




November 6, 2007

Western Growers Challenges New Food Safety Buyer Group On Unreasonable, Scientifically Indefensible Food Safety Demands

Western Growers today condemned the demands of a consortium of retailers and food service vendors who insist that fresh produce suppliers must implement new unreasonable, excessive and scientifically indefensible food safety standards and to submit to additional expensive and unnecessary food safety audits.

The consortium, organized under the umbrella name of the "Food Safety Leadership Council," ("FSLC") currently consists of Publix Supermarkets, Inc., Wal-Mart Stores, Inc., Darden Restaurants, McDonald's corporation, Avendra, LLC and Walt Disney World Co.

In a letter addressed to "Dear Produce Supplier", Publix attached a 20-page document titled "Food Safety Leadership Council On-Farm Produce Standards." The consortium is demanding that the entire fresh produce industry agree to develop and adopt "enhanced" food safety standards that add unnecessary burdens to the recently implemented California Good Agricultural Practices metrics that the California Leafy Green Marketing Agreement Board has accepted and upon which state and federal inspections are currently being conducted.

Western Growers sees this effort as the start of a food safety "arms race," where different groups of produce buyers, in an effort to claim that they have safer produce than the next, will impose on fresh produce suppliers ever increasingly more expensive and scientifically indefensible food safety requirements.

"We have very serious concerns about these new food safety standards and demands," said Tom Nassif, Western Growers President and CEO. "We are extremely disappointed that they are taking this approach. The new standards clearly imply without any scientific basis whatsoever that the already developed and adopted GAP metrics, scientifically developed and peer reviewed by some of the nation's leading food safety scientists and experts, are inadequate. We know that is not the case as federal and state government food safety agencies all agree that the GAP metrics include the latest, cutting edge food safety science."

Western Growers is sending the consortium a letter outlining Western Growers' specific scientific and policy concerns and asking them to cease and desist imposing these unreasonable standards on fresh produce suppliers until they meet with and provide the fresh produce industry with scientific bases for their new requirements.

For example, the new standards far exceed the existing Leafy Greens GAP metrics in significant ways:

- The On-Farm Produce Standards appear to apply to all fresh produce grown in the United States, not just California and Arizona grown lettuce or leafy greens.
- The new standards require a one mile buffer zone between fresh produce fields and concentrated animal feed lots.
- The new standards require a ¼ mile buffer zone between fresh produce fields and animal grazing.
- The new standards appear to require that only potable water that meets US EPA drinking water standards may be used on fresh produce crops eliminating the use of commonly used irrigation water sources.
- The new standards use “bright-line” generic E. coli counts to determine acceptable or unacceptable irrigation water.
- The new standards clearly imply that the inspections required by the California Leafy Green Marketing Agreement currently performed by state and federal government inspectors are inadequate and the standards appear to require mandatory additional independent, expensive and unnecessary audits.

Ironically, nowhere in the standards is an explicit reference to or requirement that fresh produce suppliers from other countries adhere to the same standards being imposed on US fresh produce suppliers. Moreover, the consortium has not provided the fresh produce industry with its own set of good handling practices that demonstrate that consortium members are properly handling fresh produce after receipt of produce from fresh produce suppliers.

The consortium has asked its suppliers to sign on to the new standards immediately if suppliers wish to do business with consortium members; in fact, some fresh produce suppliers may already have signed such agreements.

Western Growers strongly encourages its members to become better educated about the new standards and to wait until the fresh produce industry receives from the consortium more scientific evidence and validation to support their new standards.

Of course, each company must make sales and marketing decisions based on their own circumstances. Western Growers members are also strongly encouraged to contact and confer with their own attorneys, internal or external food safety experts and/or Western Growers before agreeing to be bound by the new standards.

Western Growers is simultaneously contacting and coordinating with fresh produce organizations around the country to explore developing a unified response to these unreasonable demands.

A copy of Western Growers' letter to the consortium will be sent to Western Growers members after it has been sent. In the meantime, for more information, please contact WG's Hank Giclas (hgiclas@wga.com) at (949) 885-2205, Matt McInerney

(mmcinerney@wga.com) or Jasper Hempel (jhempel@wga.com) at (949) 885-2252.

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