

## MAKING SENSE OF ORGANIC, FOOD SAFETY AND FOOD SECURITY CERTIFICATION PROGRAMS

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Over the past decade, it has increasingly become the responsibility of fruit growers and packers to adopt complex and sophisticated verification systems that may or may not increase profitability but, in some cases, are essential to maintain access to certain markets and customers. Our focus here today will be on programs that are in place to certify food safety, quality and/or type specificity. We are also aware that some similarly costly and complex programs are required to meet phytosanitary requirements and allow access to specific export markets but discussion of these will be left for another day.

For most growers, organic certification was likely the first complex food safety scheme mandated to obtain access to what was and is viewed as a profitable market. Initially, in the U.S., organic certification was the responsibility of the state or private entities. National organic standards went into effect on October 21, 2002 requiring local producers to meet certain compliance requirements that are set at the national level and interpreted by federal regulators for fruit grown in the U.S. While domestic retailers have accepted these certification programs (under the umbrella of the National Organic Program), the same is not necessarily true for organic retailers in certain export markets. It has been extremely challenging for Pacific Northwest organic exporters to gain a clear understanding of and meet equivalency standards of the numerous organic certification bodies, particularly in the UK. To give organic producers and shippers an update on recent developments regarding both domestic and international organic certification requirements, we have asked Miles McEvoy, organic program manager for the Washington State Department of Agriculture, to be on the program today.

While organic certification is only required for those seeking a certain market segment, recently the U.S. Food and Drug Administration has mandated that growers register their facilities under the Bioterrorism Act. Additionally, packing facilities must meet certain food safety requirements to participate in USDA's commodity procurement programs. To provide additional information on these programs, Jon DeVaney, deputy district director for Congressman Doc Hastings, is here. For the past 20 months, Jon worked at the Northwest Horticultural Council as the manager of technical and regulatory affairs.

**Jon DeVaney:** The federal government doesn't require participation in any particular food certification program. However, there are food safety related requirements under federal law, and certain certifications are needed to participate in some federal programs.

I'll begin with what is mandatory under federal law. While not a comprehensive certification program, the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, better known as the Bioterrorism Act, does require the handlers of food in the United States to take certain actions related to food safety. First, as many of you know, any facility in which food

consumed in the United States is processed or held, such as commercial fruit warehouses, packing sheds, cold storages, and other similar buildings, must be registered with the U.S. Food and Drug Administration by December 12 of this year. This also applies to foreign facilities supplying food to the U.S. market. The information required in the registration includes facility location, emergency contacts, products handled, and the consumer labels under which the products are sold. The purpose of the registration requirement is for FDA to more easily trace the possible sources of any food contamination in the event of a problem. Farms and retail facilities are exempt from this requirement, as are facilities for holding or packing food from a single farm or from multiple farms under the same ownership. Additional information and the online registration system are available at <https://www.access.fda.gov/>.

In addition to facility registration, the Bioterrorism Act also requires any person or organization that processes, packs, transports or holds food for consumption in the United States to keep records on the source and recipient of all food products. The records must include contact information, type of food, lot number, quantity and packaging for all foods received or released. Existing records, such as those under the Perishable Agricultural Commodities Act, may be used to meet this requirement as long as they include the information required by FDA. Records must be retained for two years and may be kept in any format. These records do not need to include any pricing or sales data. This new requirement will not be enforced until after publication of a final rule sometime before December 12, 2003. Businesses with more than 500 full time equivalent employees must comply with the final rule within six months of its publication in the Federal Register. Small businesses, those with between 10 and 500 full time equivalent employees will have 12 months to comply. Very small businesses, those with 10 or fewer full time equivalent employees, will have 18 months from the publication of the final rule to comply. The intention of this record keeping requirement is to ensure that any contaminated food can be fully traced back to its source and the origins of possible contamination identified.

Additional information on the Bioterrorism Act is available on the Northwest Horticultural Council's website, [www.nwhort.org](http://www.nwhort.org).

As I mentioned before, the U.S. government does not require a particular certification scheme for the growers or packers of fresh fruit. However, the U.S. Food and Drug Administration does maintain a voluntary "Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables" along with Good Agricultural Practices and Good Handling Practices. Individual growers or packing houses can be audited by the Federal-State Inspection Service to receive certification that they comply with these voluntary standards. Additional information on this program is available under the fruit and vegetable section of the Agricultural Marketing Service's website, [www.ams.usda.gov](http://www.ams.usda.gov).

In December of 2002, the Agricultural Marketing Service announced that certification to Good Agricultural and Good Handling Practices would be required for those who wished to sell produce to the USDA's commodity procurement programs. The Northwest Horticultural Council and other produce industry groups objected, noting that packers can't enforce grower participation in the Good Agricultural Practices program and asking for USDA to accept existing third party certifications to meet this requirement. In August of this year the AMS agreed that only Good Handling Practices would be required as of February 1, 2004. However, the agency has not yet agreed to accept third party certifications. The Northwest Horticultural Council is continuing to work on this issue.

Thank you. I will be happy to take any questions during the question and answer session at the end of the program.

**Willett:** While organic certification is self-selected and the requirements for organic certification and other government run programs are subject to reasonable amendment through the federal notice and comment process, other quality assurance schemes, according to Baines, “are continually being forced on food production systems and supply chains.” The need for these schemes is being driven by high profile food safety incidents in the U.S. and around the world. Increasingly, the food industry worldwide, particularly the retail segment of the industry, has felt the major burden of food safety responsibility and has asked the producer sector to provide the necessary assurance. In the U.S., government regulators are viewed as credible partners in food safety assurance. In other countries, there has been a more profound weakening of consumer confidence in government regulatory schemes.

This situation has led to a proliferation of private regulatory and auditing schemes such as AIB, SQF, Eurepgap and Primus labs, among others. The presence of a large number of choices in quality assurance schemes is not necessarily bad and adoption of any given quality assurance scheme may provide a useful structure for organization and documentation at the packing facility level. However, the lack of a single standard often forces suppliers to certify to more than one standard depending on the customer and may require multiple audits. Standardization of standards is the hope of most industry participants but little movement in that regard has occurred so far. Some hope that the many schemes will agree to a single auditor, proposing that the USDA’s GAP/GHP audit would meet most requirements.

While both U.S. and international food safety schemes imposed by government must meet a basic test of adherence to good science and sound food safety principles, retail driven schemes are free to require audits on a range of issues many of which appear to have no bearing on food safety. To provide insight into how one large Washington packing company makes a decision regarding their choice of a food quality assurance program, we have asked John Cornell, Environmental Health and Safety Manager for Selah’s Larson Fruit, to be with us today to discuss that decision process.