

---

# **Food Safety & Technology Council**

---

**Tuesday, September 14, 2010  
Gaylord National Hotel  
Washington D.C.**



# This morning's agenda

- Welcome, Self-introductions, Antitrust Policies, Approval of Agenda Ram
- Legislative Update Robert Guenther
- Food Defense Gombas, Ram
- Sustainability Update Rob Neenan
- Standards Harmonization Update McDonald
- Tomato Food Safety Audit Protocol Picquelle
- FDA Regulatory Update Gombas
- [reserved]
- Lot definitions Gombas



# This afternoon's agenda

- Instructions to Break-out Groups Ram, Elliott
- Break-out Groups:
  - FS&T Web Pages and other communication tools Megan Arnold
  - Education Bob Elliott
- Reports by Break-out Groups
- Discussion on Next Steps All
- What Have You Heard? Ram, All
- Next Meeting and Adjourn



---

# Legislative Update

---

**Robert Guenther**

# Food Safety Legislation

---

Robert Guenther  
Senior V.P., Public Policy

# Food Safety Legislation

---

## Here is what we know (House):

- House has passed food safety legislation (HR 2749)
- Addressed a number of important issues
  - Commodity specific, science based approach
  - Coordination between FDA and USDA
  - Domestic and Import equivalency
- House also contains, geographic quarantine, user fees, mandatory finished product testing

# Food Safety Legislation

---

## Here is what we know (Senate):

- Senate released bi-partisan manager's amendment to S. 510 in mid-August.
- Produce provisions are fairly similar except for the following:
  - o Allows (but does not mandate) for FDA to exempt commodities and processing facilities that are low risk ***and*** small and very small businesses
  - o In several areas does not provide specificity of House bill in produce provisions
  - o Traceability is vastly different than House version
  - o Requires FDA to publish "high-risk" foods on FDA website

# Food Safety Legislation

---

## Here is what we know (Senate):

- Senate bill does not include user fees, geographic quarantine, or finished product testing
- Senate expects this to come up on floor in September
- Two amendments being considered:
  - Tester Amendment that would exempt producers who sell less than \$500,000 or sell to a farmers market
  - Feinstein BPA amendment
- Food groups and interest groups are anxious to see this bill move forward

# Food Safety Legislation

---

## So now what?

- Everything hinges on Senate passing their version of the bill
- Both bills contain positive and negative provisions that need to be worked out
- It is clear that there remains deep divisions between House and Senate on their food safety bills
- Some form of a conference is inevitable between both chambers
- “Lame Duck” session will allow time to complete negotiations, but no guarantees

# Food Safety Legislation

---

## Strategy for Remainder of Year

- Continue to press in Senate our opposition to exemptions
- If bill passes Senate begin work immediately on highlighting differences between the two bills.
- Work with the House Members to buttress their risk-based approach (and no exemptions).
- If time runs out, look to next year and build a better legislative vehicle.

# Food Safety Legislation

---

## Questions and Discussion

---

# Food Defense

---

**Walter Ram,  
David Gombas**

---

## S. 510

### SEC. 106. PROTECTION AGAINST INTENTIONAL ADULTERATION

(b) REGULATIONS.—Not later than 18 months after the date of enactment of the FDA Food Safety Modernization Act, the Secretary, in coordination with the Secretary of Homeland Security and in consultation with the Secretary of Agriculture, shall promulgate regulations to protect against the intentional adulteration of food subject to this Act.



---

# Sustainability Update

---

**Rob Neenan**

# Produce Sustainability Initiatives

---

Rob Neenan

September, 2010  
Gaylord National Resort  
National Harbor

WASHINGTON PUBLIC POLICY CONFERENCE



# What does “sustainability” mean?

Sustainability is often referred to as long-term business planning models that incorporate all of the “three P’s” :

- People
- Planet
- Profit

United believes that sustainability is about striking a balance. There must be tangible economic benefits to support enhanced environmental and social initiatives.

## **Most growers believe that they operate in a sustainable manner. Why is this an issue?**

- Many consumers and activists have taken a keen interest in how and where food is produced, and some are willing to believe the worst about agriculture.
- Journalists and NGO's are writing harsh critiques regarding conventional agriculture that are getting a lot of attention.
- Some buyers are asking their suppliers about sustainability issues.
- Growers are looking for a way to communicate a positive story about their operation to stakeholders.

## **Regulatory and cost issues are also major motivations for sustainability programs**

- Expanding environmental regulations
- Unpredictable energy and fuel costs
- Limits regarding disposal of wastes/wastewater
- Availability/cost of irrigation water

*Sustainability programs may provide a central organizing platform that growers can use to cut costs, innovate, and communicate a positive story to regulators, consumers, and other stakeholders.*

# Sustainability metric development projects

There are numerous ongoing efforts to develop third-party sustainability metrics or certification programs for agriculture. Two projects under development are of particular interest to United:

- Stewardship Index for Specialty Crops (SISC)
- Leonardo Academy/ANSI Sustainable Agricultural Standard
- Keystone Center/Field to Market

# Stewardship Index for Specialty Crops

- A collaborative effort that includes produce growers, associations, buyers, NGO's
- Thirteen metrics are being developed, including water, energy, solid waste, pesticides, air quality, biodiversity, human resources, others
- Developing outcome-based metrics that focus on encouraging continuous improvement
- Some of the metrics are being tested by growers
- A number of the draft metrics are controversial and may need to be revised—more grower input and participation is needed

# **Leonardo Academy/ANSI Sustainable Agricultural Standard**

- Includes all types of field crops
- Began as sustainable=organic, which failed
- Effort was revived in 2009 with expanded participation by conventional agriculture, but NGO's and organic groups collectively have a large number of seats on the Steering Committee
- Fundamental disagreements continue regarding the principles and goals of the standards, including the intended audience for the metrics
- It is not clear whether workable metrics will ever be developed and accepted by ANSI

# **Potential grower issues with third party sustainability metric programs**

- **The standards may not be compatible with a wide range of conventional agricultural practices**
- **May not add value to their operation and become just another cost of doing business**
- **What, if any, information should be made publicly available?**
- **Retailers may use the results as a purchasing decision tool to rank specific growers, regions, or products**

# Then why have third party programs?

Third party programs have some inherent issues, but there are some important advantages:

- They provide a standard set of tools that growers can use to benchmark performance against peers
- Without these programs growers may develop their own programs with differing metrics and reports
- Without standards some growers could make unsubstantiated claims (“green washing”) to gain competitive advantage

## What is United doing?

- In 2009 United formed the *Center for Global Produce Sustainability* to provide leadership regarding this important issue
- Bayer Cropscience provided a generous endowment to support the Center
- The goal is for the Center to be the “go-to” resource for the produce supply chain

# **The mission of United's new Center for Global Produce Sustainability**

- **Provide effective issue advocacy**
- **Actively participate in SISC and other efforts to develop third-party metrics**
- **Provide resources for members that are interested in the issue, or are developing their own sustainability programs**
- **Develop and maintain a dialogue with other stakeholders about conventional agriculture and sustainability**

## Want more information?

The Center's web site will be available soon at:  
[www.unitedfresh.org](http://www.unitedfresh.org)

### Contact:

Rob Neenan  
[rneenan@unitedfresh.org](mailto:rneenan@unitedfresh.org)  
202-303-3427

---

# **Standards Harmonization Update**

---

**Drew McDonald**

---

# Tomato Food Safety Audit Protocol

---

Sean Picquelle

---

# FDA Regulatory Update

---

**David Gombas**

# Produce Industry visit with FDA

- Produce Rule Update
- Traceability & Outbreak Update
- Compliance Update
- cGMP Modernization
- Foodborne Pathogen Surveillance Research
- Council to Improve Foodborne Outbreak Response (CIFOR)
- Reportable Food Registry Update



---

# **PTI “Best Practice” Recordkeeping for Traceability**

---

**David Gombas**

---

# Lot definitions

---

David Gombas

---

# Instructions to Break-out Groups

---

**Walter Ram,  
Bob Elliott**

---

# **FS&T Web Pages and other communication tools**

---

**Megan Arnold**

---

# Education

---

## Bob Elliott

---

# Discussion on Next Steps

---

---

# What Have You Heard?

---

---

# Next Meeting

---

Tuesday, January 18

Fairmont Sonoma Mission Inn & Spa

Sonoma, CA

