

**Comments for FDA Public Meeting on Preventive Control Standards
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Introduction

Good morning, my name is Robert Guenther I am the Senior Vice President of Public Policy for United Fresh Produce Association. Our organization represents more than 1,700 growers, packers, shippers, fresh-cut processors, distributors and marketers of fresh fruits and vegetables accounting for the vast majority of produce sold in the United States.

United Fresh appreciates the opportunity to provide comments at today's FDA public meeting which is looking at the implementation of the preventive control standards of the new Food Safety Modernization Act.

Implementation of the preventive control standards represents one of the most critical aspects of this new law. In fact, one should consider this a paradigm shift in how FDA looks at food safety in this country, putting the emphasis on prevention rather than after-the-fact investigation of food safety related incidences.

There are a number of important aspects related to preventive control standards such as flexibility for small businesses, inspection frequency, specificity of food safety plans, and delineating exemptions of small food facilities under the Tester congressional mandate. However, because of the brevity in time for public comments, I will focus on just one aspect of this important component of the law for fresh produce, the validity of product testing programs.

Testing during the processing of fresh produce is a tool that may be of value in verifying the integrity of the product as it passes through each segment of the supply chain. However, if testing is used, it would be but one component in the development of any "Field to Fork" food safety program that includes programs such as Good Agricultural Practices (GAP), Good Manufacturing Practices (GMP), HACCP, Traceability and Recall Management.

A proper testing program must clearly define the intended purpose of the test, the organism of concern, logical and defined sampling locations in the supply chain, the use of appropriate and validated methods, and defined actions based on the potential results.

If not properly designed and implemented, testing can more than likely provide unreliable information that can easily be taken out of context and create unwarranted concerns or false assurances about the safety of the product.

Most importantly, any testing program should be science-based and objective driven. Prior to implementation one should know why the testing is being performed, the basic assumptions underlying the test, the relative certainty of detecting an issue, and potential results. Typical reasons for testing in the fresh produce industry are:

- 1) Meeting product specifications(inputs and finished product)
- 2) Baseline development and identification of risk factors,
- 3) Process capability, validation, and verification
- 4) Investigative testing and remedial activity verification, and
- 5) Verifying that regulatory guidelines have been met.

On the other hand, there are limitations on testing including:

- 1) It's not a substitute for a reliable and validated process
- 2) Cannot assure the absence of pathogens
- 3) And cannot be used for product reconditioning

In conclusion, though testing cannot assure the absence of pathogens, it can provide important information about an environment, a process, and even a specific product lot, when sampling plans and methodology are properly designed and performed.

Thank you very much for this opportunity. United Fresh looks forward to providing FDA with more detailed comments regarding implementation of the preventive control standards of the new law in the near future.