

FOOD SAFETY MODERNIZATION ACT

Continuing to Enhance the Safety of our Fresh Produce Supply Chain

There is no more important issue for the produce industry today than the safety of our food. For decades, United Fresh has supported food safety initiatives by serving as a visible, technical resource. That is our top priority and why we supported the Food Safety Modernization Act.

The Food Safety Modernization Act (FSMA) is the most sweeping reform of our food safety laws in more than 70 years. It was passed by Congress in 2010 and signed into law by President Obama on January 4, 2011. FSMA changes many aspects of how food is regulated, by aiming to ensure the safety of the U.S. food supply through a focus on prevention, rather than responding after a food safety event has occurred.

United Fresh has long advocated for sound science and risk-based approaches to fresh produce safety and will continue to work collaboratively with FDA, CDC and Congress. United Fresh appreciates the careful consideration FDA gave to stakeholder input and supports the underlying premise of the rules of FSMA. However, there are a few key issues that warrant focused attention.

For instance, the outbreak investigation system is failing consumers and the industry. The reliance on consumer recollection of foods they ate weeks after becoming ill, combined with the slow and tedious process of stitching together records (if records even exist) at the point of sale and point of service, back to processors and growers, delays the identification and resolution of outbreaks. In addition, the definition of farms and facilities is inconsistent under FSMA. Finally, an updated, risk-based approach to managing agricultural water under the Produce Safety Rule needs to be developed and implemented.

Policy Priorities

- Resource CDC to ensure they take rapid action as soon as an illness is reported that matches a historical outbreak strain.
- Push FDA to develop a mechanism to use industry expertise and knowledge to aid in investigations, and/or establishing teams of industry experts who can rapidly investigate situations in concert with a regulatory investigation.
- Support risk-based regulatory requirements for water testing that balance feasibility against true public health benefit.
- Encourage FDA for a permanent regulatory guidance on a clear demarcation of what is a farm and what is a facility.

Food Safety by the Numbers

- Over 1 billion servings of fresh fruits and vegetables are eaten each day in the United States.
- United Fresh members and staff have testified 17 times before Congress, the Administration and state government on food safety issues.
- In 2017 and 2018, United Fresh hosted 25 Food Safety trainings for industry members and participated in 16 Food Safety coalition meetings.