



Maine Organic Farmers and Gardeners Association

Common Ground Country Fair

An Integrated Approach to Food Safety **Russell Libby, Executive Director**

The repeated failures of our food system to provide safe food to all are pushing Legislative and policy changes on food safety. President Obama focused on this issue in his March 14th radio address. Multiple bills are already before Congress. Every week there are news stories detailing past and present problems in situations as diverse as spinach, peanuts, melanin in dairy products, almonds and antibiotic resistance in pork.

Small farmers are already skeptical of USDA's direction on many of these issues, particularly because the National Animal ID System is being imposed without addressing any of the many equity and ethical considerations that are being raised by farmers across the country. USDA's Good Agricultural Practices protocol focuses on microbial issues, ignores pesticide use, and discourages diversified farms. Similarly, the Food and Drug Administration has shown a marked inability to find solutions that work for small farmers without expensive and product-changing technology (e.g., juice regulations that drove out most apple cider producers; proposed leafy green protocols that would require high cost testing of each batch of greens.)

Small farmers, fishermen, and food processors are often left out of the policy discussions that try to fix these large-scale national problems. These working principles are intended to provide a framework for the ongoing policy debate from the perspective of an organization that represents organic farmers and gardeners, food processors, food retailers, and thousands of families who are committed to buying local, organic food.

A. Working principles:

- 1. Focus first on the big problems.** From our perspective, many of the food safety incidents of the past decade are closely related to the increased concentration in our food production system. When a problem in one storage facility or processing plant or one field can impact eaters in dozens of states simultaneously, the bulk of the regulatory and enforcement focus should also be directed to these same large facilities. In livestock, concentrated animal feeding operations (CAFO's) and confinement hog production, widespread antibiotic use in livestock and the increased concentration of livestock processing are all contributing to a series of ecological and health issues. The discussions also tend

294 Crosby Brook Road, P.O. Box 170, Unity, Maine 04988 • **Phone:** (207) 568-4142
Fax: (207) 568-4141 • **E-mail:** mofga@mofga.org • **Web:** www.mofga.org

to ignore anything but biological food safety issues; FDA's food monitoring data continue to show pesticide residues from DDT and organophosphates at low levels, but it is generally ignored as an enforcement priority. (<http://www.cfsan.fda.gov/~dms/pes06rep.html#appa-06>)

2. **Fairness and Flexibility.** Enacting laws or regulations that work for large farms but can't be met by small farmers is fundamentally wrong. For example, the California Leafy Greens protocol suggests that each batch of greens be subjected to a laboratory test. That may be appropriate for fields of 100 acres harvested over a few days, but doesn't work for a salad green bed of 2000 square feet.

MOFGA and other small farm groups have been working on a food safety approach that is: a) focused on each farm identifying and monitoring potential problems (similar to Hazard Analysis and Critical Control Points (HACCP) principles), b) appropriate for the market being supplied, and c) tied to existing farm plans. Mandating only one solution (e.g., USDA's Good Agricultural Practices) limits possibilities for small farmers.

3. **Enforce existing food safety laws first before considering reorganization.** The Food and Drug Administration and the Department of Agriculture, along with other Federal agencies, already have a wide range of authority and power. Right now neither agency has the capacity (in terms of staffing and coverage) to cover current statutory mandates. If year after year FDA is unable to meet existing inspection protocols, they are unlikely to be able to assume additional responsibilities. Whether food safety continues to be a program within the Food and Drug Administration or it becomes a separate Food Safety Administration is largely a management issue that doesn't address capacity issues.

B. How organic farms already address some key food safety and food quality issues:

Within the National Organic Program law and regulations are a series of requirements that address some key food safety concerns:

1. There is no use of raw manure on vegetable crops without an extended waiting period between manure application and harvest of the crop.
2. Compost that contains livestock manures has to meet temperature, mixing and time requirements or else the product is treated like unprocessed manure.
3. There is no routine use of antibiotics within either livestock feed or livestock health programs. (Animals may be treated to ensure health, but neither the animals nor their products may then be sold as organic.)
4. There is no use of synthetic pesticides. Their use is not generally considered in food safety protocols like USDA's Good Agricultural Practices checklist.
5. Organic farmers are required to maintain records that allow "one up, one down" traceability. They have to keep records of the sources of inputs, be able to track

activities on their farm to the relevant fields/livestock, and then maintain records of sales that are detailed enough to allow full accountability.

C. Concerns about Current Legislative Proposals in Congress

The various pieces of Federal legislation that have been introduced to change and revise food safety systems are meeting a large amount of skepticism and initial opposition. We think that solutions based on the principles above have more of a chance to build broad political support than proposals that don't allow various pathways to the same result—a safe and healthy food system.

One major concern for MOFGA is that current bills before Congress seem to ignore the perspective of farmers who are primarily supplying markets where the buyer and the farmer know one another. Among these bills are:

S425, Sen. Sherrod Brown, which focuses on traceability (including livestock identification);

HR 759, Rep. John Dingell, FDA Globalization Act of 2009, which thoroughly updates (and expands) FDA's authority on a wide range of food and drug issues, and mandates electronic trace-back systems;

HR 814, Rep. Diana DeGette, TRACE Act, which would require systems to trace all foods at all stages, including livestock, meat, poultry, eggs and egg products;

HR 875, Rep. Rosa DeLauro, Food Safety Modernization Act, which would establish a new Food Safety Administration, separate from FDA. Farms would be required to maintain more detailed records and use "good practice standards".

All of these bills are in the discussion stage and will progress along with the rest of the Congressional agenda. MOFGA believes that the only way to ensure food safety is to work within the principles outlined above.

D. A few related thoughts:

1. MOFGA's perspective on why we need to be cautious about the GAP approach to food safety:

<http://www.mofga.org/Default.aspx?tabid=735>

2. MOFGA Board statement in opposition to the NAIS:

<http://www.mofga.org/Default.aspx?tabid=267>

3. A summary of MOFGA's HACCP-based approach to small farm food safety will be available late in March, 2009.

For more information:

MOFGA: Russell Libby, Executive Director, 207.568.4142, rlibby@mofga.org

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