

United Fresh Produce Association
Food Safety & Technology Council Meeting
Hyatt Regency Capitol Hill, Washington DC
Monday, September 30, 2013

Draft Minutes

Council Members Present:

Suresh Decosta, McDonald's (Vice Chair)
Bassam Annous, USDA ARS
Geri Barone, Professional Food Safety
Roger Becker, Gold Coast Packing
DeAnn Benesh, 3M Food Safety
Sam Bierschwale, Lipman
Sally Blackman, CPMA
Mike Bledsoe, Village Farms
Dan Botts, FFVA
Jim Brennan, Smartwash Solutions
Donna Lynn Browne, Naturipe Farms
Jim Cranney, Calif. Citrus Quality Council
Thomas Fenimore, GlobalG.A.P
Scott Grow, G.O. Fresh
Heidi Hau, Ecolab, Inc.
Peter Hill, Alpine Fresh
Scott Horsfall, CLGMA
Lance Jungmeyer, FPA
Karan Khurana, Pulse Instruments
Jeanna Kilmer, Silliker
Sharan Lanini, Chiquita Brands
Tom Lovelace, McEntire Produce
Tom Mack, Dole Fresh Vegetables
Donald Mayfield, Cabbage, Inc.
Drew McDonald, Danaco Solutions
Bob Mills, RSM Food Safety Service
Gurmail Mudahar, Tanimura & Antle
Beth Oleson, GFVGA
Courtney Parker, Chiquita Brands
Ken Petersen (for Barry Eisenberg), IEH
Laboratories & Consulting Group
Bill Pool, Wegmans Food Markets
Joshua Porbeni, Club Chef
Gale Prince, Your Food Safety Coach
John Purcell, Monsanto
Jeanne Raede, Gills Onions
Walter Ram, The Giumarra Companies
Sam Schlagetter, Freshway Foods
Mark Seetin, U.S. Apple Association
Gurjit Shergill, Taylor Farms
Andy Shoemaker, Taylor Fresh Foods
Steve Tripp, Pacific International
Marketing
Matt Warren, Walter P. Rawl & Sons
Bob Ziel, McEntire Produce

Brian Zomorodi, Ready Pac Foods

United Fresh Staff:

David Gombas
David Durkin, OFW Law

Guests:

Tom Bewick, USDA NIFA SCRI
David Brackston, BRC
Joe Caldwell, Monterey Mushroom
Jeff Dolan, DiMare
Monica Escot, Sun World International
George Gansner, IFS
Melody Ge, SQF Institute
Elena Jimenez, Sunkist Growers, Inc.
Andrew Kennedy, Food LogIQ
John Kukoly, BRC
Ariane Lotti, NSAC
Chelsea Mascari, Indianapolis Fruit Co.
Kristian Moeller, GlobalG.A.P
Jonathan Needham, GlobalG.A.P
Roger Noonan, NEFU
Ken Petersen, USDA AMS
Jane Proctor, CPMA
Susan Sahai, Subway
Brian Snyder, PASA
Chris Valadez, CGTFL
Steve Warshawer, Wallace Center
Jodi Williams, USDA NIFA

Council Members Absent:

Walt Armijo, Lighthouse FS&Q
Megan Arnold, C.H. Robinson Worldwide
Stan Bailey, bioMerieux Industry, USA
Tony Banegas, Ready Pac Foods
Ed Beckman, Certified Greenhouse
Farmers
Ian Bessell, Birko
Abram Bowman, Deerpoint Group, Inc.
Barbara Braden, organicgirl
Jeffrey Brandenburg, The JSB Group
Hap Carr, Titan Farms
Debbie Carter, Northwest Hort. Council
Ed Casey, Ocean Spray Cranberries
Eileen Chase, NSF Agriculture
Megan Chedwick, Church Brothers

Chris Christian, California Strawberry Commission
Cliff Coles, California Microbiological Consulting
Will Daniels, Earthbound Farm
Matt Demma, KFC Corporation
Amy Duda-Kinder, A. Duda & Sons
Chris Dzuik, H-E-B
Bob Elliott, Sunkist Growers
Mario Estrada, Markon
Thea Eubanks, organicgirl
Harold Ewell, N2N Global
Ebrahim Firoozabady, Del Monte Fresh Produce
Daniel Flores, Fresh From Texas
Steve Foster, Wholesale Produce Supply
John Freed, Syngenta
Lisa Fuentes, The Nunes Company
Micah Fuson, Apio
Tom Gautreaux, Maxwell Chase TechnologieS
Hank Giclas, Western Growers
Bob Gravani, Cornell University
Mark Greever, Locus Traxx
John Gurrisi, Darden
Valerie Hannig, The Oppenheimer Group
Margaret Hardin, IEH Laboratories & Consulting Group
Johnna Hepner, PMA
Joe Holt, Earthbound Farm
Bill Hurst, University of Georgia
Christian Hutter, Junction Solutions
Michael Jantschke, Pro*Act
Beverly Kempf, Club Chef
Andy Kesler, Gray Dog Partners
Ozgur Koc, Crunch Pak Sliced Apples
John Kolenski, The Kroger Company
Greg Komar, NSF Agriculture
Mahipal Kunduru, Deloitte & Touche

Jorge Leyva, MexBest
Frank Lichtner, Earthtec Solutions
Jim Llano, Castle Rock Vineyards
Sunny Luo, USDA ARS
Bridget Lyons, Pizza Hut
April Mackie England, Monterey County Farm Bureau
Rex Martin, Syngenta
Michael Menes, True Organic Products
Bob Morrissey, National Watermelon Association
Gail Murray, Disney Consumer Products
Ernesto Nardone, N2N Global
Jerry Noland, Safeway
Elis Owens, Birko
Sean Picquelle, Taco Bell
Paulette Pierson, Monsanto
Keith Refsnider, Driscoll's
Matt Rekeweg, Dow AgroSciences
Eric Ritchie, McCain Foods USA, Inc.
Michael Roberson, Publix Super Markets
Nikki Rodoni, Rio Farms
Joan Rosen, JC Rosen Resources
Mansour Samadpour, IEH Laboratories & Consulting Group
Kim Snyder, Monterey Mushrooms
Brian Stepien, Growers Express
Stacy Stoltenberg, Dupont Qualicon
Gregg Storey, Clarkston Consulting
Wil Sumner, SCS Global Services
Trevor Suslow, Univ. California Davis
Lori Tansey, Chiquita Brands
Hilary Thesmar, Food Marketing Institute
Kari Valdes, Taylor Farms
Tony Valenzuela, Naturipe Berry Growers
Jon Wall, North Bay Produce
Bob Whitaker, PMA
Tim York, Markon
Tom Young, Del Monte Fresh Produce

I. Meeting Called to Order

David Gombas introduced the new Vice Chair for the Council, Suresh DeCosta, who chaired the meeting during the absence of Council Chair Bob Elliott. DeCosta welcomed the attendees and asked for self-introductions. The Council was reminded of the United Fresh antitrust guidelines. The Council approved the minutes of the May 2013 Council meeting without change. The agenda was approved with one change: addition of a presentation by David Durkin on the federal food law leading to criminal charges for selling adulterated foods. A recommendation was made to create a standing agenda item: reports from FDA and other food safety organizations.

II. Environmental Monitoring and Control of *Listeria*

Gombas reported that the guidance document sent to Council members prior to this meeting was the seventh draft and nearing completion, and he asked for comments. Bob Mills noted that the guidance is still vague for what to do when detecting *Listeria* on a food contact surface and he recommended checking the Canadian *Listeria* guidance. Gombas noted that this was the final opportunity for comments, and he asked again for Council members who have experienced issues with *Listeria* in-plant to provide case studies to include in the guidance. After any further comments are incorporated, a list of contributors, preface and disclaimer will be added and the document will go to the graphic designer for formatting in mid-October. While the document will be shared with the Council at the same time, there will not be an opportunity for further substantive changes. The completed document will be posted on the United Fresh website as soon as ready and the industry will be notified of its availability via press release.

III. Canadian Food Safety Regulatory Modernization

Jane Proctor briefed the Council on the Safe Food for Canadians Act, passed by Parliament in 2012, and its impact on Canadian Food Inspection Agency's regulation. For example, the proposed Imported Food Sector Product Regulations will require importers to meet certain general and licensing requirements to import IFS products into Canada. Provisions for imported food have not yet been published. The Safe Food for Canadians Act consolidates and replaces the Meat Inspection Act, Fish Inspection Act, Canada Agricultural Products Act and food provisions of the Consumer Packaging and Labelling Act. Thirteen federal food inspection regulations will be replaced, including Fresh Fruit & Vegetable Regulations and Organic Products Regulations. The proposed regulation under the act will require operations to be licensed and to have a Preventive Control Plan (PCP), which sets out in writing how food safety and other regulatory requirements (e.g. related to labeling, product composition and allergens) will be achieved. Depending on the nature of the operation, PCPs will include some or all of following elements: processes and products; equipment design and maintenance; sanitation and pest control; employee hygiene and training; receiving, transportation and storage; physical structure and maintenance of the establishment; and recall and complaints. The regulations will require that operators collect and maintain traceability information in an accessible, useable format, in English or in French, and provide records to CFIA on request, un-encrypted and within 24 hours in a format which can be imported and manipulated by standard commercial software. Records will be required to be maintained and accessible at an address in Canada for a period of not less than three years. For fresh fruit and vegetables, the regulations propose to establish produce safety outcomes/requirements for fresh fruit and vegetables and extend PCP requirements to farms who ship product directly to market in another province or to another country. The new requirements are consistent with Good Agricultural Practices and CanadaGAP, which has been CFIA recognized. Proctor noted that there are specific situations listed where CFIA would consider disclosure of personal and confidential business information without consent; e.g. food safety investigations, notices of violations. They are also proposing to explore the application of enhanced administrative monetary penalties to food-related violations.

The comment period on these proposed changes closes November 30, 2013. A Formal Notice of Intent of new federal food inspection regulations is expected in Spring 2014, including draft food inspection regulations and a first draft suite of guidance documents for industry. January 2015 is the target for the new Food Inspection Regulations to become enforceable. Proctor recommended that United Fresh review and provide comments on the Safe Food for Canadians Act, particularly pointing out differences from U.S. regulations. For example, the Safe Food for Canadians Act requirements for fresh fruits and vegetables has

no exclusions for small operations, but requires a written food safety plan for farms that sell outside the province. CPMA is encouraging use of the PTI model for traceability provisions. Comments can be emailed to CFIA-Modernisation-ACIA@inspection.gc.ca.

IV. FDA Proposed Rules – United Fresh Comments

Gombas had hoped to have draft comments to the four rules for Council review, but they were not yet ready. Instead, he summarized the major points raised by the four Working Groups.

For the proposed Produce Safety rule, the Produce Safety Working Group supported FDA in the following: the rule's focus on the same five risk factors as typical GAP food safety audits; that the rule is limited to microbiological hazards; the rule provides no list of "high risk" commodities; operations are only required to monitor, not prevent, animal intrusion; the rule provides an opportunity for variances/alternatives; there are fewer than expected required records; and the rule has no requirement for product testing. On the other hand, the Working Group opposed inclusion in the rule of water testing standards and pre-harvest intervals that are not supported by science; "one size fits all" requirements for all covered produce; exclusions and exemptions that don't build consumer confidence; and a proposed limitation that variances from requirements can only be submitted to FDA by state or foreign governments. The Working Group has offered comments on FDA's definition of Farm, FDA's definition of Produce (i.e., does it include seeds and edible flowers?), concerns with FDA's proposed requirements for electronic records to be in compliance with 21 CFR part 11, and a restriction for offsite storage of records (i.e., only permitted after 6 months). Gombas noted the Working Group completed its discussions in March and these comments have not changed substantively since.

The primary message of the Preventive Controls Working Group was that RAC packing/handling operations should be regulated under the Produce Safety rule, not Preventive Controls, and that this includes in-field packing and "processing" activities like "clean and core" and "top and tail". The Working Group agreed with FDA that processed fresh produce, such as fresh-cut, should be covered by Preventive Controls, but they noted that 1) validating preventive controls to the level expected in thermal or aseptic processes would be cost prohibitive; and 2) mandatory microbiological testing of raw materials and finished product, mandatory environmental monitoring for pathogens and mandatory supplier approval and verification program must be left out of the rule, particularly for fresh produce operations.

The Foreign Supplier Verification Program (FSVP) Working Group had only met twice so far. Gombas noted the key aspect of the proposed rule: for each imported food, the importer must develop, maintain, and follow an FSVP that provides adequate assurances that the foreign supplier is producing the food in compliance with processes and procedures that provide at least the same level of public health protection as those required under Produce Safety or Preventive Controls, as relevant, and is not adulterated or misbranded. This will require the importer to develop or obtain a hazard analysis for every food, and the hazard evaluation must consider the equipment and facility of the supplier. For fresh produce importers, this will essentially require that the importer perform or obtain an audit of every supplier before receiving food from the supplier.

The Accredited Third-party Certification Working Group had also only met twice so far. The Working Group had covered requirements of accreditation bodies and provided several clarification comments, but had not yet identified any major issues for the fresh produce industry.

Gombas noted that the comment period is still expected to end November 15 for the first two rules, and November 26 for the later published rules. He also noted United Fresh's support of the National Association of State Departments of Agriculture request to FDA to issue a second set of proposed rules after the comment periods close. **The Council approved a motion to the Board that United Fresh submit an official request to FDA or Congress, whichever is appropriate, supporting the NASDA request and asking for FDA to issue either interim or second proposed rules, allowing additional stakeholder comment prior to issuing final rules.**

V. USDA Research Priorities

National Program Leaders Tom Bewick and Jodi Williams, USDA National Institute for Food and Agriculture, asked the Council to help USDA identify research priorities for 2014. Williams described the kinds of research funded by USDA under the National Integrated Food Safety Initiative (NIFSI) and the Agriculture Food and Research Initiative (AFRI). She noted that NIFSI has awarded five \$1-2 million grants for produce safety in 2009-2011. She further noted the objectives, outcomes and impacts for four AFRI funded projects: Pathogen Inactivation in Fresh Produce by Incorporation of Sanitizers into Existing Operations in the Produce Chain (Sudhir Sastry, Ohio State University); Ensuring the Safety of Specialty Foods Production in the Northwest (Yanyun Zhao, Oregon State University); Quantifying Microbial Risks During Growth Of Produce (Larry Goodridge, Colorado State University); and Assessing Risks And Implementing Food Safety Practices: Developing An On-Farm Decision Tree For Fresh Produce Growers (Elizabeth Bihn, Cornell University).

Bewick noted that there were no 2013 awards for the Specialty Crop Research Initiative because the Agency is operating under a continuing resolution and funding for SCRI has expired. He encouraged the Council to talk with their Congressional representatives about ensuring future funding in the next Farm Bill. However, he and Williams asked the Council for guidance on future research needs. The Council provided several recommendations; for example, Mark Seetin recommended USDA fund research on intrinsic factors of produce, like apples, that appear to limit the pathogenic potential of contaminating pathogens, and a related recommendation was made regarding understanding the virulence of random pathogen findings in finished product, given the fact that most isolated detections at retail do not appear in PulseNet and do not appear to have associated illnesses. John Purcell recommended USDA encourage research partnerships/collaborations with technologies not commonly used in the industry.

VI. A Word of Caution

In response to the recent criminal charges filed against the Jensen brothers because of the 2011 listeriosis outbreak linked to their cantaloupes, Durkin reviewed the Food, Drug and Cosmetic (FD&C) Act § 301 (21 U.S.C. § 331) that says "the following acts and the causing thereof are prohibited: (a) The introduction or delivery for introduction into interstate commerce of any food...that is adulterated or misbranded. (b) The adulteration or misbranding of any food...in interstate commerce. (c) The receipt in interstate commerce of any food that is adulterated or misbranded, and the delivery or proffered delivery thereof for pay or otherwise..." Consequences for performing such a prohibited act are, for Misdemeanor Liability, six months imprisonment and \$100,000 (individuals)/\$200,000 (corporations) or, for Felony Liability, three years imprisonment and \$250,000 (individuals)/\$500,000 (corporations). He also noted that each shipment is a separate offense. The law has been reviewed and upheld by the Supreme Court twice: 1) United States v. Park (1975), in which the Court affirmed that the FD&C Act imposes upon persons exercising authority or supervisory authority not only a positive duty to remedy violations as

they occur, but also a duty to implement policies and practices designed to insure against future violations; and 2) *United States v. Dotterweich* (1943), in which the Court affirmed that the FD&C Act “dispenses with the conventional requirement for criminal conduct -- awareness of some wrongdoing.” In other words, shipping or receiving an adulterated food is a criminal offense, regardless of how the adulteration was caused or whether anyone was aware of the adulteration, and that the individual representing the highest authority for the company can be held personally responsible. He further noted that FDA exercises this law about five times a year, although usually for medical devices and that this was the first time it has been exercised for fresh produce.

VII. Harmonized Standards – Partnerships with USDA and GFSI-benchmarked standards

Gombas reported that GAP audits using the Harmonized Standards are being accepted by all major produce buyers he has spoken with, although some conditions may apply, such as performance of the audit under a GFSI-benchmarked standard. However, it should now be possible for any grower to have one or two audits per year to satisfy the audit requirements of all buyers. He also reported on the efforts of the Calibration Committee to develop official training materials for the Post-harvest Operations standards, which were finalized last year. The materials have been completed and the first official auditor training workshop will be October 30/31 at Florida Fruit and Vegetable Association/Florida Tomato Exchange headquarters in Maitland Florida.

Gombas also noted that the number of audit organizations that are offering audits using the Harmonized Standards continues to grow. Five of the organizations were invited to present to the Council how they are or plan to use the Harmonized Standards.

Ken Petersen described the adoption of the Harmonized GAP Standard by USDA’s Specialty Crops Inspection Division. USDA has participated in the GAPs Harmonization Initiative Technical Working Group since its inception in 2009, participates on the Calibration Committee, was a sponsor of the second auditor workshop for the Field Operations and Harvesting standard, and will provide a trainer for the October 30/31 workshop. USDA utilizes cooperative agreements with state departments of agriculture and currently has approximately 250 auditors in 36 states across the country. Most auditors are also quality produce inspectors, so have a practical knowledge of fruit and vegetable production, harvesting and handling. USDA has been performing audits against the Harmonized Standards since 2011; they performed 228 audits in FY2012 and 453 so far in FY 2013. Petersen noted that the Harmonized Standard is the “preferred standard for general GAP audits”, but he also noted that some of the audits of operations have shown it to be inconvenient to have separate pre-harvest and post-harvest standards; when doing both on an operation, the auditor may only need 10 of the 89 items in the Post-harvest Operations standards. USDA is working on a pilot to bring certain items, verbatim, from the post-harvest into the pre-harvest standard, and will share results with the TWG. Petersen noted that GFSI rules forbid benchmarked standards from using government auditors, but USDA AMS is engaged in discussions with GFSI toward recognition of USDA as a benchmarked organization, using the Harmonized Standards.

Thomas Fenimore described the how GLOBALG.A.P (GG) was the first of the GFSI-benchmarked standards organizations to formally align with the Harmonized Standards, adopting all of the Field Operations and Harvesting Harmonized Standards, select checkpoints from the Post-harvest Operations standards, and several GFSI-required and GG program-required “riders” as the National Interpretation Guideline for their Produce Safety Standard (PSS) in the U.S. PSS is their accredited, GFSI-recognized, food safety only standard, and a subset of their Integrated Farm Assurance (IFA). IFA includes worker

operational health and safety, animal welfare and environmental sustainability as well as food safety, and is the standard most often required by buyers outside the U.S. Fenimore further described their relation with two other GFSI-benchmarked organizations, BRC and IFS: GG has managed the pre-farm gate standards and audits, while BRC and IFS have managed the post-farm gate standards and audits.

GG, BRC and IFS have announced new vertical choices for packhouse certification in the U.S.: GG and BRC are developing a co-branded certification that will use the Post-harvest Operations Harmonized Standards for packinghouses, distribution and cooling operations that are beyond the scope of the GG IFA or PSS, while IFS is developing a stand alone Interpretation Guideline using the Post-harvest Operations Harmonized Standards. The certifications are only for operations that handle only raw agricultural commodities; fresh-cut and more complex operations are beyond the intended scope of these new certifications.

According to GFSI rules, none of the benchmarked standards organizations are allowed to have auditors. Rather, they approve independent audit organizations ("certification bodies" or CBs) to perform audits to the benchmarked standards. In the case of the GG/BRC program, audits will be performed by CBs accredited to both GLOBALG.A.P. and BRC, allowing for one audit and one certification. In the case of the IFS program, audits can be performed by CBs accredited to both IFS and GG or just IFS, allowing for one audit of a vertically integrated farm/packhouse operation and two certifications, or one audit of an independent packinghouse and one certification.

John Kukoly, BRC, described the global BRC program. BRC audits have been performed at over 16,000 food sites in 113 countries. Over 10% of the audits have been at fresh produce operations, and there is a BRC Guideline for Fresh Produce, which is a specifically designed assistance document for pack house operations to meet BRC Category 5 standards. He further described BRC's work with GLOBALG.A.P to produce a version of the Harmonized Standards to benchmark against GFSI, to provide an intermediate step between the Harmonized Standards and the more complex BRC standards for pack house and minimal post-harvest processing, and for operations where a "farm level GFSI certification" is required post-harvest. The co-branded standard is expected to be submitted to GFSI as a "scope extension" soon.

George Gansner, International Featured Standards or IFS, described the global IFS program. 14,000 IFS certifications have been performed in the 10 years of IFS existence. IFS has mapped their IFS Food v6 to the Post-harvest Operations Harmonized Standard, using the Harmonized Standard as an Interpretation Guideline, similar to GLOBALG.A.P's use of the Harmonized Standards for PSS, and identified those items that may be marked as N/A. Auditors will focus on IFS Food v6 requirements mapped directly to Harmonized Standard elements and will issue an IFS Food v6 certification, which is already GFSI benchmarked. They intend for the program to be implemented and accepted globally, and are already working to translate the Post-harvest Operations Harmonized Standards into four languages. Auditors will be specifically trained on IFS Food v6 requirements, must come from a GLOBALG.A.P background with an IFS certification body, and must pass a special IFS Food auditor written and oral examination.

Melody Ge, Compliance Specialist with SQF Institute, described the SQF program and its recent work with the Harmonized Standards. According to Ge, the SQF program is modularized to provide a farm to fork solution and is designed around the GFSI Industry Scopes, with 35 different food sector categories. Auditors are credentialed in specific food sector categories. SQF offers three levels of certification with a unique approach to food quality. Level one is "Food Safety Fundamentals", a non-GFSI accredited certification. Levels two ("HACCP for Food Safety") and three ("HACCP for Quality") are both GFSI-

benchmarked. All operations must meet the requirements in the SQF Module 2 (Food Safety Management). Pre-harvest operations are audited to the requirements in SQF Module 7 while packinghouses are audited to SQF Module 10. SQF recently announced an alternate Module 7H, which uses the Field Operations and Harvesting Harmonized Standards verbatim. Operations would still be required to comply with requirements in Module 2, which supersedes redundant requirements in the Harmonized Standards.

Gombas encouraged Council members that are required to be audited by a government auditor to consider the USDA program, and those that are required to be certified to a GFSI-benchmarked standard to consider all four of the other programs that use the Harmonized Standards, selecting the program that best fits their operational culture.

VIII. The Growing Burden of Social Audits

Gurmail Mudahar initiated a discussion on buyer-required “social audits”, a phenomenon that some described as more burdensome than food safety audits because of a lack of consistency in what is audited and the expectations. He described social audits as covering three key areas: labor wages, child labor and worker safety. He noted that social audits may be an ethical necessity for suppliers outside the U.S., but he questioned their value, let alone the value of repeat audits, within the U.S. It was noted that the “genie is out of the bottle” on social audits and we “can’t put it back in”. Some of the questions asked during the audits are borderline legal; members provided examples, including questions that may invade personal information. It was also noted that we can’t exempt U.S. operations just because we don’t think it applies; such audits must be domestic as well as foreign. A question was raised whether GLOBALG.A.P’s GRASP (GlobalGAP Risk Assessment for Social Practices) meet the needs? Should FS&T write an opinion/white paper? The United Fresh Board considered this some years ago, but the time wasn’t right. The time may now be right to develop a harmonized approach. Ray Gilmer reminded the Council that the United Fresh Sustainability Guide has a dozen questions that address social accountability under the umbrella of sustainability. FoodLogiQ has an on-line self-assessment tool, which can help prepare companies. Gombas said that the Council can bring this to the Board for discussion, but asked whether FS&T is the right group to address this? Gilmer said that the Sustainability Advisory Board has been retired, but can be revived if that is the right venue. **The Council approved a motion to the Board that United Fresh should discuss and decide what can/should be done about social audits.** They further recommended that, because the core competence of FS&T is not in this area, then, if the Board approves exploration of the topic, that this would be best handled by a group, perhaps, a multidisciplinary group involving members of various Councils and Market Boards, such as the Finance & Business Management Council, Retail-Foodservice Board, Fresh-Cut Processor Board, etc.

IX. What Have You Heard?

Bill Pool reported increased customer concerns about GMOs. This appears not to be an organized campaign against GMOs by any group; rather, a legitimate issue among customers. Wegmans has received 800 comments from consumers, many wanting labeling and alternatives. Wegmans message to these consumers is that, if you are concerned about GMOs, buy organic because organic cannot contain GMOs. Jim Cranney suggested that United Fresh/FS&T promote messaging about the benefits of GMOs.

Brian Zomorodi reported that several companies, notably McDonalds and Yum Brands, are planning to cooperate on developing a Food Safety Checklist for coolers, including sanitation practices, GMPs and *Listeria* controls. Much is based on surveys, frequencies and definitions.

Michael Bledsoe reported that most of the FDA recalls in the past year have been for undeclared allergens, including sulfites. The produce industry needs to be aware of sulfites in pesticides and carryover to produce. Sulfites may be in peanut hulls, etc., that are used in growing/handling practice. Gombas noted that FDA is preparing a revised guidance with a lower tolerance for sulfite in foods, added or naturally occurring. Sally Blackman noted that Canada has limitations on what produce can have sulfites added. Walter Ram suggested that the Council consider updating the Allergen Guidance.

Bledsoe also reported that the EU is concerned and creating limitations on use of Neonicotinoid pesticides (“neonics”) because of the honey bee issue. Labels are beginning to include limitations for foliar applications, and an advisory of who to notify about using them. Dan Botts noted that the EU has declared a moratorium – not a prohibition – on neonic use starting 2014 and it’s been challenged because some of the alternatives may be worse. The issue is still very much in discussion. Regulatory control will be a problem because of extensive use by consumers.

Beth Oleson invited Council members to the [Southeast Regional Fruit and Vegetable Conference](#) in Savannah GA, January 9-12, 2014.

X. Next Meeting

The next scheduled meeting of the Council will be Wednesday, January 22, 2014 during the United Fresh Winter Leadership Meetings, the week of January 20 at the Trump National Doral Resort in Miami FL.

The [United Fresh Show 2014](#) will be held in partnership with FMI at the McCormick Center in Chicago the week of June 10-14. Registration is now open.

Having reached the end of the agenda, the meeting was adjourned.