

THOMAS E. BAGGOTT, JR.

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December 15, 1997

Dockets Management Branch (HFA-305)
Food & Drug Administration
12420 Parklawn Drive - Rm-1-23
Rockville, MD 20857

Re: Docket # 97N-0451

This letter is in response to your well intentioned plan to issue guidelines on the microbial safety of fresh produce, which I first found out about from the New York State Vegetable Growers Assn., of which I am a member.

I am a vegetable producer. I farm 1000 acres in the Connecticut Valley, on which I grow 1400 acres of vegetables for the fresh market. I am aware of the increasing concern over microbial contamination of our food supply, and I am well read on the latest packing, cooling, and shipping methods. I think we do the best we can to ship clean, wholesome produce.

My first reaction is that neither the USDA nor the FDA, seem to have a handle on what crops have what potential microbial contamination possibilities, or what exactly might cause microbial contamination. Concurrent with this initial reaction, I fear that "guidelines" may be issued prematurely because of understandable political pressures, and the result will be counterproductive. If guidelines are issued prematurely, I fear that the public will be misled into a false sense of security based on what might be an unworkable program, and the first inevitable outbreak will cause the public to lose confidence in fresh produce (not to mention losing even more confidence in the "agencies"). I think a timetable of late 1998 for issuing guidelines is very unrealistic.

Having read the draft "GUIDE TO MINIMIZE MICROBIAL FOOD SAFETY HAZARDS FOR FRESH FRUITS AND VEGETABLES", I have these specific comments:

1.) Not enough emphasis is placed on the fact that the biggest part of the problem would be solved by consumers properly cooking and/or washing produce. What about the substantial amount of produce consumed that is grown in gardens? What about a massive public education campaign on this issue?

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2.) On the section on water, I agree it is a POTENTIAL hazard, and I feel some of the issues raised were informative to me, and some were common sense.

a.) On the subject of irrigation water, I think a LOT of study needs to be done on this issue. Reading between the lines, I fear a rapid issuance of guidelines, which become regulations, concerning water testing, and possible mandatory water treatment, which may well prove pointless, expensive, and unworkable.

b.) On the subject of packinghouse water, I feel guidance and research from the USDA might be very helpful and of some benefit. Since this is the final stage at which most growers have control of the product, treatment at this stage could be beneficial and workable. I would have no problem with a USDA administered education program which assisted us in identifying hazards and dealing with them chemically in the wash or cooling water. I would support reasearch that told us that so many ppm of this compound would solve the problem for these commondities. This could be a job for the extention service, but you would have to restore some of the funding which has been taken away.

3.) I do not use manure or compost, so I won't comment.

4.) On the subject of worker sanitation and field hygiene, I really have something to say.

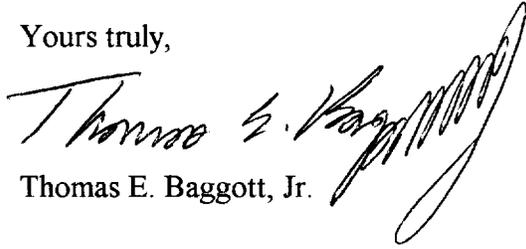
a.) Most of your general statements are only common sense.

b.) You make one greivous misassumption--THERE IS NO AGRICULTURAL WORKFORCE. Half of the people who sweat to harvest our crops are illegal. They are harassed at every turn, and the workers and farmers are constantly in fear of an INS raid that will take away our workers, and leave our crops to rot. Sure, we process their documents and are relieved of legal liability for hiring aliens, but everybody knows what the story is. Do you really think a man who is sweating for \$400 or \$500 per week and is in constant fear of the INS really cares if he washes his hands after using the toilet, or if some rich fat Americans get sick??? How are you going to solve the worker hygiene problem with workers who might have that perspective??? To truly solve the worker hygiene problem, we need a professional legal agricultural workforce who is happy to buy into the program. My suggestion on this issue would be to issue a sufficient number of agricultural work permits, say 700,000, and support raising the minimum wage (We already pay far more, as do most Northeast growers.) Raising the minimum wage would possibly interest some Americans to work in the fields, although I doubt it in this economy.

In summary, I am in favor of making the safest food supply in the world even safer. I think the USDA and the FDA could be very helpful. I also think the most workable solution would be government funded research and a government industry partnership to achieve this goal, possibly resulting in some industry administered certification program. I really fear another set of expensive, unworkable regulations which will only further

alienate farmers, drive some out of business, accelerate the consolidation process in our industry, and not really achieve your admirable goals.

Yours truly,

A handwritten signature in black ink, appearing to read "Thomas E. Baggott, Jr.", written in a cursive style. The signature is positioned to the right of the typed name below it.

Thomas E. Baggott, Jr.

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FROM - THOMAS E. BAGGOTT
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TO: DOCKETS MANAGEMENT BRANCH (HFA-305)
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