2015 Government Relations Priorities

Each year the United Fresh Produce Association’s Board of Directors, Government Relations Council, members and industry partners evaluate and determine the overarching federal government relations priorities for the upcoming year. It is critical to focus on a core group of issues for maximum impact, but still allow for some level of action on a wider variety of public policy issues of importance to the produce business. In light of this, the United Fresh Government Relations Committee recommends the 2015 targeted priorities outlined here.

With the new 114th Congress convened this year, an overarching mission for United Fresh will be to evaluate changes in leadership and within key committees, build relationships with newly influential members, and initiate relationships with new members just arriving in Congress. These steps are critical to advance our priority positions and be prepared to respond to emerging legislative initiatives that affect the fresh produce industry.

Shaping Implementation of the Food Safety Modernization Act

For the past four years United Fresh has worked closely with industry members, regulators, and interested stakeholders in analyzing proposed regulations under the Food Safety Modernization Act. This legislation, which was signed into law on January 4, 2011, represents the most sweeping changes to U.S. food safety policy in over 70 years. In late 2014, United Fresh submitted comments on the proposed final regulations pertaining to Foreign Supplier Verification Programs, Preventive Controls for Animal Feed, Preventive Controls for Human Food and for Produce Safety. This was the second set of comments United Fresh has submitted to FDA. It is now upon the FDA to review and analyze comments from all interested stakeholders to determine how the final regulations will be shaped. It is expected that FDA will issue final regulations in the Fall of 2015.

1. **Continue substantive input on FSMA regulations** – United Fresh will continue to work with the Administration and Congress to ensure that as the regulations are implemented, they are based on sound science, consistent with Congressional intent and appropriate for the produce industry throughout the distribution chain.

2. **Develop education and outreach tools** – As FSMA rules begin to take final form, United Fresh will use its FSMA working groups and volunteer leadership structure to help develop appropriate education tools for the industry.

3. **Assess need for changes to underlying FSMA law** – One concern expressed by FDA during the regulatory rule development process has been whether the underlying FSMA law binds FDA from smart implementation. As final regulations take shape, United Fresh will assess whether parts of the law should be modified to address implementation flexibility without impacting food safety enhancements.
Shaping a Workable and Achievable Immigration Policy

The Administration, Congress, and immigration reform advocates continue to debate how best to make changes to the immigration policies of the United States. As we work toward introduction of specific legislation, there are two main issues that United Fresh will address.

1. **Drive continued focus on immigration reform in the new Congress and bring together consensus policies that can actually become law** – United Fresh will work to ensure that congressional leaders make good on their pledges to act on immigration reform. We will work with our allies to push the development of legislation that incorporates sound agriculture provisions, pragmatic temporary worker programs, realistic approaches to the current undocumented workforce in the United States, and reasonable requirements for the business sector dealing with employment verification processes.

2. **President Obama’s Executive Order on deferred deportation** – In November, 2014, President Obama issued an Executive Action impacting the U.S. immigration system. The order lays out criteria for which certain individuals who entered or remain in the U.S. without legal authority can apply for deferred deportation. The Administration will be issuing guidance documents clarifying the intent of the Executive Action as it pertains to employers. While not specifically focused on agriculture, the Executive Action could have ramifications for agriculture employers and United Fresh will focus on ensuring that employers have all the information they need to be in compliance with the President’s action.

Shaping Agricultural Policy to Support Fresh Produce Competitiveness

With the passage of the 2014 Farm Bill now complete, including provisions of critical interest to the produce industry, United Fresh with work with policymakers and industry colleagues to ensure that implementation of the 2014 Farm Bill enhances the industry’s infrastructure and business competitiveness.

1. **Work to ensure effective implementation of the 2014 Farm Bill** – As an active leader of the Specialty Crop Farm Bill Alliance, United Fresh will lead efforts to make certain the policy gains achieved through passage of the 2014 Farm Bill are quickly and effectively implemented by USDA and other appropriate departments and agencies. As United Fresh works to address Farm Bill implementation activities, key areas we will focus on include Specialty Crop Block Grants initiatives to encourage multi-state projects; mitigating negative impacts on specialty crop producers from conservation compliance requirements; improving industry input in awarding Specialty Crop Research Initiative grants and the establishment of the office of the Undersecretary for Trade at USDA.

Shaping Nutrition Policy to Increase Fresh Fruit & Vegetable Consumption

United Fresh leads the produce industry in shaping nutrition policy to drive increased consumption of fresh fruits and vegetables. 2015 will be another important year to shape federal nutrition policy impacting schools nationwide as Congress debates the 2015 Child Nutrition Reauthorization. Additionally, USDA and HHS will publish the 2015 Dietary Guidelines and USDA will expand funding opportunities to provide fruit and vegetable incentives for SNAP families.
1. **Engage in 2015 Child Nutrition Reauthorization** – As with the Farm Bill, Congress is responsible for reauthorizing all child nutrition programs every five years. Congress will begin this process in early 2015 as both the House and Senate are expected to hold hearings and several bills will be introduced to set the parameters for reauthorization which is set to expire in September 2015. If 2014 was any indication, the 2015 Child Nutrition Reauthorization (CNR) is expected to be very contentious, with some Members of Congress trying to roll back key provisions of the Healthy, Hunger-Free Kids Act of 2010 and school nutrition regulations. The fruit and vegetable standards, which double the amount of fruits and vegetables served daily and require students to select at least a ½ cup serving at each meal, have already come under attack, accused of increasing costs and plate waste. United Fresh will focus efforts on developing policy tools and recommendations for CNR legislation that do not reverse major gains that have increased students’ access to fruits and vegetables in school meals.

2. **Impact Agriculture Appropriations** – Along with Child Nutrition Reauthorization, Congress may consider using the Fiscal Year 2016 Agriculture Appropriations bill as a vehicle for policy riders to reverse school nutrition standards, including the requirement that students must select a ½ cup of a fruit or vegetable at each meal. United Fresh will work with key advocacy organizations and allies on the Hill to prevent attempts to change important fruit and vegetable provisions.

3. **Continue to collaborate with USDA, NFSMI, and school districts to ensure successful implementation of nutrition standards that increase fresh fruits and vegetables** – Increasing students’ access to and consumption of fruits and vegetables is an important goal of new school breakfast, lunch and Smart Snacks nutrition standards being implemented nationwide. United Fresh will strengthen its collaboration with USDA and the National Food Service Management Institute (NFSMI) to expand “Team Up for School Nutrition Success” to schools in all regions of the country. United Fresh will also engage with produce industry partners to facilitate successful business partnerships with schools. On Capitol Hill, United Fresh and public health advocates will work to ensure that Congress is aware that schools are being successful and kids are eating more fruits and vegetables in school meals.

4. **Strengthen the Fresh Fruit and Vegetable Program (FFVP)** – United Fresh will work with key public health advocates and industry members to strengthen the integrity of the FFVP in the 2015 Child Nutrition Reauthorization. United Fresh will also work with USDA to monitor and analyze the “all forms” pilot project in the 2015 school year.

5. **Engage in the development of the 2015 Dietary Guidelines** – The 2015 Dietary Guidelines for Americans (DGA) is expected to be published in the fall of 2015 and include strong recommendations for increasing fruit and vegetable consumption and call for bold action to ‘make half your plate fruits and vegetables.’ United Fresh will comment on the DGA Advisory Committee’s report with recommendations to the Secretaries of USDA and Health and Human Services.

6. **Scaling Up Fruit/Vegetable Financial Incentives for SNAP Families** – United Fresh will continue to play a leadership role with USDA, the Centers for Disease Control and Prevention (CDC), Fair Food Network, Wholesome Wave, key public health advocates and our grocery retail members to scale up fruit and vegetable incentives for SNAP families to purchase more fresh fruits and vegetables. United
Fresh will collaborate with key groups to encourage more grocery retailers to participate in Food Insecurity Nutrition Incentive (FINI) Grants in order to build the evidence–base for future Farm Bills.

7. **Work with USDA to improve federal fruit and vegetable procurement for schools** – All schools are interested in serving more fresh fruits and vegetables as new nutrition standards for school meals double the amount of fruits and vegetables that must be served at school lunch and breakfast. However, only 3% of the fruits and vegetables USDA purchases as commodities are fresh. USDA’s Agricultural Marketing Service and Food and Nutrition Service must create a new paradigm with a primary focus on purchasing the types of fruits and vegetables that kids want to eat. Without denigrating other forms, United Fresh supports USDA purchasing more fresh produce for schools and for schools to serve more fresh fruits and vegetables as part of their overall wellness strategy. United Fresh will work with USDA, the produce industry, national, state and local stakeholders to help schools serve more fresh fruits and vegetables with the goal of increasing children’s total consumption.

**Shaping Sound Environmental Regulatory and Legislative Policy**

United Fresh believes that economic growth and environmental progress go hand in hand and that responsible business and environmental leaders can work together to grow our economy and preserve the planet. In fact, produce industry members are committed to technological innovations and efficiency gains that will continue to improve our environment. Sensible regulatory policies can help ensure public safety while also permitting business growth. United Fresh will continue to work with other business sectors to secure the passage of legislation to streamline the permitting process for federal regulatory reviews, environmental decision making and permitting, as well as legislation to make the regulatory process more transparent and accountable.

1. **Help inform the debate on the use of biotechnology tools in fresh produce** – While the vast majority of fruit and vegetable production is not based on modern biotechnology, United Fresh believes these tools will be increasingly important in tackling critical challenges such as drought and the effects of climate change, enhanced nutrition and quality of fresh produce, improved pest/disease resistance and minimizing the impact of agricultural production on the environment. We strongly support federal government review of biotech varieties and believe that transparency about biotech varieties is an important tool for consumers as they make food choices. United Fresh will continue to engage industry leaders and government officials to develop an appropriate policy and regulatory positions around the use of biotechnology tools.

2. **Work to develop sound regulation of crop protection chemicals** – United Fresh has long been committed to sound, scientific regulation of crop protection chemicals. United Fresh will work with our counterparts throughout agriculture to ensure that any policies affecting pesticide use do not result in growers losing necessary, proven-safe pesticide applications as a tool in their effort to produce an abundant, safe crop.

3. **Focus on removing Waters of the United States Interpretative Rule** – Among the regulatory pressures facing agriculture is the Administration’s proposals for defining the Waters of the U.S. (WOTUS). In 2014 legislation was passed that would restrict the U.S. Environmental Protection Agency from expanding the definition of WOTUS. In addition, the 2014 appropriations legislation would direct the
Environmental Protection Agency to withdraw, but does not defund, the WOTUS rule. United Fresh will work with agriculture and business stakeholders to restrict and have EPA withdraw the WOTUS propose rule.

4. **Engaging in pollinator health and Neonicotinoid regulatory proposals** – The issue of what is causing higher than usual mortality in the bee population has been subject to debate for several years. Environmentalists have particularly focused on the use of the neonicotinoid class of pesticides as a potential cause of bee colony death. However, there is substantial data to indicate that a number of factors have led to the dying-off of bee colonies. United Fresh will work with allies across the production agriculture spectrum to ensure that government efforts to address pollinator health do not lead to the banning of neonicotinoids, which have proven to be highly successful in suppressing dangerous specialty crop pests when appropriately used.

**Shaping a Positive Business Environment for the Industry**

Ensuring the economic health of the fresh produce industry is a top priority for United Fresh. Public policy decisions can put undue restrictions and burdens on our business, or create an environment of opportunity for businesses to grow. We will continue to advocate for legislation and regulations that stimulate growth and opportunity for the produce industry members while avoiding unnecessary or counterproductive measures.

1. **Support free and fair trade policies, enhancing the competitiveness of the produce industry** – Given the increasingly global nature of the fresh fruit and vegetable industry, United Fresh will continue to work with allies in ensuring that U.S. trade policy is comprehensive and produces tangible benefits. Ensuring free and fair movement of fresh produce amongst our trading partners will be a key component of that effort. In addition, it will be necessary for United Fresh to work with industry partners to ensure that Food Safety Modernization Act provisions on issues such as on-site inspections and fees, third party certification and new importer responsibilities do not undermine free trade. Provisions in bilateral or multilateral agreements should not violate international standards and thereby result in unreasonable restraints on fruit and vegetable trade. In particular, phytosanitary policy should be grounded in sound science. Additionally, green box programs, such as the Market Access Program, should continue to receive full funding as stipulated in the Farm Bill and the export enhancing program IC-DISC should be maintained in the federal tax code.

2. **Ensure adequate government resources at Ports and Border Access Points** – The movement of fresh fruits and vegetables (both imports and exports) has continued to increase in recent years. This includes both ports of entry and border crossing routes. While the need for security, food safety and invasive pest controls at border crossing and ports of entry is clear, it appears increasingly that there is not an adequate level of resources and personnel to process the level in a timely and efficient manner. In addition, more attention by Congress and the Administration needs to be focused on resolving port work stoppages that impact the exports and imports of fresh produce through the United States. United Fresh will engage in dialogue with key agencies with jurisdiction over produce imports and exports such as Department of Homeland Security, FDA and USDA to identify resource gaps and work with key lawmakers on Capitol Hill to strengthen current resources. United Fresh will take a leadership role in defining areas of concern and work towards acceptable solutions.