

RICK PERRY, Commissioner



TEXAS DEPARTMENT OF AGRICULTURE

Making Texas the nation's leader in agriculture while providing efficient and extraordinary service.

December 19, 1997

Docket No. 97N-0451

William K. Hubbard
Associate Commissioner for Policy Coordination
Food and Drug Administration
Dockets Management Branch (HFA-305)
12420 Parklawn Dr.
Rm. 1-23
Rockville, MD 20857

Dear Mr. Hubbard:

I am writing to you regarding Docket No. 97N-0451 and the proposed "Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables." Food safety is an important issue, and I appreciate the opportunity to provide comments.

The United States enjoys one of the most safe, affordable and reliable supplies of fresh fruit and vegetables in the world, and it is important that we continue to maintain the high standard American consumers expect and deserve. In order to accomplish this, producers must be able to produce an economically viable product while utilizing the latest technologies and following scientifically sound food safety practices.

The proposed "Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables," in general, offers common-sense suggestions for good agricultural and manufacturing practices, and many of the recommended practices have already been adopted by producers. However, producers in Texas have stated that some provisions in the guide would be unnecessary and overly burdensome. I am concerned that these guidelines may eventually become regulations, or effectively have the weight of regulations.

Because of these concerns, it is essential that all recommendations in the guide be flexible and based on sound science. As pointed out in the guide, there are many knowledge gaps in the area of food safety and we must exercise extreme caution when considering the implementation of standards without sufficient scientific information. In addition to basing decisions on sound science, there must be adequate flexibility to accommodate the enormous diversity of fruit and vegetable production in different regions. While the guide recognizes the need for flexibility, it is worthwhile to reiterate that a "one size fits all" approach is not acceptable.

P. O. Box 12847, Austin, TX 78711 • (512) 463-7476

For the hearing impaired: Relay Texas 1-800-735-2988 (voice) or 1-800-735-2989 (TDD)

97N-0451

D
E
C 22

Mr. Hubbard

Page 2

We must also recognize that fresh fruits and vegetables go through various steps from farm to consumer, and that there are many points along the way where potential contamination may occur. We cannot focus solely on producers while ignoring other steps of the process. In many cases, once fruits or vegetables are loaded for transport, the producer no longer has control of the product's purity. A system should be developed to help determine at what stage contamination takes place. Farmers whose produce is not contaminated when it leaves their control should not be punished for contamination further down the line.

Finally, I would like to express concerns about the process for implementing the guide. The 90 day period allotted by President Clinton does not appear to be long enough to allow the appropriate amount of public input. Because of the timing and location, participation in the Texas grassroots meeting was very limited. The meeting was held about 200 miles from the major fruit and vegetable producing region in Texas and it was difficult for producers to get there on such short notice. In addition, members of the citrus industry were not able to attend because the meeting was during their busiest time of year. If the meeting in Texas was indicative of the other meetings across the country, I question whether the public has had the necessary opportunity to comment on the guide. I strongly encourage additional forums for public comment prior to finalizing the guide.

Thank you for your attention and consideration of my comments. Please call on me if you have any questions, or if I can be of assistance.

Sincerely,

A handwritten signature in black ink that reads "Rick Perry". The signature is written in a cursive, slightly slanted style.

Rick Perry
Commissioner

RP/JS/lr