

# Safer Fruits and Vegetables: FDA Aims to Set Production Standards



**A**s headlines from Europe implicate tainted vegetable sprouts in more than 4,000 illnesses and dozens of deaths, American consumers may wonder, “Could that happen here?”

The U.S. has had its own headline-grabbing outbreaks from contaminated vegetables—such as lettuce in 2010, peppers in 2008, and spinach in 2006—but a new law has set in motion sweeping improvements to the safety of our food supply.

President Obama signed the FDA Food Safety Modernization Act into law on Jan. 4, 2011, but the year before, the Food and Drug Administration was already gearing up for important work that was mandated by the act: the Produce Safety Regulation.

This regulation will establish mandatory, science-based, minimum standards for the safe growing, harvesting, sorting, packing, and storage of fresh fruits and vegetables. “This will be a monumental shift in food safety,” says James R. Gorny, Ph.D., FDA’s senior advisor for produce safety.

Since 1998, produce growers have

had available the “Good Agricultural Practices” issued by FDA and the U.S. Department of Agriculture (USDA). But this guidance is not an enforceable regulation like the Produce Safety Regulation will be, says Gorny.

### Farmers Have Their Say

As part of the regulatory process, FDA publishes a “proposed rule” and then invites comments to the proposed rule “docket” (public record) online or by mail. Anyone can comment on a proposed rule, and the agency considers all comments submitted to the docket before drawing up the final rule, or regulation. FDA

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also intends to hold public meetings about the proposed Produce Safety rule after it is published, to provide additional opportunities for the public to comment. The agency expects to publish a proposed Produce Safety rule by spring 2012.

Due to the diversity of produce farms throughout the country—ranging from a few acres to thousands of acres, and growing from a few crops to dozens of vegetable varieties—FDA decided to reach out to growers before drafting the proposed rule.

In 2010, technical experts, scientists, and other staff from FDA and USDA went on the road to meet with growers as well as produce industry groups, public policy groups, state agricultural departments, and public health departments in 13 states. They toured farms—both big and small—and talked to the owners. Some of the farm tours were attended by FDA leadership, including FDA Commissioner Margaret A. Hamburg, M.D., and Deputy Commissioner for Foods Michael R. Taylor, J.D. At the invitation of FDA, USDA Deputy Under Secretary for Marketing and Regulatory Programs Ann Wright joined several of the tours as did a number of state commissioners of agriculture.

“Before we put pen to paper, we wanted to find out what growers are doing now and the food safety challenges they face,” says Gorny.

“It was a very refreshing change in the process that was welcomed by the growers and that allowed them to be a part of the process,” says Bob Jones, Jr., co-owner and production manager

of the Chef’s Garden, a 300-acre farm in Huron, Ohio.

“The Ohio growers, in general, have a great appreciation and understanding of the necessity of good food safety,” says Jones, who also serves on the board of several agricultural associations in the state. “We have a social responsibility to consumers who purchase and consume the food we grow.”

Several themes emerged from the visits, says Gorny. Many growers commented that produce safety standards should

- be appropriate and flexible
- be science-based and risk-based
- be practical—not overly burdensome
- apply to both imported produce and domestic produce
- be accompanied by a strong education and outreach program

The agency is working to create a regulation that will be flexible and appropriate for both large-farm operators and smaller farmers—including sustainable, organic, and Amish farmers FDA met when touring the country.

### **Education and Outreach**

“One of the themes we heard over and over is ‘educate before you regulate,’” says Gorny.

FDA doesn’t make produce safer, he adds. “We make the rules that must be followed to keep produce safe. So we need to assist growers with knowledge and training to comply with those rules.”

FDA is exploring partnerships with state agricultural departments and extension services, produce industry groups, and coalitions such as the Produce Safety Alliance—a collaboration between Cornell University, USDA, and FDA—to reach out to growers and provide them with training regarding on-farm produce safety.

Jones says everybody who handles food—growers, packers, transporters, processors, grocers, and consumers—has an important part to play in food safety. “You can educate growers on all they can do in the field—for instance, with water quality and worker hygiene—to lower the likelihood of microbial contamination,” he says. But it won’t be effective unless all the other food handlers practice food safety, too.

The bottom line, says Gorny, is that FDA wants American consumers to be able to buy healthful fruits and vegetables with the utmost confidence in their safety. [FDA](#)

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