

STEPHEN F. PATRICIO: Growers are policing themselves

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By Stephen F. Patricio

The greatest flaw in any legislative approach can be summed up with one simple observation: Time is of the essence. While the Legislature may continue to debate legislation, the California Marketing Agreement for food safety has been implemented and is already helping to elevate food safety practices in the leafy greens industry throughout the nation.

In other words, while others are still talking, the state of California and the industry itself have already taken serious action.

The California Leafy Greens Handler Marketing Agreement for food safety is one of the most substantial, timely and effective responses to a food safety crisis in the history of our state. Currently, 111 California produce handlers are now subject to regulation under this agreement. Those handlers represent 99.5% of all the leafy green commodities grown in the state.

The expectation for safe, fresh produce growing and handling practices is higher and more critical than ever before. As part of the on-going debate in California concerning food safety and fresh produce practices in particular, many have made the case that the most effective way to protect consumers and enhance food safety is through government legislation.

Bills are the wrong response

In particular, legislative bills SB 200 and 201 proposed by Sen. Dean Florez, D-Shafter -- both of which have been kept on hold by the Assembly Agriculture Committee -- would require the state to set up a government-run food safety inspection and enforcement program for California growers and processors of leafy green vegetables.

While we share Sen. Florez's concern for consumers and food safety, legislation is the wrong response.

The best way to ensure that California farmers continue producing the best, freshest and safest vegetables and leafy greens in the world is to establish a common-sense, farmer-supported structure of food safety standards and protocols with government oversight of on-farm growing and harvesting practices.

The California Leafy Greens Handler Marketing Agreement -- endorsed and ratified by nearly 100% of all California leafy green handlers -- does just that.

There are two keys to the success of the marketing agreement food safety program: the strength of the science-based growing and handling safety procedures and the appropriate government oversight to ensure their implementation.

This program represents the best science, oversight and practices available in agriculture today and is one of the most substantial, timely and effective responses to a food safety crisis in the history of America's food industry.

The marketing agreement is effective because it is built on simple, yet important principles:

The signatory participants of the Leafy Greens Handler Marketing Agreement are subject to mandatory, enforceable compliance.

Legal enforcement for compliance of on-farm food safety standards.

Scaled penalties for violations of the marketing agreement's provisions, including the potential revocation of a major violator's federal PACA license, which has the effect of putting the violator out of business.

The costs of the marketing agreement are borne by the industry.

This historic marketing agreement has resulted in some of the most stringent food safety procedures for growers and shippers of 13 leafy green commodities, including lettuce, spinach and other leafy green produce. The agreement is an official state of California government regulatory act -- not a privately run industry program.

Program is already in place

In contrast to Sen. Florez's legislation, this state inspection and safety program is already out in the field in the form of a cadre of USDA-trained, California Department of Food and Agriculture state inspectors, enforcing a 52-page set of growing and handling standards. These inspectors are not only educating but are also armed with state-enforced sanctions for violations. The science-based standards they are enforcing were developed in conjunction with academics from UC Davis and other universities; scientists from USDA, the FDA and the state of California, industry specialists and additional third-party experts.

From a growers' perspective, the motivation to make this new food safety initiative a success has been clear from the start. We feed what we grow to our own families and take a strong sense of responsibility and pride in our work. Our families' safety and that of our customers are our first priorities. An endorsement of the marketing agreement without the implementation of duplicitous and unnecessary legislation will go a long way toward meeting these goals.

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