

Comments for FDA et al...

Intro/background: The National Good Food Network represents practitioners across the value chain building a food system that rewards safe, sustainable production, treats growers and workers fairly, improves the health of families and the wealth of communities, and meets the growing demand for healthy, green, fair, affordable food. Our members span the gamut from small- and mid-sized producers, to non-profits and cooperatives, to large-scale publically traded companies, with everything in between. It is this diversity of our membership which gives us great insight to the regulatory needs of a successful modern food system.

A 21st century food system must preserve and enhance choice for consumers, opportunities for producers/farmers, and be on a systematic path of “continuous improvement”. In contrast, the current food safety rules and regulations contain redundancy, inconsistencies and some inappropriate clauses; it is at times unclear as to which agency is the ultimate enforcement body; there is an absence of “practice sharing” across agencies. Such a climate creates barriers for participants and is not successful in delivering what all stakeholders want: food that is as safe as possible, accessible to all, and effectively delivered across the full range of distribution systems from local to regional to national to global.

Food safety should be a prerequisite: a “precompetitive expectation” that citizens have for all food sources and supplies. Instead, it has begun to be a source of competitive advantage; larger entities and industries with greater wealth and control have sought to establish themselves as the exclusive sources of safe food. Using food safety as a marketing tool is unacceptable, and its consequences have proven to be destructive. This trend will only be unraveled by a long term, evolving effort that includes and takes into account the needs, expertise, and capacities of a broad range of stakeholders.

The current initiative bringing together FDA and USDA is a step in that direction. The stakeholder base must include all members of the supply chain, including farmer/producer, agricultural groups, handlers, packers, distributors, retailers, and foodservice interests as well as certifiers, auditors, and representatives of the scientific and research communities with expertise in food safety. Other agencies such as NRCS and EPA should also be involved. An effective food safety system will be a networked approach that relies on the strengths and shared interests of all sectors of the food system to support and minimize a regulatory regime.

Above all, the tendency to meet what is clearly a massive challenge with broad and sweeping changes must be tempered with reality and taken carefully to avoid unintended consequences. Existing rules and regulations have been inadequately funded and implemented in the past decade, so their efficacy is unknown. Initiating changes that are not implementable due to funding constraints, or that add significant costs without clearly measurable returns will simply add to the problem.

The concept of “continuous improvement” must be applied to the regulatory process as well. Incremental improvement begins with training and implementation of current rules, regulations and best practices and continues with coordination between the public sector, private/business concerns, and engaged NGOs and non-profits.

With these thoughts in mind we offer the following specific recommendations.

Avoid redundant and conflicting regulations and requirements: Currently federal, state, and local agencies often regulate similar producer processes, but deliver different messages and enforce

divergent requirements. The origin of authority and path of accountability is often not clear. Clarification of roles and authority of different federal, state, and local regulatory and enforcement authorities is crucial. Information sharing among the many different agencies involved is fundamental to avoiding duplicated efforts by food producers. **The number of regulatory bodies to whom food producers, pre- and post-farmgate, must report needs to be reduced while their effectiveness is increased.**

Role of science, relevance of regulatory requirements: Current scientific investigation on food safety issues is inadequate and uncoordinated. Throughout the farming and food production industry, regardless of the scale, production style, or market being addressed, stakeholders seek science-based solutions. Such solutions can only come from a coordinated, cooperative approach. Best practices on diverse or smaller scale farms where biodiversity and conservation practices are present may hold keys that are scalable. Similarly, keys may be found in the best practices developed to meet efficiencies at large scales. **Scientific inquiry is needed that is scale-neutral and process-oriented** in order to understand the impact of animals, the role of biodiversity, and to identify food safety risk factors and best practices to minimize those risks.

Role of public-private partnerships in pre-competitive food safety solutions: It is increasingly clear to buyers and food system industry players, as it always has been to citizens, that food safety is not an attribute over which purveyors should compete for market share (see, for example, the current GAP Harmonization effort being coordinated by United Fresh Produce Association). With a consensus that food safety is a prerequisite to market access, it is possible to share the burden of responsibility for assurance between government regulators and private initiatives. Regulation as the sole method of assurance will be unnecessarily costly, and questionable in its effectiveness. Alternative approaches should be emphasized in partnership between government and the private sector. **Emphasis must be placed on “training-the-trainers” so that there is a larger pool of skilled food safety professionals and service providers. Accreditation is needed for private individuals and organizations to provide localized services, assuring implementation of best practices with less regulatory intervention.** Effective local delivery of food safety assurance programs should be recognized by government regulatory bodies.

Cost of implementation: While some may argue that food safety compliance is just a 'cost of doing business', in practice, that view has unintended consequences which can be anticipated and must be mitigated in order to preserve choice for citizens, and opportunity for farmers and food producers. These costs, as a percentage of overall operations budgets, create a competitive disadvantage for small- and mid-sized producers. Since much of the focus in food safety prevention and response depends on product and environmental testing, **water and crop sampling and testing will need to be provided by publicly funded, certified, accountable labs in order to give producers of all scales equal access to these services on an equitable basis. Public investment in training is also needed in order to assure access for all farmers and food producers.**

Traceability: The ability to identify the source of a food safety problem and to isolate it quickly is important to the public health and to the success of all food producers. In the modern food system, local events can have global implications. Technology-based solutions such as bar coding every piece of fruit with a unique identifier sound appealing, but are beyond the capacity and need of many segments of the food system. Identity preservation is a strategy that is welcomed by more and more citizens, who seek to “know their farmer, know their food”. Identity preserved products can be traced back easily with simple record keeping. In many food products, it is the comingling of ingredients from diverse sources that creates the greatest challenge in traceability. Comingling also greatly

increases risk and creates traceability challenges **Identity preservation should be encouraged and rewarded with simplified record keeping requirements; technology-based solutions should be directed toward commingled products.**

Scope of GAP and related, pre-farmgate requirements and recommendations: The current emphasis on Good Agricultural Practices (GAP) is important and necessary in order to reduce the risk to public health. Discussion of GAP should lead to a “holistic consideration” of the importance of agriculture and farming globally, as we seek to address the needs of a continually growing global population. How will we best feed 9 billion people by year 2050? The significance of GAP in farming goes beyond reduction of health risk; it extends to the creation of health at the individual level, health at the farm level for workers and for farmers, health for the environment, and health for communities, both rural and urban. **The “continuous improvement process” of developing Good Agricultural Practices that support microbial food safety needs to expand into all facets of agriculture as it effects humans (worker, farmer, citizen, community), and the environment (soils, water, habitat). The scope of GAP needs to expand to address all of the aspects in which agriculture impacts the planet and its residents.**

Summation: To preserve and enhance food safety in the 21st century food system, a sophisticated, integrated, cooperative approach is called for that **preserves choice for consumers and opportunity for producers.** A successful approach will necessarily be complex, but needs not be unduly so. It will involve cooperation and collaboration across the supply chain and between various authorities. It will support the emerging consensus that food safety is a prerequisite to market access, and that the tools to assure food safety compliance must be equitably accessible to all market actors. To meet the requirements of our citizens, it will need to be accessible to all, regardless of scale or locale, or language/culture. Building the dialogue among appropriate participants is the key first step. With all appropriate stakeholders communicating, it becomes possible to implement existing rules and regulations effectively and fairly. Sustaining a commitment to a process of continuous improvement will provide equanimity for enacted changes to the system. There are no quick fixes, and it is imperative to be mindful of potential unintended consequences that adversely affect choice for consumers or opportunity for farmers and food producers.

The NGFN appreciates the thorough, methodical approach being taken by FDA and USDA, and welcomes the opportunity to participate in appropriate stakeholder processes that maintain the safety of our food supply and move forward into addressing all aspects of the impact of agriculture on health, individual, community, and environment.