. We were also co-founders with the Appalachian Sustainable Agriculture Project of the first regional farmers tailgate market association in our area, the Mountain Tailgate Market Association. Elaine served as its Secretary for its first 3 years.

In 2003, we purchased the existing assets and name of the Black Mountain Farmers Market and made it into a year-round store for local food. In 2008, we added a small food distribution division to our market so that a local blueberry grower could concentrate on growing more and better berries during our second year of exceptional drought. Since then we have added poultry raised by Ashley Farms of Winston-Salem, NC and bison from Carolina Bison of Alexander, NC.

These are second careers for my wife and me. She was a legal secretary for 17 years and I worked for 35 years in the property liability insurance industry. During my insurance career I did most every aspect of insurance save actual claims handling, accounting and information technology. While on the company side, I served as the Underwriting Manager, the Marketing Manager and the Market Development Manager for National Programs for a specialty insurance company. Later, I worked for myself both regionally and as a local independent insurance agent. Seventeen of those years, I also worked in life insurance and securities, during which I designed, implemented and administered a Section 457 Deferred Compensation Plan for Guilford Technical Community College.

In addition, I have a long record of whistle-blowing in the insurance industry.

I tell you this so that you will have some idea of my background and how and why I know whereof I speak to you today.

I am grateful for this hearing on the National Leafy Greens Marketing Agreement because, had it not occurred, I would not have understood as fully the impact of the California and Arizona Leafy Greens Marketing Agreements on growing practices and marketing. Instead, I have spent at least a hundred or so hours specifically researching the California and Arizona Leafy Greens Marketing Agreements and the National Leafy Greens Marketing Agreement because of the importance of leafy greens to the success of our market.

My research clearly shows the accuracy of the comments of those opposing the NLGMA; so I won't waste any time reiterating its foolishness and specious logic.

*Insert oral testimony*

~~Rather, I will point out to you the lack of testimony by retailers. As best I can tell from the AMS website, and it is very incomplete, I am the first retailer to offer testimony.~~ Our store, like is already occurring in California, will continue to place whatever requirements we deem appropriate of our suppliers to assure the safety of the food that we sell. To do otherwise would be the height of folly. We will never rely upon any leafy greens marketing agreement to assure the safety of food we sell. And it is we who are the handlers' customers.

In our case, today, the Black Mountain Farmers Market commits to never buy leafy greens from signatories of the existing or future leafy greens marketing agreements except upon the direct request of our customers. Furthermore, we will seek out growers and contractually commit to purchase from them so they will grow what we need and what our customers want. Finally, we are committing to our customers that we will leave no stone unturned in obtaining leafy greens locally that are not grown under any leafy greens marketing agreement. This is a particularly significant commitment because having fresh, high quality leafy greens year-round for our customers is a key to our market's success. We walk our talk.

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Our research has also empowered my wife and me to knowledgeably discuss the LGMAs with our customers. Since we started doing this, a little over 2 weeks ago, every one of the several dozen people with whom we have shared the information, has been astonished at what is being done under the guise of "food safety" and wants to know what she or he can do. All of them desire to use their buying decisions to support growers and handlers who refuse to be *in any way* parties to, or controlled by, the California, Arizona or National Leafy Greens Marketing Agreements.

During this, Elaine and I decided to convene a Healthy Food Coalition for it is healthy food that we need. Healthy food is always safe. "Safe" food, particularly as defined by regulators, is *not* always healthy. We have secured the domain name, [healthyfoodcoalition.org](http://healthyfoodcoalition.org) and an interim e-mail address of [healthyfoodcoalition@gmail.com](mailto:healthyfoodcoalition@gmail.com).

The Healthy Food Coalition will not take positions on issues, *per se*. Rather, it is designed to inform the public of what is actually happening in the food safety regulation and legislation arena and empower them so they can make appropriate responses to what they learn. At present, there are only a bit over a dozen people who have made a donation and agreed to the simple requirements of the coalition. We expect the coalition to grow into the hundreds within a few weeks.

I do not speak for the coalition nor will anyone else.

Rather, as people and groups within the coalition see opportunities to positively affect issues, they will put together projects, campaigns, petitions, etc. and enlist the participation of the other members of the coalition.

All money we raise will be passed through to an existing national organization to support these efforts.

**The first campaign to come out of the Healthy Food Coalition focuses on leafy greens and has the following goals:**

- 1. To inform the public about the full actual impact of the California, Arizona and National Leafy Greens Marketing Agreements.**
- 2. To provide the means for people to collectively express to supermarket chains in their vicinity their desire to minimize their purchases of leafy greens handled by signatories of the existing LGMAs and the NLGMA, if the AMS adopts it.** (The headquarters of the mainstream supermarket chain, Ingles, is in my small town about a hundred miles from here. I have worked with its executive at the corporate level for years. Furthermore, Food Lion, Lowe's Foods, Harris-Teeter, Bi-Lo, Ukrops, Food Country and Food City are all headquartered within 250 miles of where I am standing. In addition, the #2 natural foods supermarket chain, Earthfare, is headquartered about 15 miles west of Ingles, and there are numerous other natural food stores and co-ops in the Carolinas and Virginia.)
- 3. To assist the appropriate NGOs and state agencies in developing a statewide marketing plan for each of the 3 states individually that will stress the year-round availability of locally grown salad and braising greens.** (No retailer in the Carolinas or Virginia should ever be forced to meet its demand for leafy greens by importing them from California or Arizona.)

Ladies and gentlemen, I promise you that there will be negative economic consequences for the signatories of the existing and any future leafy greens marketing agreements. More importantly, I know that the foolishness of the LGMA approach, as already well described by those who have previously testified, will provide a huge boost to the local food movement that I love. We, Carolinians and Virginians, have a long record of showing good sense in situations like this.

Thank you. I look forward to answering any questions you may have.