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Food safety takes spotlight

Maldonado, Caballero want to give industry plan a look

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SACRAMENTO - State lawmakers have begun 2007 with a wide range of views on how to increase food safety following the late-summer E. coli outbreak linked to Salinas-area spinach.

Sen. Dean Florez, D-Shafter, who chairs the Senate Governmental Organization Committee that conducted a three-hour hearing on the issue last fall, said Thursday he'll introduce legislation enacting new food safety rules for leafy greens by the end of January.

"It's clear there is a market failure here," Florez said. "Government needs to step in in these cases ... when industries do not step in to police themselves."

He said he wants to see if plans being developed by the agricultural industry can be incorporated into his legislation.

Assemblywoman Anna Caballero, D-Salinas, also said she intends to introduce a bill based on the industry's plan.

"I've been working with the agricultural industry, and they are looking at self-regulation, and I'd like to introduce a bill that would set up the guidelines for the regulation," Caballero said.

The first-term lawmaker also said she'll try to pass a resolution urging the federal government to provide money for food safety research. Rep. Sam Farr, D-Carmel, has introduced a bill for such funding.

Sen. Abel Maldonado, R-Santa Maria, the new chairman of the Senate Agriculture Committee, said that before passing any new legislation, he prefers to see how the industry's plan to establish new rules and oversight under existing law works.

Approval seal touted

"The quickest thing is to put a seal of approval on the produce of California, and I think the California Department of Food and Agriculture can do that at this moment," Maldonado said.

CDFA would administer rules under existing law that would lead to a certification, or label, indicating that the standards have been met under a plan being developed by the agricultural industry.

"I know in the back of my mind that we can always move a bill" if necessary after seeing how the industry plan works, said Maldonado, a farmer.

The lawmakers' views come amid apparently wide agreement that steps need to be taken to improve food safety and reassure the public in the wake of the E. coli outbreak that killed three people and sickened more than 200 nationwide last year.

With no official cause of the outbreak yet disclosed by state and federal investigators, agriculture and public leaders are evaluating the best way to address the issue.

The Western Growers Association, whose members grow, pack and ship 90 percent of the fresh vegetables and 70 percent of the fruits and nuts in California and Arizona, is taking the lead in developing a two-part plan that includes a "marketing agreement" and a "marketing order."

'Best practices' coming

The marketing agreement is a voluntary accord that would commit handlers to

follow food safety, or "best practices," rules in processing leafy greens such as spinach and lettuce. The marketing order, if leafy green growers approve it in a vote, would require all farmers raising affected crops to follow best-practices rules.

The marketing agreement would come first and is the subject of a hearing Jan. 12 at the Monterey County Fairgrounds.

The "best practices" are still being developed through reviews by agricultural and academic experts and are expected to focus on topics such as water, WGA spokesman Tim Chelling said.

But Chelling stressed that the goal is to have them, and both the marketing agreement and order, in place by the spring-summer harvest in the Salinas Valley.

He said WGA also is seeking a federal marketing order to apply nationwide.

Regarding legislation, Chelling said, the industry is "willing to look at anything and everything that makes sense."

But he said the goal is to get something in place quickly. Legislation could take months and possibly not go into effect until 2008.

"There's a sense of urgency here, and why not use the mechanism (marketing agreement and order) in place right now?" he said.

Chelling said the agreement and order are a package that anyone in the industry would be "crazy to ignore" because they couldn't find a market for their crop.

Problems caused by few Caballero said many in the industry already engage in at least some of the

food safety practices being considered for adoption, "but there are some producers that are not doing it.

"Those are the companies that create the real problems in terms of consumer confidence and that have actually sickened people," she said. "The industry is working very diligently in building support in the industry (for the agreement and order)."

Florez zeroed in on the marketing order that's posted on the CDFA Web site, saying it's voluntary, "doesn't define in any real way" who decides "best practices," only vaguely calls for "periodic" inspections, and sets up an advisory board with only one public member and no legislative confirmation of any members, no requirement for public members and no public access to its records.

He also wants to enact legislation that specifically deals with water, wildlife and worker sanitation.

"This is a prime opportunity for state government to step in and to certify, just like we do with beef, ... dairy and cheese," Florez said. "Everybody knows the USDA stamp and eats their beef knowing there was one final check on what they are putting in their mouth."