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Dockets Management Branch

HFA-305

Food and Drug Administration 7903 '97 DEC 23 12:25
12420 Parklawn Dr., rm. 1-23
Rockville, MD 20857

Re: "Guide to Minimizing Microbial Food Safety Hazards for Fresh Fruit and Vegetables"

Please include the following among public comments.

I am a fresh-market fruit and vegetable grower, and also a board member of Finger Lakes Organic Growers' Cooperative. I would like to comment, first on the process of this public comment period, and then on the content of the Guide itself.

The preface states that this guide is to be developed 'in close cooperation with the agricultural community'. In fact, no serious attempt has been made to notify much of this community of the process. I read a large number of publications aimed at the fresh-market grower, both organic and conventional. This Guide, the hearings, and the comment period have not been advertised in them, not was time allowed to do so before the end of the comment period. I was informed of the Guide, and of the December 3rd meeting in Geneva, New York, only by one letter from my Cornell Cooperative Extension agent. This letter arrived one week in advance of the meeting, and the day before the Thanksgiving holiday. As soon as this holiday was over, I began calling other growers in the area who I thought might be interested; most of them had not heard of the meeting at all, and were unable on such short notice to be present. Some of them, I know, have sent for copies of the Guide, although whether they will receive it in time to read and reply to it within the comment period is uncertain. I spent three hours (not counting travel time) at my local library waiting for their computer system to print out a copy of the document, and was able to cancel previously made appointments to attend the meeting.

Those who routinely channel most of their communications through the Internet need to realize that a large proportion of the population, for an assortment of reasons, does not do so. A comment process that appears to have been publicized primarily in this fashion amounts to serious discrimination. In some cases this is religious discrimination. The Mennonite communities whose members produce a large proportion of the vegetables grown in our area do not use the Internet for religious reasons. I presume that the Amish do not either.

97N-0451

p 1 (of 3)

C34

As far as comments on the Guide itself: I am not going to try to comment on every possible difficulty in the Guide as it stands. I do want to point out that, although the existence of a really well thought out Guide in this area might well be useful, this one needs a great deal more work and thought put into it. This work should be done, but much of it involves basic scientific research in this area which has so far been lacking. We do not, in fact, know a great deal about the actual behavior of pathogens in actual field conditions. We do know that healthy soil had a high population of beneficial microbes. Studies need to be done to determine the rate at which this beneficial microbial life breaks down and destroys pathogenic microbes under actual field conditions. These studies need to be done in different climates, in different soil types, and on farms under various types of both conventional and organic management practices. When we have results from such studies, we will then have some idea of the necessary manure handling regulations and of requirements for irrigation water. It should be noted that farmers have been applying manure to fields, and irrigating from open water sources, for thousands of years, and that despite--or perhaps because of--these practices, most fresh fruits and vegetables on the United States market do not make anyone ill. It should also be noted that some of the recommendations in this guide, if followed, may make people ill: for example, manure applied 120-150 days before harvest, in much of the country, would be applied on frozen ground shortly before spring rains: a practice which leads to high nitrate runoff and thus to high nitrate levels in lakes, rivers, and wells; a known hazard to human health. Covering irrigation sources to prevent birds and other animals from having access to them would in some areas pose the likelihood of environmental disaster, as irrigation water is often drawn from sources necessary to the survival of migratory birds and of other species. If there is an actual potential for serious contamination of human food, then of course preventative steps of some kind must be taken; but if the application of manures and the use of open irrigation sources did routinely make people ill, there would hardly be anyone healthy in the country.

I am very concerned to find this Guide specifically recommending the use of sewage sludge. I understand that the focus of the Guide is microbial hazards, but the potential build up of heavy metals in the soils due to the use of sewage sludge in its current forms is also a serious human health issue, as well as an environmental one. Until we can manage to separate the waste stream so that human manure is not routinely contaminated with additional toxins, this material is not made a safe manure merely by dealing with the microbial contamination in it. Whether research done on destroying pathogenic microbes in sewage sludge contaminated with other toxins is entirely applicable to handling techniques necessary for otherwise clean animal manures in field situations is not at all clear.

In further developing such guidelines, care needs to be taken to include input from farm operations of various sizes and types. The presenters at the Geneva meeting consistently spoke of produce and livestock operations as if they were always separate. In fact, much produce is grown by operations that also include livestock. These farms vary greatly in size and type, but in most of them the livestock are integrated into the produce operation in a manner beneficial for both. There should be consultation with organic certifying agents such as Northeast Organic Farming Association, which has some experience with adapting guidelines to highly diversified operations, both in terms of manure handling and clean water requirements and in terms of what organic requirements call 'audit trail' and the Geneva presenters called 'traceback'. Some direct-market growers may be harvesting forty or more different crops, in varying quantities, from one field-- all to be harvested, cleaned, and packed in one day to go to farmers' market, by two or three people working with minimal equipment. Some crops are harvested repeatedly from the same plants; the harvest may go to multiple markets, including markets of different types; harvest of one crop and planting of others may be going on simultaneously in the same field. Guidelines suitable to operations with large separate acreage of each crop, each field being harvested and planted once or twice in a season, are not suitable to such farms. Guidelines suitable to discourage contamination by a large feedlot upriver may not be suitable for the produce operation that also includes a small flock of sheep.

Although it may be outside the immediate scope of these Guidelines, I would also like to point out that the nature of our food distribution system as a whole has a major impact on food safety and quality. Cases of food contamination have recently been widely publicized; in many of them illness of a large number of people over a very wide area--often several states--has been traced to a single source of contamination, occasionally on the farm, more often due to problems with a specific processor or shipper. A food distribution system that encourages very large operations greatly ~~increases~~ increases the chances that a problem in one spot will create illness over a wide area. A food distribution that encourages multiple handlers of produce as it moves from the farm through multiple wholesalers in multiple countries before it finally reaches the retailer and then the consumer increases the number of places where contamination may take place. If the United States Government is serious about protecting the health of the American people, then at all levels smaller operations should be encouraged instead of larger ones, in order to make it easier to trace problems and to minimize the damage done by any one source of contamination; and direct marketing should be encouraged as much as feasible, as it reduces the number of possible points of contamination of produce.

Thank you for your attention,





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