

California Food and Farming Policy Update

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Food Safety

The outbreak last fall of a virulent strain of *E. coli O157:H7* in bagged spinach and bagged lettuce grown in California has led to intense scrutiny by health officials and legislators of the practices used to grow and process the leafy greens. As a result, food safety is the top priority issue facing California agriculture in 2007.

Legislation and GAP Metrics

Senator Dean Florez (D-Shafter) has introduced three bills that give broad authority to the Department of Public Health to adopt regulations dictating acceptable practices for the growing of leafy greens. In response to the legislation and pressure from state and federal health regulators to reduce contamination by *E. coli O157:H7* and other food borne pathogens, the large players in the industry - Western Growers Association, California Farm Bureau Federation, and United Fresh Produce Association - have prepared a set of Good Agricultural Practices (GAP) Metrics, which identify growing practices designed to reduce the likelihood of contamination. Through a marketing agreement and subsequent marketing order, all produce handlers would be required to buy leafy greens only from growers who have been certified as conforming to the GAP metrics.

The metrics cover a wide range of on-farm activities, including many that will affect organic and small-scale growers. The metrics also are still a work in progress, and Western Growers released the latest draft only days a few days ago. **It appears that one of the most troubling provisions of the metric - restrictions on the use of hedgerows and vegetative buffer strips - has been removed.**

The previous version prohibited the use of hedgerows within 20 feet of farm land producing leafy greens. As many members of CAFF know, buffer strips have been widely recognized as water pollution filters, barriers to soil erosion, and habitat for beneficial insects. **CAFF has done more than any other organization in the state to encourage farmers to install hedgerows, so the removal of language suggesting removal of hedgerows from the latest metrics is welcomed by CAFF.**

It appears that the metrics retain restriction on the use of compost within 45 days of harvest. While raw and unfinished compost is a legitimate concern as a possible carrier of *E. coli O157:H7*, the use of finished compost that meets strict standards should not be restricted. Ironically, only organic growers currently meet the standards being proposed in the metrics.

While the GAP metrics restrict a wide range of on-farm activities, including those with negligible connection to food borne pathogens, they ignore two glaring factors that are beyond the control of growers: bagged spinach and salad mixes, which are much more vulnerable than fresh produce to the proliferation of food borne pathogens, and domestic cattle as the primary source of *E. coli O157:H7*.

The GAP metrics also will impose unequal financial challenges on small farmers. The leafy green industry in California is very concentrated: according to the most recent

Agricultural Census, 100 large lettuce farms grow 83% of the state's crop. But there are more than 600 farmers who grow less than 100 acres of lettuce. The testing of irrigation water, soil, and soil amendments called for in the GAP metrics will impose disproportionate costs on small growers.

CAFF's response

For all these reasons, CAFF has become actively engaged on behalf of the state's many small and mid-sized growers of both organic and conventional leafy greens. Since late January, CAFF has met with Western Growers and the Farm Bureau to identify our concerns with the GAP metrics, attended a meeting of agricultural and environmental representatives to explain the importance of hedgerows, and met with a number of legislative offices, including Senator Florez, the Assembly Agriculture Committee, and Assembly Speaker Fabian Nunez.

On February 27 CAFF President Judith Redmond testified at a joint hearing of the Assembly and Senate Agriculture Committees and made three major points:

1. **Focus on the greatest sources of outbreaks:** Food safety and *E. coli* contamination are too important to waste resources and effort on de minimus threats while ignoring the major ones. Therefore the state should:
 - Limit the scope of any rules to leafy greens grown for the "ready to eat," bagged market - the source of most *E. coli* outbreaks from leafy greens, including both of the outbreaks last fall.
 - Focus more attention on the proximity of domestic cattle and their manure to the growing and processing of leafy greens. The GAP metrics largely ignore cattle management but identify several costly and probably futile steps that should be taken by farmers to keep wild animals, including birds, from their fields, even though there is scant evidence that these animals are cause for concern.
2. **Protect the investment made by farmers and the public in environmental stewardship.** Proposals to limit the use of conservation plantings are good for agriculture, the environment, and public health.
3. **Avoid disproportionate economic impacts on limited resource farmers.** Increased testing of soil and irrigation water should be focused on contaminants of greatest concern and incorporated into existing testing regimens as much as possible.