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**PASA Comments for FDA Produce Rule Listening Session  
PA Farm Show Complex & Expo Center  
Harrisburg, PA  
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Good morning, and thank you for this opportunity to comment on the produce safety standards as proposed by the Obama Administration's Food Safety Working Group and published for comment in the Federal Register as **Docket No. FDA-2010-N-0085**.

My name is Brian Snyder, and I am executive director of the Pennsylvania Association for Sustainable Agriculture, better known as PASA. With approximately 6,000 members, spread mostly across the Mid-Atlantic region, we are regarded as one of the largest and most active sustainable agriculture organizations in the United States. We also host one of the largest gatherings of sustainable ag enthusiasts anywhere, held each February in State College, PA – this year's event drew over 2,100 participants from at least 30 different states and 6 countries.

Most of our members are farmers, and most of them grow and sell fresh produce, almost always as a part of diversified systems that include other crops, livestock and value added products of all kinds. We are not primarily an organization of certified organic producers, but most of our members do farm using organic methods, and among our membership can be found some of the largest certified organic produce farms on the East Coast.

Having attended one of these sessions already, and also being involved in discussions about this process with colleagues across the country, I realize that the FDA is looking for very practical suggestions regarding best approaches to assuring safety of our nation's food supply, and engaging farmers and handlers in that process. I will therefore attempt to keep our comments as focused and practical as possible. I will also try to avoid reiterating only themes you've heard numerous times elsewhere, for the sake of moving the discussion to new territory if possible.

But first, I want to make very clear two important thoughts that underlay all of our suggestions:

- PASA was founded nearly 20 years ago (and other organizations with similar values even before that) with the basic goals of making farms more viable while also improving the quality and safety of the food supply for all our citizens. This attitude is echoed in our mission statement, *promoting profitable farms that produce healthy food for all people while respecting the natural environment*. In other words, from our perspective, not only were sustainable and organic farming groups well ahead of the curve on this general topic, but in our view, the FDA is taking a fairly narrow approach to food safety by concentrating merely on the elimination of pathogens. In contrast, we are also very concerned about the nutritional composition and density of food, and also the effects of various growing methods on human health as a consequence of environmental factors.
- The national movement to establish more wholesome food systems for all citizens, whether referred to as *local*, *sustainable* or *organic* in focus, is only now beginning to

reach its stride, i.e. the best is yet to come. It would be hard to miss this reality as you continue your deliberations, but if you do not factor this movement into the forthcoming regulations, and thereby fail to leverage some of the most positive energy toward healthier food systems that already exists out there, it would not only be a crying shame, but might greatly undermine your chances for success. In other words, please do not do this “to” us; do it “with” us.

With those two general points in mind, we have the following specific suggestions to guide your efforts to improve the quality and safety of our nation’s food supply:

- 1) A “Systems” Approach is Needed – We already mentioned that a focus on pathogens alone may be shortsighted. It’s striking sometimes how similar the language is in the case of eliminating pathogens to strategies for fighting crime or chasing down terrorists, but in all three cases we end up just losing ground if the contextual features of the problem are ignored. With regard to food safety, we find it difficult to understand the focus on keeping produce clean throughout the production and handling process, with very little consideration for addressing the source of pathogens, which often result from modern livestock production practices. Let’s make sure to address both the symptoms and the sources of the problems we face.

Let’s also make sure to honor diversification on farms, not only as a strategy for achieving economic viability, but also for reducing risk of all kinds. To wit, highly diversified farms are what we generally want to see, but they will have a very difficult time implementing commodity-specific GAP standards, especially if their produce varieties number 50, 100 or more. In other words, there need to be standards written with diversified farms in mind that keep paperwork and costs to a minimum. Remember, diversification is **already** a good agricultural practice that needs to be rewarded.

- 2) Community-Based Strategies are Paramount – Maybe you’ve noticed, but public trust in the federal government, or government at any level for that matter, is not at an all time high these days. Furthermore, a ranking of government agencies in terms of public confidence right now would not result in a very high placement for the FDA in particular. But people are placing trust in more locally-based groups that are now providing some of the basic services we used to rely on government for in the past. Our own membership at PASA has grown more than fivefold in the past decade, and we haven’t even had a membership drive. What’s needed, of course, is not an either-or approach, but strong partnerships between government agencies and community-based groups to reach the practitioners at all levels of the food system – from farmers, to processors, retailers and even consumers. Simply put, you have to find a way to improve food safety through collaborative relationships with the groups people already trust.

A similar point can be made about working with well-established, third-party certification strategies that are out there. In fact, the National Organic Program already provides an excellent example of a government agency’s commitment to working with community-based groups to achieve higher quality standards in the food system generally speaking. Another example is a group we work with from Portland, Oregon called the Food Alliance, which does third-party certification of sustainable practices on farms and in

processing facilities. Food Alliance has become a well-respected program nationally, with strong support from NRCS and other private sources, and they now certify more total acreage than the NOP. At very least, FDA should be finding ways to couple food safety GAPs with already established – and trusted – certification strategies like these, giving deference to the quality already achieved in the food system by such programs.

- 3) Regional “Foodsheds” for the Future – The farmland that surrounds you here in Pennsylvania includes some of the richest soils in the world, and we also are fortunate to be situated within a day’s drive of more than half the U.S. population. The agricultural realities, and opportunities, you will find here are nothing like what you will encounter in the Midwest or on the West Coast, especially with respect to production and distribution of fruits and vegetables. After yet another recent recall of leafy greens from out West – this time Yuma, AZ – we here in the East clearly have an interest in seeing regulations tightened for food that is produced, processed, packed and shipped here from across the country, just as they should be concerned about products we are shipping their way. But part of the problem is certainly that we are doing this cross-country – or even cross-countries – dance at all. The only lasting solution for food quality, safety and security is that we find ways to regionalize food production and consumption for the long haul.

This may be the most complex recommendation we are making, but we feel that FDA (and USDA) should be thinking and planning in terms of regional entities, with plenty of public involvement, that can make specific judgments about food that is produced, processed and consumed within each region. This would include establishing food safety and quality production standards that are specific to a given region and the conditions that exist there (e.g. environmental, market structure, etc...). In some ways this is done on a state-by-state basis now, but that doesn’t seem to be any more viable for the long-term than does having the federal government set uniform standards that cut across very different regions of the country. The time for a regionalized approach to achieving agricultural viability, food safety and security, environmental protection and improved human health is fully upon us.

- 4) Clearly Identified Levels of Risk – The phrase “one size does not fit all” has been used so much in this debate that we’re all likely growing tired of it. The community of sustainable and/or organic farmers understands that there is an aspect to food safety that is, and should be understood independent of considerations for farm size. However, we also realize that certain production and marketing practices that tend to be associated with smaller farms are also associated with reduced risk for food safety problems and, especially, widespread pathogenic outbreaks. For one thing, careful hands-on management of any part of the process is a good thing, and often more feasible on a smaller operation. For another, the marketing of “identity-preserved” products that carry the unique identify of the producing farm all the way to the final point of sale make traceability, if a problem should occur, a snap.

We think regulations for produce safety, as well as other farm products, should be stratified according to easily identified levels of risk that are as clearly understood through common sense as they are indicated by the science involved. Farmers deserve a clear roadmap for making decisions that matches the severity of regulations to the risks

they assume. For instance, farms that only sell their own products directly to consumers (including through grocery stores and restaurants) with the name of the farm prominently displayed should perhaps be expected to complete a training program, and to have good insurance, but little else. Further safety precautions for a farm like this – like certification – could be voluntary. But farms that sell into commodity streams and or to processors for comingling with product from other farms, without differentiation, introduce more risk to the system and should be regulated more stringently. Perhaps some type of certification would be required in this latter case. Other layers of risk could depend transparently on the number of times a product is handled, processed or repacked in its journey through the value chain. The bottom line is that FDA should clearly identify the “trigger points” at which certain regulatory requirements will be incurred, so that farmers (and handlers) can make good decisions about how to manage their operations, regardless of size.

- 5) Emphasis on Collaboration, not Enforcement – This is a key point, and seemingly almost impossible for government agencies with regulatory authority to achieve. But we’re not talking about the sale of prescription drugs here, or management of offshore oil-drilling operations. We’re talking about the livelihoods and culture of an endangered breed of very special Americans who produce food for our tables, and their interactions with the rest of us who eat that food. In many cases – and the numbers are increasing dramatically – there is no corporation or other commercial entity that comes in-between such farmers and consumers, making the “food safety” issue for many folks a matter of civil rights that will likely be argued before the Supreme Court someday. But there doesn’t need to be conflict involved . . . not as long as the FDA can find ways to work with the people involved rather than against them.

There is no farmer we know who gets up in the morning hoping to make people sick with the food that comes from his or her farm. In fact, there is no more hopeful a group to be found than average farmers who wish nothing more than to feed their communities while also maintaining a comfortable home and lifestyle for their own families. The challenge for the FDA will be to operate in a collaborative manner, to harness this natural hopefulness of farmers everywhere, rather than be known as the random enforcement agency that many, if not most farmers expect to encounter. Please, do everything in your power to surprise them.

Thank you again for this opportunity to bring these recommendations to your attention. I can assure you that the members, staff and board of directors of PASA will do all we can to make this a productive process, and you are invited to seek further input from us at any point where it might be helpful.