



September 16, 2009

Jim O'Hara
Director
Safe Food for a Healthy Life
Produce Safety Project
3300 Whitehaven Street, NW.
Box 571444, Suite 5000
Washington, DC 20057

Dear Mr. O'Hara:

Thank you for your letter in which you advocated for mandatory food safety requirements for produce. I appreciate your commitment to providing consumers with safe and nutritious fresh produce.

As you may know, the President's Food Safety Working Group issued a report earlier this month with recommendations aimed at creating a stronger food safety system. The Working Group recommends that food regulators move aggressively to implement sensible measures to prevent problems before they occur. More specifically, the Working Group recommends creating a stronger food safety system with three core food safety principles: 1) preventing harm to consumers, 2) effective food safety inspections and enforcement based on good data and analysis; and 3) rapid identification and resolution of outbreaks and food safety problems.

In July 2009, FDA published three draft guidances to improve the safety of tomatoes, leafy greens, and melons. These commodity-specific guidances (CSGs) are intended for growers, packers, processors, transporters, retailers, and others throughout the supply chain. The CSGs provide a framework for identifying and implementing appropriate measures to minimize the risk of microbial contamination of these three commodities. The guidances are designed to complement FDA's Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables (Good Agricultural Practices Guide). Implementation of the guidances should help minimize or prevent microbial contamination of these commodities and foodborne illness associated with their consumption.

In developing the CSGs, FDA relied heavily on existing industry commodity-specific guidances, lessons learned from outbreaks and investigations, and other public and private programs. In addition to publishing the CSGs, FDA has begun work on a regulation to establish enforceable standards for produce safety under our current authorities. The regulation will be based on the prevention-oriented public health principles embraced by the Working Group.

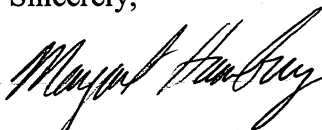
Capitalizing on what the agency has learned over the past decade since publishing the Good Agricultural Practices Guide in 1998, this regulation will also use industry-established quantitative metrics for the control of some of the factors affecting produce safety. These

metrics, or measures, will improve our ability to verify that certain measures or practices are being carried out and are effective. Publication of these guidances and regulations is consistent with the principles embraced by the White House Food Safety Working Group, announced recently by Vice President Joe Biden.

Together with its federal and state partners, FDA will work to plan and implement an inspection and enforcement program to ensure high rates of compliance with the produce safety regulation. If Congress passes food safety legislation that includes explicit authority to require preventive controls, FDA will modify and update this rulemaking in light of the new authority.

I look forward to continuing to work with you on improving the safety of foods for American consumers.

Sincerely,

A handwritten signature in black ink, appearing to read "Margaret Hamburg", written over a horizontal dashed line.

Margaret A. Hamburg, M.D.
Commissioner of Food and Drugs