

Food Safety Alert – 1/25/07

The *Monterey County Herald* is reporting that the National Steinbeck Center will be kicking off its fourth season of Ag Forums this February 28. Bill Marler, a Seattle-based attorney who represents clients in foodborne illness cases, will give the first presentation. His firm currently represents 93 people with claims resulting from the 2006 spinach E. coli outbreak. Todd Fisher, chef for Hullabaloo, will prepare a spinach lunch menu. Tickets are \$35 per session or \$125 for the whole series. The first event will take place from noon to 2 p.m. at the National Steinbeck Center at One Main Street in Salinas.

<http://www.montereyherald.com/mld/montereyherald/news/16541571.htm>

According to an article in the *Salinas Californian*, agricultural leaders will begin determining the fate of the Marketing Agreement. The California Department of Food and Agriculture announced yesterday that it had sent out copies of the agreement to hundreds of growers, shippers, and processors for their endorsement. The article states that the Marketing Agreement will only take effect if a significant number of sign it to show their approval. "'(The marketing agreement) is going to create a situation for collaboration between the industry and government,' said Joseph Pezzini, vice president of operations for Ocean Mist Farms in Castroville, which grows and ships spinach, among other vegetables." Pezzini has been nominated for the advisory board and says Ocean Mist Farms will become a signatory barring any substantive changes in the agreement. Steve Lyle, a CDFA spokesman, says there is no set number of signatures the agency must collect before it considers certifying the agreement. The CDFA has set February 5 as the tentative deadline for signatures to be sent in.

Sen. Dean Florez is once again stating that he will introduce legislation on February 1 that he believes goes beyond the standards set in the Marketing Agreement. If his bill gets passed the Legislature and is signed by the governor, it would override the provisions of the Marketing Agreement. Oversight would be given to the CDHS, not the CDFA as the Marketing Agreement calls for.

<http://www.californianonline.com/apps/pbcs.dll/article?AID=/20070125/NEWS01/701250334>

The *Los Angeles Times* is running an article that offers opposing viewpoints to the way food safety regulation in the state should be handled. The Marketing Agreement, endorsed by the CDFA, is at odds with Sen. Florez, Maureen Marshall and Mark Miller, co-chairs of United Fresh Produce Association, and Dr. David Acheson of the FDA's Center for Food Safety and Applied Nutrition. Marshall and Miller believe it (the Marketing Agreement) is little more than a "stopgap" measure and they have called for federal regulators to step in. "Although regulations may not 'be comfortable, we are convinced they are necessary to protect the future of our fresh-produce industry,' they wrote." "Federal regulation 'appears to be a step in the right direction,' said Dr. David Acheson, chief medical officer at the FDA's Center for Food Safety and Applied Nutrition. 'We look forward to working with United Fresh Produce.'" The CDFA is currently collecting signatures for the Marketing Agreement. Handlers who commit to the agreement and utilize good or best agricultural practice will receive a seal from the CDFA certifying their practices in aims of boosting consumer confidence. 5 cents per carton of produce will be assessed to fund inspection and enforcement. The state does not see the Marketing Agreement as a stopgap effort. "We see it as a potential solution," says Steve Lyle, spokesman for the CDFA. Many of the states 135 handlers are expected to endorse the agreement by becoming signatories.

"'We have already tried warnings and self-regulation, and we have had more outbreaks with lettuce and spinach than with any other food crop,' state Sen. Dean Florez said. Florez plans to introduce three bills next week that would require buffer zones to separate crops from feedlots and dairies, mandate bacterial testing programs for irrigation water and dictate the size and durability of fencing to keep wild and stray animals from the areas where vegetables grow."

<http://www.latimes.com/news/local/la-me-lettuce25jan25,0,7913760.story?coll=la-home-headlines>

The *Orange County Register* is running a brief article that also discusses the debate on how best to handle food safety in California. "'The industry is at a food-safety crossroads and must move aggressively to combat negative public and regulator food-safety perceptions,' Tom Nassif, Western's chief executive, said in a letter posted on the association's Web site this week." "'The proposal does not

address other high-risk produce such as onions and green onions, which also grow close to the ground and have been identified as the source of past food-borne disease outbreaks,' Florez said in a statement last month." As we know, the Western Growers Association is currently gathering signatures for the Marketing Agreement endorsed by the CDFA and Sen. Dean Florez plans to introduce as many as three bills devoted to strengthening oversight of the industry.

http://www.oregister.com/oregister/homepage/abox/article_1554184.php