

**United Fresh Produce Association  
Food Safety and Technology Council Meeting**

Venetian Hotel, Las Vegas NV  
Wednesday, April 21, 2010

**DRAFT MINUTES**

**Council Members Present:**

Barry Eisenberg (Chair), River Ranch Fresh Foods  
Walter Ram (Vice Chair), The Giumarra Companies  
Susan Ajeska, NewStar Fresh Foods  
Walt Armijo, Lighthouse FS&Q  
Megan Arnold, C. H. Robinson Worldwide  
John Beaulieu, USDA, ARS, SRRC  
Roger Becker, Gold Coast Packing Company  
Ed Beckman, California Tomato Farmers  
DeAnn Benesh, 3M Microbiology  
Beth Bland, Georgia Fruit & Vegetable Growers Association  
Daniel Botts, Florida Fruit & Vegetable Association  
Jeffrey Brandenburg, The JSB Group  
Jim Brennan, Alliance of Technical Professionals  
Megan Chedwick, Church Brothers  
Chris Christian, California Strawberry Commission  
Will Daniels, Earthbound Farm  
Suresh Decosta, McDonald's Corporation  
Chris Dzuik, H-E-B  
Bob Elliott, Sunkist Growers  
Lisa Fuentes-Intveld, The Nunes Company  
Micah Fuson, Apio.  
Scott Grow, G.O. Fresh  
John Gurrisi, Darden Restaurants  
Johnna Hepner, Markon  
Scott Horsfall, California Leafy Greens Marketing Agreement  
Bill Hurst, University of Georgia  
Ron Johnson (for Stanley Bailey), bioMerieux  
Beverly Kempf, Club Chef  
Justin Kerr, Sanitation Specialists  
Andrew Kesler, Jack in the Box  
Jeanna Kilmer, Silliker, Inc.  
Greg Komar, NSF Davis Fresh

Tom Mack, Dole Fresh Vegetables  
Donald Mayfield, Cabbage, Inc.  
Drew McDonald, Taylor Farms  
Bob Mills, Misionero Vegetables  
Bob Morrissey, National Watermelon Association  
Gurmail Mudahar, Tanimura & Antle  
David Mueller, Fresh From Texas/Energy Sprouts  
Gail Murray, Disney Consumer Products  
Jerry Noland, Safeway  
Courtney Parker, Fresh Express  
Sean Picquelle, Taco Bell  
Paulette Pierson, Monsanto  
Bill Pool, Wegmans Food Markets  
Joshua Porbeni, Club Chef  
Gale Prince, Your Food Safety Coach  
Keith Refsnider, Driscoll's  
Rob Robbins, Product Safety First  
Nivia Santiago, Gills Onions  
Amy Smith, DuPont Qualicon  
Brian Stepien, Growers Express  
Gregg Storey, Bayer CropScience  
Wilfred Sumner, Scientific Certification Systems  
Bob Whitaker, Produce Marketing Association  
Brian Zomorodi, Ready Pac Foods

**United Fresh Staff:**

David Gombas  
Erin Grether  
Robert Guenther

**Guests:**

Aaron Anderson, Direct Advantage  
Samir Assar, FDA  
Gina Bellinger, FSNS  
Michael Bentel, Naturipe Farms  
Rod Bernard, Southern Specialties

Sarah Breen, Earthbound Farm  
Scott Brooks, Yum  
Cheryl Enlow, Safeway  
Ed Fitzgerald, Misionero  
Charles Giambrone, Rochester Midland  
James Gorny, FDA  
Melinda Hayman, FSNS  
Joe Holt, Earthbound Farm  
Ana Hooper, Darden Restaurants  
Ozgur Koc, CrunchPak  
Sharan Lanini, Chiquita/Fresh Express  
Tim Minami, Muranaka Farms  
Steven Mitchell, Misionero  
Saul O. Morales, Sysco  
Sharon Natanblut, FDA  
Dave Podesta, Sysco  
Susan Reimer Sifford, Darden  
Jane Rimer, BSK  
Leanne Skelton, USDA  
Mitch Smith, McDonalds  
Mike Spinnazola, Subway  
Mike Taylor, FDA  
Craig Wilson, Costco

**Council Members Absent:**

Shibu Abraham, FMC  
Bassam Annous, USDA, ARS, ERRC  
Sally Blackman, CPMA  
Scott Burnett, Ecolab  
Hap Carr, Titan Farms  
Deborah Carter, Northwest Horticultural  
Council  
Loreena Cook, Condis Foods  
Jim Cranney, California Citrus Quality Council

Amy Duda-Kinder, A. Duda & Sons  
Phil Elliott, GMA  
Thea Eubanks, NewStar Fresh Foods  
Tom Gautreaux, Maxwell Chase  
Technologies  
Zizi Gibbs, Mann Packing Company  
Hank Giclas, Western Growers  
Bob Gravani, Cornell University  
Albert Green, Six L's Packing Co.  
Valerie Hannig, The Oppenheimer Group  
Toni Hofer, Raley's Family of Fine Foods  
Michael Jantschke, Pro\*Act  
Karan Khurana, Pulse Instruments  
John Kolenski, The Kroger Company  
Mahipal Kunduru, Safeway  
Scott Lawson, Syngenta Crop Protection  
Frank Lichtner, T-Systems International  
Glenn Long, SK Foods  
Yaguang Luo, USDA, ARS, PQSL  
Ted McKinney, Elanco Animal Health  
Jane Proctor, CPMA  
Victor Robelet, Carlson AirFlo  
Merchandising Systems  
Michael Roberson, Publix Super Markets  
Joan Rosen, Fresh Express  
Mansour Samadpour, IEH Laboratories  
Nancy Shimabukuro, Walter P. Rawl &  
Sons  
Jeff Thomas, Target Corporation  
Steve Tripp, Pacific International Marketing  
Kari Valdes, River Ranch Fresh Foods  
Tony Valenzuela, Naturipe Berry Growers  
Mary Van Ryn, Van Ryn Associates  
Tom Young, Del Monte Fresh Produce

**I. Welcome and Introductions**

Barry Eisenberg called the meeting to order and asked for self introductions. Eisenberg reminded the Council of the United Fresh antitrust policies, and noted copies were available if desired.

**II. Regulatory Approach to Produce Safety**

FDA Deputy Commissioner Michael Taylor, accompanied by FDA Officials Dr. James Gorny and Dr. Samir Assar, briefed the Council on FDA's thinking on structure, and opportunities to encourage compliance, of a proposed Preventive Controls for Fresh Produce regulation. Taylor

noted FDA's February Federal Register notice requesting comments on such a regulation, and encouraged the Council members to provide FDA with recommendations. Taylor also noted that such outreach was a different approach for FDA, which historically writes a proposed rule and then asks for comment. The Council ultimately decided to provide written comments to FDA's questions.

### **III. FDA Import Policies**

Commander Domenic Veneziano, Director, FDA Division on Import Operations and Policy, briefed the Council on his division's activities and plans, and on a new computerized import inspection tool, PREDICT.

### **IV. GMP Modernization**

Dr. Samir Assar, Director, Produce Safety Staff, FDA Office of Food Safety, informed the Council of FDA's intention to revise the Good Manufacturing Practices regulations in 21 CFR part 110, which affect fresh-cut processing operations. Dr. Samir informed the council that CFSAN is currently drafting a proposed rule for cGMP modernization. The time for release was not yet established. Specific requirements will be contingent upon enacted legislation. FDA will give strong consideration to its 2005 white paper and to the findings of their research program both currently posted on the CFSAN website.

### **V. Reportable Food Registry**

Dr. Jim Gorny, FDA Office of Food Safety, provided an update on the RFR, which became mandatory for the FDA-regulated food industry September 2009. Revisions are expected soon. He stated that if FDA determines that adulteration is intentional they will contact Department of Homeland Security and the FBI. Policy or interpretation questions about the RFR can be addressed to [RFRsupport@fda.hhs.gov](mailto:RFRsupport@fda.hhs.gov).

### **VI. Approval of Agenda and January 19, 2010 FSTC Summary**

After lunch and departure of the FDA officials, Eisenberg called for approval of the day's business agenda and minutes of the January 19, 2010 Council meeting, which were approved without change.

### **VII. Legislative Update**

Robert Guenther provided an update on current activity in Congress on food safety legislation. He reminded the Council that H.R. 2749, the Food Safety Enhancement Act, was passed by the House of Representatives last July. The Senate bill S. 510, the FDA Food Safety Modernization Act, was approved out of committee in November, with the next step being discussion and vote by the full Senate. Guenther still anticipates this will occur in first quarter 2010, with the two bills then going to a joint Congressional committee for resolution of differences. Both bills are broad scope food safety bills, affecting all FDA regulated foods, not just produce. Items that are similar in both bills will likely be in the final law: periodic facility re-registration; written food safety plans for facilities; mandatory produce rule, developed by FDA in close coordination with

USDA and state departments of agriculture; new import requirements; traceability; and mandatory recall authority for FDA. Items that are different in the two bills are still open for negotiation. Currently, differences include the frequency and fees for facility registration; Geographic Quarantine authority for FDA; and mandatory finished product testing by “high risk” facilities. In the weeks to come, United Fresh will be focused on how the final law will be written regarding produce specific requirements; traceability; outbreak investigations (and the role of industry); and small farm exemptions. Scott Horsfall noted that, in testimonies, food safety exemptions for small farms appear to be resonating with Congress.

#### **VIII. Finalization of Microbiology White Paper**

Bob Mills reviewed the final version of the Microbiology White Paper. He stressed that the paper does not take sides in the debate of whether or not to use microbiological testing, only to assist companies in making that decision and what to consider when performing or requiring microbiological tests. Gombas noted that the White Paper will be posted on the United Fresh website, in the Food Safety Resource Center, and will be freely available to download to facilitate members’ use.

#### **IX. Finalization of Garment Guidelines**

Bill Hurst reviewed the process that led to completion of these guidelines for fresh-cut operations, noting that the project began with the IFPA Technical Committee, and that most of the original team have since changed jobs or left the industry. He thanked Kari Valdes and others on the Council who assisted in completing the guidelines. Gombas noted that the guidelines will be posted on the United Fresh website, in the Publications / On-line Store, and will be available for free download to United Fresh members.

#### **X. Finalization of Audits Benchmarking Matrix**

Gail Murray demonstrated the final version of the Audits Benchmarking Matrix, which provides a side-by-side comparison of eight organizations that perform pre-farm gate audits, seven organizations that perform post-farm gate audits, and four food safety standard owners that have been successfully benchmarked by GFSI. Murray reminded the Council that the comparison reviews the organizations’ audit and auditor quality assurance programs; it does not compare their audit standards or checklists. She also noted that the content for each organization was provided by the organization itself. Gombas said that the Matrix will be posted on the United Fresh website, in the Food Safety Resource Center, to facilitate members’ use.

#### **XI. Raw and Finished Product Testing**

Bob Whitaker cautioned the Council that fresh produce testing expectations, particularly by buyers, are becoming an increasingly contentious issue, both by organizations that require testing of raw or finished produce samples, and organizations that do not want their raw produce supplies or finished products tested for pathogens.

#### **XII. Transfer of “the Gavel”**

Eisenberg thanked the Council for the opportunity to lead them for the past four years, two years since inception of the new Council/Board policies, which limit Council leaders to two years as Vice Chair, followed by two years as Chair. He also thanked United Fresh for recognizing his contributions on the Council and to the industry with this year's Technical Award. With the end of this meeting, Walter Ram began serving his two year term as Chair. Ram informed the Council that Bob Elliott would succeed him as the next Vice Chair.

### **XIII. Next Meeting**

Gombas noted that the next regularly scheduled meeting of the Council will be at the United Fresh Washington Public Policy Conference in Washington DC the week of September 13, 2010. Details of the Council meeting time and location will be sent to the Council as soon as finalized.

There being no further business, the meeting was adjourned.