

- SUBJECT:** Establishing TDA as fruit and vegetable safety agency in Texas
- COMMITTEE:** Agriculture and Livestock — favorable, without amendment
- VOTE:** 8 ayes — Gonzalez Toureilles, Anderson, B. Brown, Crabb, Hardcastle, Heflin, Rios Ybarra, Swinford
- 0 nays
- 1 absent — Kleinschmidt
- WITNESSES:** For — J. Carnes, Texas Vegetable Association; Ray Prewett, Texas Vegetable Association
- Against — None
- On — (*Registered, but did not testify:* Joseph Masabni, Texas AgriLife Extension Service; Dan Sowards, Texas Department of State Health Services)
- BACKGROUND:** In November 2008, the Texas Department of Agriculture (TDA) received \$92,000 in federal funds to create the Food Safety Good Agricultural Practices Program. The goal of the one-year program is to improve on-farm agricultural food safety practices involving fresh fruits and vegetables. The program allows growers and packers to work with the Texas AgriLife Extension Service to develop plans to improve their food safety practices. Many other states have similar programs to educate fruit and vegetable producers about on-farm safety.
- DIGEST:** HB 1908 would establish TDA as the lead agency on fresh fruit and vegetable safety issues. TDA would be able to collaborate with the federal Food and Drug Administration (FDA) in the promotion of sound agricultural practices.
- The bill would direct TDA to set up food safety education programs for packers and producers of fresh fruits and vegetables. The programs would be required to inform and educate about:

- sound agricultural practices;
- proper food handling procedures;
- how to prevent disease outbreaks; and
- ways to improve general food safety.

TDA would consult with the Department of State Health Services about establishing certification criteria for fresh fruit and vegetable safety programs. TDA would be required to coordinate its food safety education programs with Texas colleges and universities, the Texas AgriLife Extension Service, Texas AgriLife Research, the Department of State Health Services, and private industry.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.

**SUPPORTERS
SAY:**

HB 1908 would give TDA the necessary authority to begin a comprehensive foodborne-illness prevention program in Texas. Recent salmonella outbreaks have brought food safety concerns into the national spotlight. There have been four salmonella outbreaks related to peanut products in the past three years, which have sickened more than 1,400 people and killed nine. A peanut factory in Plainview, Texas was also implicated in a recent salmonella outbreak. This week alone, a large pistachio producer in California has recalled millions of pounds of possibly contaminated pistachios already been shipped to 36 different companies.

The \$103 billion agricultural industry in Texas accounts for 9.2 percent of the gross state product. Agricultural sales are highly sensitive to food safety scares. Education programs and increased inspections have been shown to reduce the incidence of foodborne illness. Programs to educate producers on food safety methods would help protect an important sector of the Texas economy by reducing the likelihood of disease outbreaks. The educational programs authorized by HB 1908 would affirm the quality of Texas agricultural products in the minds of consumers around the globe.

Recent federal legislative proposals range from requiring food facilities to register with the FDA to transferring all food safety oversight to the US Department of Agriculture. By establishing TDA as the lead agency on fresh fruit and vegetable safety, HB 1908 would create a single point of

contact for communications between Texas and the federal government. The bill would also give Texas a head start in the implementation of food safety initiatives. HB 1908's proactive approach would place the Texas agricultural industry at a competitive advantage at the time of passage of federal food safety legislation.

The U.S. food supply presents a potential opportunity for terrorists to introduce harmful biological substances or chemicals into the American population. HB 1908 would help protect public health by encouraging producers and packers in Texas to test fruits and vegetables for dangerous outside contaminants.

HB 1908 would not impose any mandates on agricultural producers. Small producers who could not afford to adopt a comprehensive agricultural safety program would be given the knowledge about how to do so in the future. Furthermore, many food safety improvement techniques, like general employee hygiene, are cost-free and can greatly improve overall food safety. The bill would help ensure that these safety techniques are disseminated to producers for their benefit as well as consumers.

**OPPONENTS
SAY:**

Some food safety practices can be costly for small farmers and producers to implement. Small agricultural businesses may not be able to afford expensive laboratory tests that detect foodborne illnesses in their products. HB 1908 would prioritize the interests of large producers that have the resources to adopt more costly food safety measures.

NOTES:

The companion bill, SB 1901 by Hinojosa, has been referred to the Senate Agriculture and Rural Affairs Committee.