

United Fresh Produce Association
Food Safety and Technology Council Meeting

Morial Convention Center, New Orleans, LA
Tuesday, May 3, 2011

DRAFT MINUTES

Council Members Present:

Walter Ram, The Giumarra Companies, Chair
Francis Adenuga, True Leaf Farms
Megan Arnold, C.H. Robinson
Roger Becker, Gold Coast Packing
Ed Beckman, California Tomato Farmers
Michael Bentel, Naturipe Farms
Ian Bessell, ABC Research Corporation
Sally Blackman, CPMA
Dan Botts, Florida Fruit and Vegetable Assoc.
Barbara Braden, NewStar Fresh Foods
Jeffrey Brandenburg, The JSB Group
Megan Chedwick, Church Brothers
Chris Christian, California Strawberry Comm.
Suresh Decosta, McDonald's Corporation
Chris Dzuik, H-E-B
Mario Estrada, Markon
Lisa Fuentes-Intveld, The Nunes Company
Donna Garren, NSF Davis Fresh
Scott Grow, G.O. Fresh
John Gurrisi, Darden
Valerie Hannig, The Oppenheimer Group
Joe Holt, Earthbound Farm
Scott Horsfall, California LGMA
Bill Hurst, University of Georgia
Justin Kerr, Sanitation Specialists
Andy Kesler, Jack in the Box
Karan Khurana, Pulse Instruments
Jeanna Kilmer, Silliker
Greg Komar, Growers Express
Sharan Lanini, Fresh Express
Tom Lovelace, McEntire Produce
Tom Mack, Dole Fresh Vegetables
Donald Mayfield, Cabbage, Inc.
Drew McDonald, Danaco Solutions
Michael Menes, True Organic Products
Bob Mills, Misionero Vegetables
Jeff Montanye, Ecolab Inc.
Gurmail Mudahar, Tanimura & Antle
David Mueller, Fresh From Texas
Gail Murray, Disney Consumer Products

Allen Noe, representing Syngenta
Jerry Noland, Safeway, Inc.
Beth Bland Oleson, GFVGA
Courtney Parker, Fresh Express
Sean Picquelle, Taco Bell
Paulette Pierson, Monsanto
Bill Pool, Wegmans Food Markets
Gale Prince, Your Food Safety Coach
Nivia Santiago, Gills Onions
Gurjit Shergill, Taylor Farms
Amy Smith, Dupont Qualicon
Brian Stepien, Growers Express
Gregg Storey, Clarkston Consulting
Trevor Suslow, University of California, Davis
Brian Zomorodi, Ready Pac Foods

Guests:

Tony Banegas, Ready Pac Foods
Scott Brooks, Yum Brands
Cheryl Enlow, Safeway
Edith Garrett, Danaco Solutions
Seth Goldsmith, SMG Science
Donna Lynn Johnson, DLJ Food Consulting
Teresa Lopez, Arizona LGMA
Kristian Moeller, GlobalG.A.P
Larry Robertson, Darden Restaurants
John Schulz, SQFI
Sayandrd Versteyleylen, Paperwork Industries
Mike Villeneva, LGMA

United Fresh Staff:

Barry Eisenberg
David Gombas
Erin Grether
Robert Guenther

Council Members Absent:

Shibu Abraham, FMC Corporation
Bassam Annous, USDA ARS ERRC
Walt Armijo, Lighthouse FS&Q

Stan Bailey, bioMerieux, Inc.	Mahipal Kunduru, Safeway, Inc.
John Beaulieu, USDA ARS SRRC	Frank Lichtner, Earthtec Solutions, LLC
DeAnn Benesh, 3M Food Safety	Glenn Long, SK Foods
Jim Brennan, Alliance of Technical Professionals	Sunny Luo, USDA ARS
Julia Burke, Condis Foods, Inc.	Rex Martin, Syngenta
Hap Carr, Titan Farms, LLC	Bob Morrissey, National Watermelon Assoc.
Debbie Carter, Northwest Horticultural Council	Joshua Porbeni, Club Chef
Jim Cranney, California Citrus Quality Council	Keith Refsnider, Driscoll's
Amy Duda-Kinder, A. Duda & Sons, Inc.	Matt Rekeweg, Dow AgroSciences
Bob Elliott, Sunkist Growers, Inc.	Rob Robbins, Product Safety First
Micah Fuson, Apio, Inc.	Victor Robelet, Carlson AirFlo Merchandising Systems
Tom Gautreaux, Maxwell Chase Technologies	Michael Roberson, Publix
Zizi Gibbs, Mann Packing Company	Joan Rosen, Fresh Express, Inc.
Hank Giclas, Western Growers	Mansour Samadpour, IEH
Rolando Gonzalez, Target Corporation	Nancy Shimabukuro, Walter P. Rawl & Sons
Bob Gravani, Cornell University	Wil Sumner, SCS
Albert Green, Six L's Packing Co., Inc.	Steve Tripp, Pacific International Marketing
Johnna Hepner, PMA	Kari Valdes, Taylor Farms, Inc.
Toni Hofer, Raley's	Tony Valenzuela, Naturipe Berry Growers
Christian Hutter, Junction Solutions	Mary Van Ryn, Bejo Seeds, Inc.
Michael Jantschke, Pro*Act, LLC	Bob Whitaker, PMA
Beverly Kempf, Club Chef	Tim York, Markon
Ozgur Koc, Crunch Pak Sliced Apples	Tom Young, Del Monte Fresh Produce, N.A.
John Kolenski, The Kroger Company	

Meeting Called to Order

Chair Ram welcomed the Council members. The Council was reminded of the United Fresh antitrust guidelines. The Council approved the minutes of the January 18, 2011 Council meeting without change.

Produce GAPs Harmonization Initiative

DeCosta provided an update on the Produce GAPs Harmonization Initiative. He reported that the Technical Working Group (TWG) had completed its task of harmonizing thirteen currently available fresh produce food safety standards into two draft standards – Field Operations, Harvesting and Field Packing, and Post-harvest Operations – and the standards were in the process of being piloted in a variety of commodity growing and packinghouses operations. The TWG was scheduled to meet for a “finalization” meeting in late July. DeCosta also described the recommendations of the Operations Committee on how the standard will be used, managed and periodically updated. He emphasized the importance of a “marketing campaign” to get the word out about using and accepting the harmonized standard when it is released for use later in 2011.

Audits Benchmarking Matrix

Murray provided an update on the Audits Benchmarking Matrix. She reported that audit organizations have been notified that the Matrix is open for updating and revision, and she expects that the renewed content will be available on-line by July. She also shared her presentation that was shown at the Food Safety Demo Center later the same day.

New Website Design

Ram introduced the discussion on the United Fresh food safety webpages. He noted the current perception of the Council: that the United Fresh website is not user friendly, it is difficult to navigate, and items are difficult to find even if a user knows they exist. He provided a list of topics that the working group has drafted that would be important to have as resources for the industry and other stakeholders. Pierson recommended that the Resource list be categorized, rather than just a long list. Ram also suggested that some of the resources could be as simple as links to other websites. Menes suggested adding “soil amendments and fertilizers” to the list of resources. Mayfield suggested a list or link to laboratory services. Prince recommended a list of educational/training programs. Other suggestions: link to Audits Benchmarking Matrix on the audits page; exporting (e.g., to Canada) rules, resources, Codex links in the Importing and Exporting page, “preseason assessments” on the resource page. It was suggested that other trade association websites could be good models for website organization.

Education Program

Brandenburg described the Education Spreadsheet update, its goals and the process they are using to populate the spreadsheet. The current draft lists all of the relevant courses or training organizations vs. the range of topics of interest, noting which topics are covered by each course or organization, providing a link to the course or organization. Next steps are to continue populating the spreadsheet with organizations and links. He noted that, once populated, the spreadsheet will provide a useful gap analysis on what training needs remain. He agreed to forward the draft spreadsheet to the Council members for review and comment. It was suggested that a “feedback” column be added where course attendees could provide ratings of the different programs. Brandenburg agreed to provide a written description of the intended scope of the spreadsheet.

USDA MDP Testing / Public Policy Activities

Guenther provided an update on the United Fresh efforts with Congress to sunset the USDA Microbiological Data Program. A brief (4 page) white paper, developed by a working group of the FS&T and Government Relations Councils and being distributed to select congressional staff, was shared with the Council. Guenther said that we expect House support to be easier to obtain than in the Senate, primarily because Sen. Harkin was the champion of the MDP when it was initiated in 2001. He also noted that high level USDA officials have invited United Fresh to discuss the issues and possible solutions. Next steps will likely be a one-day fly-in of Council members to meet with congressional staff.

Guenther also noted that there have been some, but not many, activities related to FDA’s implementation of the Food Safety Modernization Act; primarily FDA hosting listening sessions. Pool asked for an update on the USDA NLGMA proposal and their request for comments. Guenther noted that USDA had hosted several listening sessions on the topic before publishing the proposed rule, and that another comment period is the normal process. He also noted that United Fresh will convene a working group of interested members to provide comments; Council members interested in participating in that working group should contact Guenther.

United Fresh Publications

Gombas described a request from the Fresh-cut Board to update some of the outdated, IFPA-legacy publications, such as the Food Safety Guidelines for the Fresh-cut Industry, last published in 2001. Gombas and others noted that the Guidelines, while the primary resource for the fresh-cut industry in the past, are now too outdated in too many chapters to be a credible resource. The Council agreed that updating the Guidelines was a valuable endeavor; however the Council was concerned that the Fresh-cut Board's goal, to have the Guidelines revised by September 2011, could not be achieved by volunteers. Botts noted that there may be chapters that need to be created in addition to those that need to be edited. Lovelace noted that any revision has to consider pending requirements to be published by FDA in their Preventive Controls (aka GMP Modernization) rule. McDonald suggested that any revision be maintained as an electronic document, rather than in print, to facilitate updating. None of the Council members present were able to commit to lead the revision, but several were willing to participate either as subject matter experts or as reviewers: Adenuga, Becker, Braden, Brandenburg, Brooks, Fuentes-Intveld, Hurst, Johnson, Kerr, Lovelace, McDonald, Mills, Mueller, Pool, Santiago, Smith and Zomorodi. Gombas asked the Council to review the other legacy publications on-line and provide feedback on whether they warrant updating.

Lot Definition Project

Eisenberg reported on progress in developing a white paper on lot designations. He noted that, because many companies do not have a written policy on how lots are designated, and many companies do not have defensible separability between lots, contamination events can lead to far larger recalls and financial consequences than necessary. Eisenberg described current industry practices to set lots in the field, at the packing shed and for processed product. He noted some activities, such as commingling of lots, that can disrupt a company's ability to have defensible separability between lots. The objective of the white paper is to provide companies guidance on options for how to set or define lots, and considerations on the potential benefits and potential consequences of those options. He noted that which option a company uses is a business decision by that company, but that a company must be aware of any vulnerability to lot separability that decision may create. Gombas confirmed that, when completed, the white paper will be provided to FDA to ensure that FDA does not have objections to the guidances. It was suggested that the working group investigate how other commodities beyond produce (e.g., low moisture products, dairy, poultry or beef) set lot designations in ways that may be useful to fresh produce. It was also suggested that a risk assessment be included in how lots are designated, to better inform separability if a contamination event occurs.

What To Do When the FDA Calls

The Council discussed suggestions for how to work with FDA or State agencies when an apparent contamination event leads to a recall. There have been many examples when a single detection of a pathogen in a commercially distributed product can result in a very broad recall if the company does not have a defensible plan. Gombas noted that FDA is routinely asking "how do you know that the amount you have agreed to recall is all of the contaminated product?" and, if the company is unable to answer that question, the scope of the recall tends to grow. Zomorodi reported that, in their experience, limiting the recall to the implicated lot was defensible through a "5-point plan". He reported that, when they provided FDA with a

defensible plan, FDA was satisfied with the company's decision. Gombas noted that, based on a conversation with the FDA CFSAN Office of Compliance, companies are entitled to copies of the laboratory reports that demonstrate that their product is contaminated. Companies should request and review these reports with a microbiologist for possible sampling or laboratory errors before deciding to recall. It was noted that State agencies may not believe that they have that same responsibility to provide documentation. One company noted that they had been told by FDA that they could not provide a copy of the lab results because the results belonged to the State laboratory. It was also noted that companies need to take charge of their recall and not leave decisions to FDA; companies need to be able to make definitive, defensible decisions.

There were several recommendations for company action in preparing for a recall:

- Have communication and legal experts identified beforehand
- Prior media training is key for survival for any company that becomes involved in a recall
- Do a serious mock recall and go through the real questions that will be asked during a recall
- Turn the annual traceability exercise into a real life decision making process; i.e., what's the potential exposure; what other lots are implicated?

In response to a comment, Gombas asked Council members to let him know if they had recently (two years) experienced overly aggressive FDA/State officials during an alleged product contamination event. Noting that he does not believe this is the intent of the FDA Deputy Commissioner for Foods, he agreed to bring this to FDA management's attention.

Food Defense Program

Ram gave a brief report on food defense activities, noting that FDA and DHS are both involved in food defense pilots with the food industry.

LGMA Research Direction

Mills gave a synopsis of a webinar that he and Suslow gave to the International Association for Food Protection Fruit and Vegetable Safety and Quality Professional Development Group in April on leafy greens research needs and how research can inform risk assessments and food safety practices at the farm. The presentation described the situation in 2006-2007 immediately following the E. coli O157:H7 outbreak linked to packaged spinach that led to the Leafy Greens Marketing Agreement and Best Practices. He described the risk assessment performed by the industry at that time and how "metrics" were selected, noting that many were based more on expert opinion than scientific data. He also noted that, four years later, many of the metrics are still unsupported by scientific data. He provided numerous examples related to irrigation water, soil amendments, buffer zones, minimum distance from animal operations, reaction to animal intrusions and flooding.

Updating Council Priorities

Eisenberg led a brief discussion on "updating our list of priorities". Several potential issues and activities were discussed:

- Expand the food safety focus to other commodities affected by FSMA
- Monitor and guide activities of the Produce Safety Alliance
- Develop Food Defense Guidance to address pending intentional contamination regulations

- International harmonization of MRLs
- Research on levels of Salmonella and other pathogens that have a public health significance in produce
- Potential use of GMO technology during growing, harvesting or packaging
- Using social media (like Yelp) in the Audits Benchmarking Matrix to see how customers are rating audit companies
- Developing talking points on how radiation from Japan may affect safety of U.S. production

Next Meeting

The next scheduled meeting of the Council will be Monday, October 3, 2011 at the Hyatt Regency Washington, during the Washington Public Policy Conference. Having reached the end of the allotted meeting time, the meeting was adjourned.