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COMISION PARA LA INVESTIGACION Y DEFENSA DE LAS HORTALIZAS

C I D H

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Culiacan Sln., Mexico, June 27 1998.

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

Ref: Docket 97N-0451.

Dear Sirs:

My name is Diego Ley López. I'm a vegetable grower in the Culiacan Valley and I represent the Commission for the Research and Defense of the Vegetable Industry in Sinaloa (CIDH). This organization is part of the functional structure of the Confederacion de Asociaciones Agrícolas del Estado de Sinaloa, better known as CAADES.

Sinaloa is the main exporter of fresh fruits and vegetables to the USA during the winter and early spring months. 46% of the national exports comes from Sinaloa every year. We are the main exporters of Tomatoes, Bell Pepper, Italian Squash, Eggplant and Cucumber. We have more than 70 years exporting fresh products to USA and we haven't had any problem due to bacterial contamination with our products so far, however we are concerned about the potential effect that the Food Safety initiatives promoted by U.S. Government could eventually have on our exports.

We have studied the Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetable and we understand that the performance of Good Agricultural and Good Manufacturing Practices will minimize risks, but it is not clear to us how the compliance of such guides is going to be monitored or in due case, how the growers could eventually be certified as a Good Standing Grower.

Although the Guides will be voluntary, it appears to be that imports will be strongly supervised by the responsible agencies such as FDA, USDA and HHS in order to prohibit the entry of products with potential carry of bacterial contamination. Our big concern deals with the possibility that said controls could be used to restrain trade in commodities that are sensitive to domestic growers, that's why we would like to highlight the following aspects related to the Guides and its implementation:

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- 1). Guides should be feasible and have a strong scientific basis.
- 2). It should not be applied discriminatory.
- 3). It should define the responsibility of every agent from field to table.
- 4). The Food Safety System should include provisions regarding the release of information until real evidence be found in any agent of the distribution chain from field to table.
- 5). It should contain provisions about remedy to growers when misleading information affects the selling of their products.
- 6). Responsible agencies should have the authority to enter in agreements with supplying countries or private groups.
- 7). Responsible agencies should have the authority to recognize foreign certifications and/or Safety Zones.

We oppose the Guides to the extent that they could be enforceable to the imports without giving the opportunity to the supplying countries or groups of growers to adapt their actual operations to the guidelines required to perform Good Agricultural and Good Manufacturing Practices.

Some of the activities or facilities required to comply with such guides, will not be possible to implement by the time they come officially approved; some others will require certain time for training or education of thousands of migrant workers with a very low personal education and skill. The rest of the requirements involve new investments in the field and at the packingplants that can not be afforded by all the growers in the short term.

Our position is that FDA and the other agencies involved in the supervision and control of the imports, should have the authority to enter into agreements with foreign governments or private Associations of growers such as CAADES, in order to identify and agree about practices that can be implemented immediately; which others can be developed in the short term and which of them need longer period of time to perform by the growers.

We'll be happy to enter into cooperative agreements with all the agencies involved for the compliance of the Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables.

Best Regards

Diego Ley Lopez
President CIDH.



Juan Carrasco 787 Nte., C.P. 80000,

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Compañía / Company: FOOD AND DRUG ADMINISTRATION		# de páginas / pages (including this cover): -3-
Fecha / Date: JUNE 27, 1998	Fax #: (301) 827-6870	En caso de problemas al recibir este fax favor de llamar / In case of problem receiving this fax please call. Preguntar por / Ask for: LORENA SANTANA

COMENTARIOS: