

## **Rochester Business Journal**

2/19/2010 FDA Proposes produce rules (archived)

# **FDA proposes produce rules**

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For the first time, the Food and Drug Administration will propose requirements for fruit and vegetable growers in October. At a meeting today, retailers, researchers and growers will weigh in on the issue.

The meeting in the Rochester area is the first of four nationwide in anticipation of the FDA rules, which will cover the growing, harvesting and packing of produce.

Wegmans Food Markets Inc.'s conference center at 200 Wegmans Market St. in Chili is the site of the daylong event, which will feature panels, breakout sessions and reports. More than 80 people are registered to attend.

The meetings are meant to ensure that upcoming FDA rules not only provide safety but are practical for farmers. The problem with that, however, is that controlling conditions completely is impossible, said Bill Pool, manager of agricultural production and research at Wegmans.

"You're never going to completely eliminate risk," he said. "Produce grows outdoors, in the dirt, in an open field. It's not like it's coming out of a food-processing plant that's got four walls, a ceiling and floor drains. It's a completely different environment."

The meetings are sponsored by the Good Agricultural Practices Program of Cornell University's department of food science, the Food Animal Health Research Program at Ohio State University in Columbus, the Center for Food Safety at the University of Georgia, and the Center for Food Safety and Security Systems at the University of Maryland.

The guidelines FDA previously has provided and the forthcoming regulations seek to mitigate risk. Grocery stores often provide their own guidelines to growers, who grocers say are eager for FDA regulations so farmers will be held to a common standard.

In the end, regulation can protect farmers as much as it does consumers, officials explain.

Spinach growers and distributors know that better than anyone. In 2006, the market for spinach disappeared overnight when

E. coli caused three deaths and sickened some 200 people. Eventually the outbreak was traced to cattle or feral pig feces in spinach fields in California.

From 1995 to 2006, there were approximately 20 major outbreaks of E. coli illness

related to spinach and lettuce.

Lettuce and leafy greens, tomatoes, melons, herbs and green onions are the commodities most frequently linked to illness. Wegmans requires growers of those products to provide a good agricultural practices audit, performed by a third party.

"If I don't have one of those on file, we don't buy from them for the warehouses, and we don't let the stores buy from them for sales at a local store," Pool said.

"The audit focuses on things that are likely to be problematic: water, manure, personal hygiene for people working in the fields, harvest crews, knowing where the water is coming from and ensuring that it is the quality it needs to be for the use it has."

The hygiene of growers' employees is as important to food safety as is protection from contamination by animal waste, officials say.

"Somebody who is picking a head of lettuce in a field in California or in Upstate New York is basically a food worker. They are no different from someone handling a head of lettuce in a restaurant," Pool said. "You've got to make sure they have good levels of personal hygiene, that they have access to bathroom and hand-washing facilities."

With existing guidelines from the FDA and the state Department of Agriculture and Markets for personal hygiene, water quality and other considerations, Tops Markets LLC provides standards to its growers. Since the company was reacquired two years ago and recentralized in the Buffalo suburb of Williamsville, the number of local growers Tops buys from has increased 40 percent.

In addition to monitoring conditions and meeting with growers, Tops tries to provide transparency with country-of-origin labeling so consumers know where their food comes from.

Tops officials will attend the conference. The event, along with the FDA's eventual regulations, will help put everyone on the same page, said James DiMartino, senior manager of food safety regulatory affairs at Tops.

The two main concerns Tops hopes the FDA will address are worker hygiene and water quality.

"I know years ago there was a big problem around Arizona with cantaloupes. They were using one of the rivers to wash these cantaloupes down, and it was polluted. The skin of cantaloupes has lots of nooks and crannies, and there was a salmonella problem. We're very big on water quality," DiMartino said.

"Are there enough Porta Johns for the farmworkers; are there hand-wash stations by the Porta Johns? These are big concerns," he said.

James O'Hara is executive director at the Produce Safety Project, a research and advocacy organization at Georgetown University that is sponsored by the Pew Charitable Trust.

The Produce Safety Project was begun to establish mandatory safety standards for domestic and imported produce. It is one of the organizers for meetings like today's.

The primary themes of the meetings, O'Hara said, are how to ensure the safe use of compost; irrigation water quality; and worker hygiene, wildlife and environment. The goal, he said, is for scientists to share with growers what they know and identify what they do not yet know about produce safety.

"In the issue of product safety, one thing that is clear is science continues to evolve," O'Hara said. "What we knew about food safety 10 years ago is different from today and what we'll know 10 years from now. The (FDA) rule needs to be flexible enough to apply to small, large and medium growers; it needs to deal with the differences in regional variation in growing practices."

Partly because of the sheer complexity of the undertaking, the FDA has not instituted regulations before. But in recent years, the need has become more pronounced.

"As the food industry has changed, become more global and more complex, we discovered that outbreaks of foodborne illness are not necessarily localized but very quickly can become national," O'Hara said. "All of those are the factors have gone into the need for a nationwide produce safety standard."

The FDA has issued voluntary guidelines since 1998. In 2007, staffers at the FDA began considering the need for a nationwide safety standard, O'Hara said. In 2008, the Food Safety Project began advocating for it.

Growers' associations likewise called on the FDA to consider a nationwide standard.

"Growers are already implementing safety standards on their own or because their buyers require them to," O'Hara said. "They understand that food safety begins with them."

Tops' DiMartino agrees.

"One bad apple can ruin it for the industry. You can see what happened a few years ago with the spinach. That hurt their industry for quite a few years," DiMartino said. "Growers want to be open. It's their livelihood."

The problem every stakeholder, government organization and consumer must accept is that not every circumstance can be foreseen. Preventive measures can only go so far.

"We know we're never going to eliminate risk entirely, but we can take appropriate steps to reduce it in a reasonable fashion," O'Hara said. "It's important to maintain people's confidence in fresh fruits and vegetables, and to minimize the pain, loss and suffering caused by foodborne illness."

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