

Produce Food Safety Update & Outlook



Mission: Reduce postharvest losses and improve the quality, safety and marketability of fresh horticultural products.



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Executive Director



Produce Food Safety Compliance

Criteria

- ❖ Must be consistent and applicable to produce grown in the U.S., or imported
- ❖ Must allow for commodity-specific food safety practices based on the best science

Mechanisms

- ❖ Marketplace Driven Compliance
- ❖ Government Oversight (State, Federal)

Marketplace Driven Compliance

- ❖ Harmonized Standards are Elusive
- ❖ Harmonized Approach from Food Service Vs Retail
- ❖ Third Party Audits Have Limited Utility
- ❖ Auditor Accreditation



Food Safety Regulatory Tools

Regulatory Tools

Guidance: “should” e.g. GAPs
Regulations “shall” e.g. GMPs

State

Cooperative Agreements e.g. Model Food Code
CA Leafy Greens Marketing Agreement
FL Legislated Mandatory Tomato GAPs/BHPs

Federal

FDA Voluntary Programs (Guidance)
USDA Marketing Orders LLG
New Food Safety Legislation
New FDA Rules

Food & Drug Administration

FDA “THE” preeminent Produce Food Safety Regulatory Agency

- ❖ FD&C Act
- ❖ Bioterrorism Act
- ❖ Good Manufacturing Practices (cGMPs)
- ❖ Good Agricultural Practices (GAPs)



The Public Health Security and Bioterrorism Preparedness and Response Act of 2002

- ❖ Food Facility Registration
- ❖ Prior Notice for Imported Foods
- ❖ New Administrative Detention Authority
- ❖ Record Keeping and Access



2005 FDA Model Food Code

www.cfsan.fda.gov/~dms/fc05-toc.html

Attempts to harmonize state, county and local, regulatory requirements for retail and foodservice establishments



AFDO Model Code for Produce Safety

- **Charge:** to develop a model regulation for food safety for the farm and packing house.
- **Scope:** all fresh produce (fruits and vegetables)
- **Use:** to provide harmonized approach to produce food safety across all 50 states and territories by adoption of the model code into state regulation.
- **Draft I:** Available
- **Next Meeting:** December 17-18, 2008 Washington, D.C.



GAP Revisions

- **Federal Register Notice:** 2 Sept 2008
- **FDA:** requests comments and scientific data and information that may assist the agency to improve the guidance to industry set forth in the "Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables"
- **Comments Due:** December 31, 2008



GAP Revisions

1. Should any future GAPs/GMPs Guide rank or prioritize among potential issues according to relative risk or importance?
4. How should the GAPs/GMPs Guide be modified to motivate all operations to implement? Please include information on economic impact.
5. Can the GAPs/GMPs Guide be applied equally to, and implemented by, domestic and foreign growers and packers?
6. Is there a need for additional guidance to assist an operator in determining which provisions of the Current Good Manufacturing Practice regulations in part 110 (21 CFR part 110) could be implemented voluntarily for operations that currently are excluded under Sec. 110.19? If so, which ones?



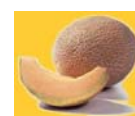
GAP Revisions

7. Should the GAPs/GMPs Guide recommend that growers and/or other relevant operations develop a written food safety plan, written SOPs, and/or written SSOPs?
8. What types of monitoring records or other documentation would be most useful to industry and regulators?
10. Several newer produce safety programs, such as the California Leafy Green Products Handler Marketing Agreement (Ref. 8), incorporate recommendations (or requirements) for microbial testing. Does the information on microbial testing in the GAPs/GMPs Guide provide sufficient information to assist operators in designing a meaningful and cost effective testing program? If not, please describe what types of additional information would be most useful.....
11. Could/should the GAPs/GMPs Guide do more to identify, address, and possibly mitigate unintended environmental consequences of food safety measures?



Commodity Specific Guidance

- ❖ **Melon – Published Oct '05**
- ❖ **Lettuce – Published April '06**
- ❖ **Tomato – Published July '08**
2nd Edition
- ❖ **Green Onions WGA Block Grant**



Legislative Outlook 2008

Federal Legislative Activities

- ❖ Congressional Hearings
- ❖ Safe Food Act – Sen. Durbin
- ❖ Produce Food Safety - Sen. Harkin
- ❖ Safe Food Enforcement, Assessment, Standards & Targeting Act of 2008- Costa, Putnam, Cardoza, Nunes and Farr

State Legislative Activities

- ❖ California Sen. Flores GAPs bills
- ❖ Florida Tomato GAPs/BHPs
- ❖ AFDO Model GAPs

Legislative Outlook 2008

- Single Food Agency
- Mandatory Recall Authority
- Performance Standards/Testing?
- Produce Traceability and Outbreak Investigations
- Third-Party Certification
 - 1) USDA / state GAP audits could be designed to certify against FDA standards
 - 2) Harmonized set of FDA endorsed standards
 - 3) Fair and appropriate audit fees
- Funding of Food Safety Requirements
- Export Certification Programs
- Risk Delineation

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