

PUBLIC AFFAIRS

New Food Safety Bills in House and Senate

New bipartisan House and Senate legislation introduced this month would overhaul FDA's regulation of food safety with tighter controls for food-borne illness prevention, detection and response. The bills would also expand FDA's food defense capabilities, broaden its access to records and increase agency funding. Both bills would authorize FDA to establish mandatory food safety standards for high-risk produce.

The House bill, the **Safe Food Enforcement, Assessment, Standards and Targeting Act of 2009** ("Safe FEAST Act"/H.R. 1332), and the Senate's companion legislation, the **FDA Food Safety Modernization Act of 2009** (S. 510) are virtually the same in terms of objectives and directives, though the Senate bill would give

FDA discretionary authority to set mandatory food safety standards for non high-risk produce items. USApple supports this commodity-specific approach.

Under both bills, FDA would be required to establish a pilot program to test rapid and effective tracking and tracing of produce, and subsequently implement standards for rapid trace-back in the event of a food-borne illness outbreak. Food facilities would have to register and renew registration biennially, have a hazard identification and mitigation plan, and pay FDA user fees. FDA would receive mandatory recall authority if the agency determines the food is misbranded or adulterated. Importers would be required to perform food safety verification activities in order to import food

items. Importers can qualify for expedited imports if they exceed minimum standards to ensure safety of imported food. FDA funding would be increased to perform these activities.

The bills, which are considered moderate in the spectrum of other legislation under consideration, will now be reviewed by their respective Committees with possible action late this year or in 2010. 🍏



Congress Introduces Employee Free Choice Act

USApple and other members of the newly formed Agriculture for a Democratic Workplace (ADW) are urging Congress to oppose the Employee Free Choice Act (EFCA or "Card Check"). The bill was introduced in the House and Senate earlier this month and has generated a hotbed of activity for and against the legislation.

If passed, EFCA would take away the secret ballot system currently used for determining union representation and replace it with a "card check" system whereby only a majority of employees would need to sign a card to unionize a business. The legislation also sets a strict

timeline for first-time contract negotiations and, if not met, a federal

arbitrator would determine a two-year binding contract covering wages, benefits and other issues.

In a joint letter to Congress, USApple and the coalition said that while the bill is a threat to all businesses, "agriculture could feel the effect more acutely given the size and structure of many of our individual operations, and the sensitivity of our businesses to supply chain disruptions." The letter concludes "we need to make small businesses and family farms more competitive, incentivize the growth of new business, and encourage job creation. Passing of EFCA will result in the opposite."

USApple launched a "Stop EFCA" campaign directly to its membership on March 10, urging members to contact



USApple-Funded Study Details Role of Apples in Inhibiting Breast Cancer

Good news for consumer health – and the apple industry! Six studies published in the past year by a Cornell researcher add to growing evidence that an apple a day – as well as daily helpings of other fruits and vegetables – can help keep the cancer doctor away.

In one of his recent papers, published in the February edition of *Journal of Agricultural and Food Chemistry*, Dr. Rui Hai Liu, Cornell associate professor of food science and a member of Cornell’s Institute for Comparative and Environmental Toxicology, reports that fresh apple extracts significantly inhibited the size of mammary tumors in rats – and the more extracts they were given, the greater the inhibition.

The 24-week study shows that a type of adenocarcinoma – a highly malignant tumor and the main cause of death of breast-cancer patients, as well as of animals with mammary cancer – was evident in 81 percent of tumors

in the control animals. However, it developed in only 57 percent of rats given low doses of apple extract (equivalent to one apple a day in humans), 50 percent given moderate doses (three apples) and 23 percent given high doses (six apples).

The study was supported, in part, by USApple, the American Institute for Cancer Research and the Ngan Foundation. USApple’s funding contribution came from state and individual membership dues. 🍏



INDUSTRY INFORMATION

USApple Leading Review of Apple PLU Codes

USApple is working to evaluate Price Look Up (PLU) codes for apples at the request of the Produce Marketing Association (PMA). PMA’s Produce Electronic Identification Board (PEIB) has undertaken the task of reviewing PLU codes assigned to fresh apples to determine which of the

existing codes are still applicable in the marketplace.

Led by USApple’s Grades & Standards Subcommittee, chaired by Scott Swindeman, Applewood Orchards, Michigan, USApple’s PEIB review group includes marketers and others representing a broad geographic and functional cross section of the produce industry.

Apples represent the single largest group of PLU codes used by fresh fruits and vegetables, with over 200 PLU codes currently assigned to apples. This is the first effort to evaluate PLU codes for apples since the use of PLU codes began in the 1980s.

USApple’s Industry Information Committee and Board of Directors will review this project at their upcoming March 26-28 meetings in Washington, D.C. Mark Seetin, USApple’s Director of Regulatory and Industry Affairs, is providing staff direction for the PLU project. 🍏



Mark your calendars for the

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their respective Congressional offices and make their voices heard. EFCA will be a top issue when USApple leaders gather March 25 for the association's annual "Capitol Hill Day" in Washington, DC.

If you have not done so already, please take a moment to go to USApple legislative action center at <http://www.congressweb.com/cweb4/index.cfm?orgcode=apple> and tell your Members of Congress about the detrimental impact EFCA would have on your business.

USApple is a founding member of ADW, which includes a number of produce, meat, poultry and general farm organizations. For more details, visit the coalition's website at <http://www.coalitionforagriculture.org/>. 🍏

USApple Visits Massachusetts for *Harvest New England Show*

USApple member leader Frank Carlson, Carlson Orchards, Harvard, MA, and Todd Hultquist, USApple Director of Communications and Membership, hosted a USApple booth at the **Harvest New England Conference & Trade Show** in Sturbridge, Massachusetts in late February. Carlson and Hultquist met with growers from across New England, many of them farm market operators, offering information on USApple programs; copies of *Apple News*, *Market News* and the *USApple Weekly Report*; an invitation to the *2009 Apple Crop Outlook and Marketing Conference*; membership sign-up forms; and caps bearing the USApple logo. The two also hosted an informal "Meet USApple" dinner to listen to regional growers' issues and concerns, and to ensure that USApple programs and priorities are on target and to deliver maximum benefits to members and the apple industry. Guests included growers from Massachusetts, Connecticut, Vermont and Maine, as well as a representative of the University of Massachusetts extension program. Top issues included USApple - guided federal funding of grants for specialty crops in the 2008 Farm Bill, the H-2A program and USApple's funding of university research programs on apple health benefits. 🍏



USApple member leader Frank Carlson (left) and USApple Director of Communications and Membership Todd Hultquist at the Harvest New England convention.

Apple Grower Appointed WA Ag Director



Dan Newhouse

Dan Newhouse, a four-term Washington State Representative (R) and apple grower from Sunnyside, Washington, was recently appointed Director of the Washington State Department of Agriculture by Governor Christine Gregoire (D). In announcing the appointment, Governor Gregoire directed Newhouse to develop strategies to expand international markets for Washington agricultural products, as well as find new water sources for Eastern Washington farmers. 🍏



Pennsylvania Secretary of Agriculture Dennis Woolf (left) gets the "inside the Beltway" scoop from USApple President and CEO Nancy Foster at the Mid-Atlantic Fruit & Vegetable Expo held in Hershey, PA, last month.

Rep. Putnam to Kick Off USApple Capitol Hill Day

U.S. Representative Adam Putnam (R-FL) will be the keynote speaker at the kickoff breakfast for USApple's "Capitol Hill Day" on Thursday, March 25, in Washington, DC. A farmer and strong supporter of the agriculture industry, Congressman Putnam has been an influential policy-maker in areas important to apple growers and other apple businesses, such as immigration and labor reform and food safety regulation.

Following Putnam's address, USApple members from across the country will visit dozens of U.S. Senate and House offices, meeting with Members and their staffs to request support for key apple issues, including ag labor reform, workable



food safety laws, fair implementation of new Farm Bill programs and strong federal funding to grow export markets via the Market Access Program.

A fundraising reception for the USApple Political Action Committee (USApplePAC) will cap off the busy day.

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If you are interested in participating, please contact Diane Kurrle at 800-781-4443 or durrle@usapple.org.

INDUSTRY NOTES



Do you have comments, questions or suggested story ideas for the next issue of *Apple News*? Contact Todd Hultquist at USApple:

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