



CALIFORNIA FARM BUREAU FEDERATION

EXECUTIVE OFFICES

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1716 '98 JUL -1 A9 :43 June 26, 1998

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

Re: Docket No. 97N-0451

Dear Sir/Madam:

The California Farm Bureau Federation (CFBF) is the largest general farm organization in California with more than 75,000 member families. We appreciate the opportunity to comment on the Food and Drug Administration's (FDA) general draft guide entitled, *Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables*, released April 13, 1998.

The involvement of the federal government in the fresh produce industry continues to be our primary concern with the printed guidelines. The California fresh produce industry leads the nation in the development of food safety guidelines for producers, packers and shippers. The creation of guidelines by the federal government attempts to replicate many years of hard work and education within the fresh produce industry of California. Because the FDA has proposed general guidelines for all producers in the United States, the guidelines are not as practical and useful as those developed by industry in California.

The focus of the FDA and other agencies involved with food safety must be consumer education. Statistics show that more people are eating out on a regular basis and more people have less knowledge of proper food handling techniques than ever before. These facts alone indicate that the strongest area of concern should be the consumer.

The guidelines are measurably improved from the initial version released in 1997. However, some areas within the document require attention prior to the document being published.

1. Footnote 1 states: "strongly encourage growers and packers to use the general recommendations in this guidance..." This sentence is not consistent with the "guideline" emphasis of this document. Replacing the words "strongly encourage" with the word "encourage" presents a more appropriate tone.
2. The final paragraph of the preface (page 2) unnecessarily places full responsibility on producers to work with others in the food chain to ensure safe food practices. While many

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producers are involved in more than one step of the production process, it is unfair to shift the responsibility of consumer education from the federal government to the producer. This statement, also, leaves open the possibility of a producer being implicated for contamination which occurs at a point beyond his or her control. The producer must not be held accountable for a food-borne illness caused by improper handling in the kitchen of a consumer or retailer.

3. The first paragraph of the introduction (page 2) correctly identifies a current federal health goal of increasing the daily consumption of fruits and vegetables. Logically, one could infer that the increase in consumption coupled with the increase in the population of the United States would coincide with an increase in food-borne illness reporting. This logic would not normally raise an issue to the point that the administration has created. These conclusions support greater focus on areas which contribute the greatest to food safety outbreaks - the consumer and retailer.

4. The final sentence of the second full paragraph of page 3 states that “growers and packers, ... , need to assess their individual operations and implement steps to reduce...” This sentence reads like a requirement not a guideline. The use of the word “need” places a higher degree of responsibility on the producer than the word “should”, which is used throughout the document. We suggest this word be changed to remain consistent with the entire document.

5. The second sentence of the first paragraph on page 4 states: “this document was developed in cooperation with experts from several Federal and State agencies.” This is why these guidelines have not been well accepted within the industry. The need for producer input to develop a well-balanced and practical document was mentioned at both hearings in California. Until that advice is heeded, this document will not receive the level of acceptance as others created through industry and government cooperation. If industry was involved in the development of this document, it should be mentioned.

6. Under the section titled “**Use of This Guide**”, comment 4 mentions other hazards to the food supply and specifically highlights pesticide use. This sentence is entirely inappropriate. The focus of this document is microbial contamination of fresh fruits and vegetables, any reference to another issue such as pesticide use or chemical contamination is unnecessary. The first sentence of comment 4 clearly makes the intended point. If additional clarification is needed, we suggest the word “only” be inserted following the word “hazards”.

In addition, the final sentence in comment 4 should be reworded to eliminate any unnecessary reference to producer intent of increasing other food safety or environmental risks. A sentence which would serve as an adequate replacement is: *Growers and packers are encouraged to evaluate the recommendations in this guide and consider implementing those most appropriate for reducing microbial hazards in their individual operations.*

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The first full paragraph of page 15 is another example of inappropriate language. This document was developed as a guide for microbial contamination, not biosolids. In fact, the first sentence of this paragraph states that biosolids is an issue “beyond the scope of this document”. We believe that information beyond the scope of this document should not be included. To use these guidelines as a venue to comment on other controversial issues is inappropriate and misleading to the reader.

7. If this document is to be used only as a guide and not as a tool to indicate inadequate production practices, any and all language which is not scientifically justified must be eliminated. The following are examples of language which are not justified and could lead a reader to improper conclusions:

- *While it is not known* where the lettuce became contaminated, investigators noted that the lettuce was irrigated with surface water, which *may be vulnerable* to contamination. A. Microbial Hazard, page 4.
- Tomatoes from both outbreaks were traced back to a single packinghouse where a water-bath *appeared to be the likely* source of contamination. A. Microbial Hazard, page 4.
- There are a number of significant gaps in the science upon which to base a microbial testing program for agricultural water. B. Control of Potential Hazards, 1.1 General considerations, Consider testing water quality, page 9. It is recommended that the third sentence of this comment be used to begin the paragraph. The first sentence should be eliminated.
- An outbreak of *Shigella sonnei* foodborne infection or illness associated with iceberg lettuce is *believed to have resulted* from the use of fecally contaminated water, used either for irrigation or in cooling after packing. B. Control of Potential Hazards, 2.3 Cooling Operations, page 13.
- While the agencies *do not have sufficient data* to make specific time and temperature recommendations ..., good agricultural practices, as discussed below, *may* reduce the risk of microbial cross-contamination from manure to fresh produce. B. Control of Potential Hazards, 2.1.1 Composting, page 16.
- Past outbreaks of food borne illnesses associated with fresh fruits and vegetables are *usually the result* of produce becoming contaminated with fecal material. IV. Sanitation and Hygiene, A. Worker, page 20.

8. Page 18, Animal Feces, suggests that producers consider physical barriers such as grass/sod waterways, and vegetative buffers among others to reduce runoff from adjacent fields.

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While these are practical alternatives, increased populations of wild animals may result due to the habitat which has been created. It is not reasonable to advise a producer to implement a technique which increases wild animal populations and then advise the incorporation of visual or auditory devices to rid the area of these species.

The Animal Feces guidelines should be reevaluated so that producers are not forced to implement new practices which compensate for the suggested practices offered in this document.

9. In the conclusion, industry is encouraged to take a proactive role to minimize microbial hazards. This already occurs. In fact, industry-developed guidelines are currently utilized by producers throughout California. We recommend that industry be recognized for recent accomplishments and encouraged to continue minimizing microbial contamination.

The conclusion also states that operators are encouraged to utilize "this" guide. This language overlooks the many other documents created by industry and government partnerships. To single this document out as the only document operators are encouraged to utilize is myopic. The sentence should read: *Operators are encouraged to utilize this guide or other industry and government-sponsored guides ...*

California farmers grow more than half the fruits and vegetables produced in the United States; while, at the same time, being one the most regulated industries in the nation. Federal guidelines which attempt to replicate the efforts of state and regional experts are impractical and unnecessary. Emphasis must be placed on consumer education.

We encourage FDA and other federal agencies to seek further advice of agricultural organizations and state agriculture agencies prior to this document being published.

Thank you for the opportunity to comment.

Sincerely,



GEORGE J. GOMES
Administrator

1 From 

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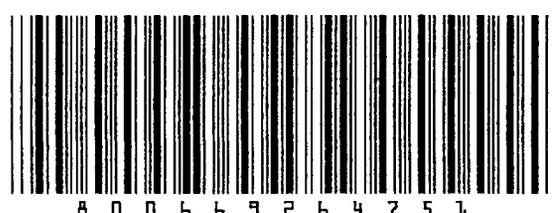
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