

**United States Department of Agriculture/Agricultural Marketing Service
Fruit and Vegetable Industry Advisory Committee
Hyatt Regency Crystal City, Arlington, VA
September 29-30, 2014**

Minutes

This summary of the September 29-30-31, 2014, meeting requires approval by the full Fruit and Vegetable Industry Advisory Committee (Committee). A number of presenters at the meeting used Microsoft PowerPoint and Adobe Acrobat slides to convey information; the slides will be made available for viewing at www.ams.usda.gov/fv.

Attendees:

Virginia Barnes, Barnes Farm, LLP; **Tiffany Boaldin**, Golden Eagle Casino/Kickapoo Tribe of Kansas; **Ben Burkett**, B&B Farm; **Catherine Burns**, Produce Marketing Association; **Carlos Castaneda**, Castaneda & Sons, Inc.; **Helen Dietrich**, Ridgeview Orchards; **Kristine Ellor**, Phillips Mushroom Farms; **Richard Ha**, Hamakua Springs Country Farms; **Richard Hanas**, A. Duda and Sons, Inc.; **James Johnson**, Carzalia Valley Produce; **Beth Knorr**, Cuyahoga Valley Countryside Conservancy; **Vaughn Koligian**, SunMaid Growers of CA; **Lorri Koster**, Mann Packing Company; **Ricke Kress**, Southern Gardens Citrus; **Roland McReynolds**, Carolina Stewardship Association; **Paul Newman**, Oneonta Star Ranch; **Robert Nolan**, Deer Run Farms; **Christopher Puentes**, Interfresh, Inc.; **Brent Roggie**, National Grape Cooperative Association; **Diane Smith**, Michigan Apple Committee; **Jorge Vasquez**, Latin Specialties, LLC; **Thomas Williams**, SpartanNash; **David Yanda**, Lakeside Foods, Inc.; **Charles Parrott**, Committee Manager; and **Pamela Stanziani** (Designated Federal Official), Agricultural Marketing Service

Teleconference:

Jin Ju Wilder, Valley Produce
Dianne Nury, Vie-Del Company (Tuesday only)

Absentees: *None*

Observers and Presenters:

Anne L. Alonzo, Agricultural Marketing Service (AMS) Administrator
Devonia Betts – USDA AMS
Michael Durando – USDA AMS
Tom Karst – *The Packer* publication
Leanne Skelton – USDA AMS; U. S Food and Drug Administration Liaison
Karla Whalen – USDA AMS
Randle Macon, USDA AMS
Heather Pichelman, USDA AMS
Andrew Tobin, USDA, Office of Ethics
Christopher Purdy, USDA AMS
Terry Long, USDA AMS

Casey Wong-Buehler, USDA AMS

This was the Committee's first meeting after the U.S. Department of Agriculture (USDA) issued it a new two-year charter in March 31, 2009 and appointed new members in December, 2009. USDA's Agricultural Marketing Service (AMS) convened the meeting at the Columbia I Room of the Holiday Inn Capitol, 550 C Street, SW, Washington D.C.

Monday, September 29, 2014

At 8:22 a.m., AMS Fruit and Vegetable Programs' Deputy Administrator and Committee Secretary Chuck Parrott called the meeting to order. Mr. Parrott welcomed the Committee to the first official meeting in Washington, DC and provided an overview of the Committee's history, their responsibilities, and what to expect from the two-day meeting. He then reviewed the two-day agenda with the Committee and asked each member to introduce themselves.

Remarks from the Administrator, Agricultural Marketing Service

The AMS Administrator, Anne Alonzo arrived at the meeting. Administrator Alonzo provided a welcome to the Committee and presented each of them with a Committee membership certificate, after which a group photo was taken.

Administrator Alonzo began her remarks highlighting the key priorities for the Department of Agriculture and the Agricultural Marketing Service, and the expectations for the Committee to ultimately provide the Secretary with thoughtful and meaningful recommendations on behalf of the specialty crops industry. Additionally, she discussed how to get more fruits and vegetables into the school feeding programs.

Administrative Matters

Ms. Devonia Betts, USDA Management Analyst who handles all travel for the Committee members, was asked to provide an overview of the Administrative matters (travel reimbursement) for the Committee.

The Committee took a 30 minute recess at 9:51 a.m. until 10:30 a.m.

The Committee reconvened after the recess at 10:30 a.m. At this time, DFO Stanziani reviewed the parameters of this Committee as far as what agricultural concerns and topics can be covered based upon the suggested subject areas submitted by each member when solicited by AMS prior to the meeting. There are over 200 USDA Advisory Committees, each with a specific focus area as dictated by their individual charters and we have to be careful not to cross over the lines to infringe on other committee chartered focus areas. DFO Stanziani reviewed several of the other USDA advisory committees that deal with

fruits and vegetables as they relate to international trade, crop insurance, organic standards, women's, children and infants nutrition, and other areas at this point.

The purpose of the Fruit and Vegetable Industry Advisory Committee is based on what is best for the fruit and vegetable industry as a whole and all the parts and agricultural capacities within that particular industry. The focus is to make sure that the USDA can help the industry solve problems, or address problems that are occurring, such as the lack of farm labor and H-2A difficulties, food safety and FSMA, aspects of the procurement of specialty crops, increased funding for public produce breeding programs, and the promotion and education of consumers on various fruit and vegetable benefits are all within the Committee's parameters.

At this point, DFO Stanziani advised the committee members that AMS will provide as much support regarding facilitation of any research, data gathering, and SME/speakers opportunities, as possible, as well as help guide with regard to next steps along each process of recommendation development and presentation. Also, the committee was advised on the process for working group meetings which involve teleconferences and email communications, and the importance of including the DFO and/or Committee manager in all meetings and correspondence based upon requirements of the Federal Advisory Committee Act (FACA), as well as taking minutes for each meeting. Also, it is imperative that every member of each working group and Committee be actively involved in all discussions and recommendation formulation. Attendance and participation in all working group and committee meetings are required unless otherwise engaged in other business activities.

Members who served on previous FVIAC committees were introduced so that new members had an idea of who could provide insight and/or be a good resource to new members, or if there are any questions on processes and procedures, in addition to explaining the importance of overlapping terms. All previous members introduced themselves, including those members who called via teleconference to this meeting.

Committee Chair and Vice Chair

At the conclusion of the ethics training, Mr. Parrott and Ms. Stanziani reviewed the duties and responsibilities of the Committee Chair and Vice-Chair. These positions provide leadership for the Committee, must understand the FACA requirements including helping to develop and approve each Committee agenda, help identify fact finding needs, document the Committee's advice, promote contribution from each member and will collaborate with the DFO if there are any problems with any Committee members.

Though one member recognized another previous member as a good chair candidate, the group was reminded that the election of the chair and vice chair would have to occur after

the Office of Ethics presentation and training. At this point, the Ethics Division representative arrived and was introduced.

USDA Office of Ethics presentation

Acting Deputy Director Andrew Tobin provided the Committee with an overview of the ethics rules that apply to Advisory Committee members and other USDA stakeholder appointees. Mr. Tobin provided a history of why Advisory Committees are required to undergo ethics training (based upon a 2005 GAO report on the inconsistencies of FACA member designations and the application of the rules regarding each category for every Committee). Mr. Tobin explained the three-tiered system of ethics training, each with a different level of rules to adhere to: federal employees, representatives (such as members of this Advisory Committee) who are appointed for the purpose of representing your point of view and outside perspective from within the industry you are here to represent, and special government employees who provide independent expertise as a “subject matter expert” on a committee, typically from the private sector who are experts on subjects of a very narrow scientific nature, and who are considered under the supervision of a federal employee. Mr. Tobin explained the differences and restrictions for each tiered group, including those relating to this Advisory Committee.

A discussion about different topics and focus areas and how each member of the Committee should provide input and insight based upon their expertise, geographic region, commodity, agricultural capacity, among other criteria. Member Vazquez brought up the topic of USDA inspection as it relates to ports of entry and the delays, and elaborated on the issues that have arisen based upon these inspection delays due to lack of inspectors, timing of inspections, the phytosanitary inspections done by APHIS.

Member McReynolds addressed the issue of food safety and the proposed FSMA rules. He thought that the Committee might be able to talk about what potential responses would be appropriate to FDA’s requirements, and in particular, the new proposals for supply or verification and environmental testing, as well as implementation and the burden on the small farmer, etc.

Member Ellor addressed concerns regarding the inconsistencies among different regulations such as food security versus know your farmer/local farm. Also the contradictions that exist relating to organic production and sustainability audits, and regulations (that are contradictory to sustainability). Member Burns added to this concern with particular emphasis on how PMA is hearing from its members that there is a fair amount of audit fatigue, and how with new FSMA regulations, this could get worse. A proposed topic to address is the potential harmonization between AMS and FDA so that one activity occurs/that USDA dual verification activities are established and recognized when comparable FDA inspections happen. Member Koster adds to this topic with the concern about private industry audit companies cropping up and how different buyers

require audits from different private auditors so there are duplicative audits that are costly to the producer and supplier, and generally labor intensive and unnecessarily exhaustive.

Member Boaldin brought up the issue of how to increase funding for public fruit and vegetable breeding programs for regionally adapted plant varieties or sovereign seeds. There is a need to attract and bring new farmers, particularly a new breed of young farmers, in order to keep growing the tradition of family farming in comparison to factory farms. Also, it is important to bring more local family farms into the school systems procurement processes. Member Johnson added that food safety requirements are driving the industry so that family farms have to turn into corporate farms. It isn't feasible to think we can bring more small young farmers into the industry with the heavy burdens placed on them by the federal government, they cannot afford to have a fulltime dedicated food safety person. One member mentioned they go through seven different audits a year, which are crop specific, which is very much audit fatigue.

Members Yanda and Roggie rounded out the discussion with comments regarding using common sense recommendations based on facts and science, regardless of what form a commodity takes, whether fresh, frozen, or dried, or if you are a processor, farmer or grower. The concern of what form a commodity takes is unnecessary since the dietary guidelines say that half of the plate is to have fruits and vegetables on it. Our job is to

figure how we're going to get half of that plate to be fruits and vegetables and not what form it is in. The committee should be concerned about providing an educational component to consumers on how to accomplish this. Member Burkett brought up additional concerns with regard to the importation of produce versus domestic producers being used by buyers, and Member Koligian brought up the important purpose of why there are audits, to ensure products are safe, and they are a necessary evil, but the key is harmonization of these audits, similar to the BRC audits (British Retail Consortium) which is accepted by most entities.

Additional discussion occurred regarding audits and inspections, third party inspectors, and other related topics by various members. At this time, the discussion was wrapped up by Mr. Parrott and Ms. Stanziani, who then spoke about next steps with regard to the meeting, lunch options and other meeting logistics prior to the lunch recess.

The Committee recessed at 11:55 a.m. for a one hour lunch period.

At 1:06 p.m., the meeting resumed with Mr. Parrott calling the meeting to order, and checked to ensure all members were back including those on teleconference. At this time, Member Helen Dietrich was able to join us (delayed as a result of cancelled flights and bad weather), and introduced herself to the group.

Mr. Parrott called for nominations for chair and vice chair to begin.

Chair and Vice Chair Election

Nominees included Brent Roggie, Beth Knorr and Paul Newman as chairs; Paul Newman was elected chair by the majority of Committee members. Beth Knorr was elected as vice chair by a majority of the Committee. Once elections were finalized, the chair and vice chair took over the meeting leadership and process.

The following presentation overviews were provided to the full Committee by AMS staff of different divisions and Programs to educate the members on the programs and services offered by AMS:

- Casey Wong-Buehler, Team Leader, AMS Agency, Commodity Procurement Division.
- Christopher Purdy, BD Specialist FV Programs, Business Development and Commodity Purchasing
- Leanne Skelton, AMS/FDA Liaison, AMS/FV Program, Food Safety Modernization Act Implementation
- Randle Macon, Division, Associate Director, FV Program, Specialty Crops Inspection Division regarding USDA standards, audits and inspections.
- Terry Long, Division Director, FV Program, Market News Division spoke about the basics and necessity for market news reports and the expansion into retail and organic reporting, and efforts to include local foods reporting.
- Heather Pichelman, Division Director, FV Program, Promotions and Economics Division spoke about the 12 research and promotion programs within her division as well as the role that the economic staff plays supporting the entire FV Program.
- Karla Whalen, Division Director, FV Program, Perishable Agricultural Commodities Act Division provided an overview of all PACA activities, and fielded comments from Member Puentes regarding PACA Trust decisions and the role that the court plays in making those decisions.
- Michael Durando, Division Director, FV Program, Marketing Orders and Agreements Division provided an overview of the role that marketing orders and agreements play within a specific commodity's industry. During Mr. Durando's presentation, Ms. Skelton also fielded some related questions regarding FDA and the FSMA food safety measures anticipated.

At the conclusion of all presentations, the Committee recessed for 30 minutes.

The Committee recessed at 3:08 p.m. for 30 minutes

At 3:35 p.m., the Committee was resumed by Chair Newman who then asked for any Observer comments. There were no comments at this time.

Chair Newman then asked the group to review the comments from earlier that day regarding potential topics for the Committee to consider. He added that it is important to keep one thing in mind as Secretary Vilsack is an extremely busy man and the Committee

wants to build on whatever the topic or however many as possible, a statement that is so passionate he will as well feel passionate. Chair Newman noted that the issue of FDA harmonization was one that was passionately discussed earlier and asked the group to consider that among the others as possible topics. He asked Ms. Stanziani if there was an option for the working groups to ask people such as Leanne Skelton (on the FDA food safety topic) to join in on the calls for her expertise, which was agreed as appropriate as well as asking someone from FDA and other SMEs if relevant. It was also noted that any group would have the benefit of adding any SME from any department or entity to join the calls to provide expertise, or make a presentation on the topic of interest.

Ms. Stanziani provided the committee with feedback on some of the topics discussed earlier. These topics included inspection delays and the need for reports to be more specific, food safety, inconsistencies among different regulations, food safety regulation inconsistencies as related to organic sustainability audits and the local/know your farmer, the PACA process (to which Member Yanda noted that Ms. Whalen cleared that issue of backlog up for them satisfactorily so it didn't need to be a subject area), incentivizing and funding for sustainable farming, and the lack of farm labor. Member Castaneda spoke about how the farm labor shortage is a big problem and he believes it is very important to continue to work toward addressing the shortages.

Member Koligian brought up the issues with regard to the drought, water shortages and environmental concerns, and how that may not be a subject matter for a whole group but it's something he is interested in addressing. He discussed the growing world population and how the demand for food will increase along with the shortage of water and food supply. He also brought up the issue of the U.S. lacking port infrastructure especially in comparison to other countries such as China. Member Johnson added that it isn't just ports but rail infrastructure that is lacking throughout the U.S. Further discussion continued on these subject areas, with Member Vazquez adding the ports of entry issue is also related to the lack of adequate rail and ports infrastructure.

Member Koster brought up the timeliness of the issue of audits and FSMA implementation proposals, and that there is time to remind the buying and receiving community what USDA already does with their inspection programs, including the quality monitoring program. There should be a working group that addresses the rebranding and communications of existing USDA programs.

Member Roggie added he thinks we need to educate our younger consumers on fruits and vegetables so consumer education would be a valuable group. Member Burns agreed, noting there isn't really enough (or any) research on kids and their eating and food choice behaviors, and how they are influenced on eating produce especially in school.

Member Wilder noted that there was a working group during the last Committee that dealt with this topic and that it was pretty complicated since USDA doesn't provide the

education directly, it goes through groups at the state level and at state agencies. It's very fragmented as to how to address education for children or for schools to provide education so it's hard to get hard data back on how well the state level programs worked.

Member Boaldin addressed the option of having a chef at each school, and the work she has done with the Kickapoo tribe children in teaching them about food choices, and establishing a school garden. The tribal regions are typically food deserts and poverty stricken so there is a lack of education on the benefits of eating produce. Further discussion occurred regarding the lack of education in schools, and the lack of equipment and staff to work with fresh and other fruits and vegetables even when donated.

Member Kress addressed the issue of keeping up with science especially when avoiding e coli contaminations (leafy greens issue) and issues such as citrus greening. The U.S. must be competitive with countries like China that has billions of acres of land they can't use due to lack of water, so they are looking at using science and genetics. If we are not careful a majority of our food may continue to come from China and overseas and increase in volume and production.

Member Yanda mentioned that maybe the Committee should consider things like social media and what it's done and how successful some of that's been without science and maybe think about how USDA could play a role in that, particularly thinking of the issue of GMO. There hasn't been a food safety issue in 30 years with GMO and without GMO we cannot feed the world by 2050. We're going from 7 million to 9.5 million people, but that 9.5 is going to consume twice the food we have today and we need to get that word out from a source. It has to be science-based and so I support, I guess I support the effort, but let's be sure we think about social media can do so quickly to damage the perception and the facts around nutrition, around GMO, and all of those things. I think that's a big challenge for the industry, one of the bigger challenges.

Member Koligian added if it possible to have a national policy on GMO products (patenting and contamination), which Member Yanda agreed. Member Koligian added that maybe it is feared as the "no-no" or maybe it's an okay, but that it's one of the issues, and that someone like FDA should come out with specific statements about the benefits (or not) and usages of GMO products as a result of a lack of resources like water. Discussion continued regarding the six different subjects and various elements of each and how they relate (or not).

Chairman Newman started wrapping up the discussions and determined that there are roughly six different issues that have been discussed as potential topics. Ms. Stanziani mentioned that other topics can be added once the first several working groups provide their recommendations. The next several topic areas then be addressed. Also, it was suggested to review the recommendations and statements from previous committees (on website – link to be provided by Ms. Stanziani to the group again). There were no further

legal or technical issues to be review. The agenda for the next day was reviewed, and the group then made a motion to adjourn until the next morning at 8:30 a.m. which was seconded and approved.

The Committee adjourned at 4:20 p.m. for the day

Tuesday, September 30, 2014

At 8:34 a.m., The Committee reconvened at the Hyatt Regency Crystal City Hotel, with Paul Newman, Committee Chair, presiding. Chair Newman called the meeting to order.

Members Wilder and Nury were added by teleconference at this time. Mr. Parrott noted that the meeting today would only be half a day, and that everyone should be cognizant of the fact that some folks will need to get to the airport and catch flights with enough time to check in, etc.

Chair Newman noted that before the meeting begins, if there were any observers who would like to make a statement or comment, to which there were none.

Chair Newman then addressed the Committee stating that the goal for the day is to sort out the topics to establish working groups then break out so the working groups could meet. At that point, each working group will elect a point person or chair, and a co-chair. You will need to coordinate your calendars so you can determine when best to schedule your first teleconference meeting, make sure that Ms. Stanziani has everyone's correct contact information in order for the call invites and notifications to be sent out, and to determine what direction you want your working group to focus on first within your topic area. This will include deciding if you need someone to speak to the group at the first teleconference such as a subject matter expert, or if group members need to do independent research to present to the group during the call.

The first category on education included education for children, for consumers in general, and to define what we mean by that (such as including nutrition as part of the educational element) and how we want the USDA to be involved. The second category mentioned was the expansion of port, rail and infrastructure. The topic of FSMA and the uniformity of audits or harmonization, third party audits and the conflict of interest that occurs, in conjunction with what USDA already has in place. Reinventing or re-launching any USDA programs and services, such as communication and promotion with consumers or buyers and the approach is another topic. Grant funding for new farmers and how we get kids involved and interested in farming, and breeding programs. Farm labor is still a topic that will probably be a group, and the issue of lack of water or the drought throughout the country and how we would suggest USDA address it. Inspections at ports of entry for inbound produce and what issues are there and how we address those rounds out the list.

Vice chair Knorr noted that she was very interested in FINI grants and their impact on small farms and how they may be better used. This may be something that is focused upon under Grants Funding.

Members Kress and Ellor indicated that research was also noted, in particular research on emerging diseases. Also the issues of GMO and labeling was brought up. There was discussion as to what categories these three issues would fall under. Mr. Parrott was checking with staff on the issue of GMO and whether that falls under the USDA purview or with another federal agency (FDA). Chair Newman reminded the group that the goal is to create recommendations that the Secretary can run with, so not to make them too complicated or too political.

Members Wilder and Nury were asked if they had any input into the existing topics or if they had new topics to consider. Both felt the issues already mentioned were on topic and relevant. Chair Newman inquired if the Committee was limited to how often and how many statements or recommendations are submitted on a subject (such as labor was submitted by the last Committee, is it appropriate to have additional statements on this), and just any limits in general. It was confirmed that there are no limits.

Discussion ensued regarding the realigning and streamlining of the different topics. It was eventually determined that there would be five working groups that include Food safety and audit harmonization, Agricultural labor which includes H-2A and e-verify; Education and labeling including educating consumers/children and labeling including GMO; Grant funding for small farmers, plant breeding and FINI, as well as funding and research of pests and diseases; Ports of entry inspection delays; and a separate independent study done by Member Koligian on rail and port infrastructure, as well as drought and water shortage issues. The topics were voted upon and passed as written. At this time, each member indicated in which working group they would like to participate.

The Committee recessed for 15 minutes at 10:06 a.m.

Chair Newman resumed the Committee meeting when all members returned at 10:21 a.m. At this time, the chair advised the Committee to break out into their respective working groups for 30 minutes initially, and another 30 minutes for the 2nd group of members who joined more than one group.

The Committee recessed at 10:25 a.m. until 11:36 a.m.

Chair Newman resumed the Committee meeting at 11:36 a.m., and asked for any final thoughts or guidelines that need to be addressed.

Mr. Parrott and Ms. Stanziani again provided guidance with regard to the communications and parameters of the Working Group structure according to the Federal Advisory Committee Act (FACA). A tentative date for a second full Committee meeting was determined for some time over the first two weeks of March 2015 preferably on a Tuesday/Wednesday or Wednesday/Thursday time period, but would be confirmed based

upon the checking of dates for other potential conflicts and each members individual schedule.

At 11:44 a.m. the full Advisory Committee was adjourned.

Pamela Stanziani
USDA Agricultural Marketing Service
November 30, 2014