



## **GFVGA National Issues Position Paper**

**January, 2012**

With the 2012 presidential elections taking center stage this year, and the deadlock between the House and Senate, very little legislation is expected to be passed at the National level. However, as we have seen over the past three years of the Obama administration, there is nothing to stop the agency top level 'appointees' (EPA, US DOL, etc.) from implementing major policy and regulatory changes at their agency which negatively impact fruit and vegetable producers.

We anticipate the primary national governmental issues in 2012 to be . . . implementation of the Food Safety Modernization Act of 2010 (FSMA), passage of a new farm bill, debate over the immigration policy, environmental regulations, and child nutrition policy. The Georgia Fruit and Vegetable Growers Association will monitor and engage the debate as appropriate during 2012. The association will work under the general guidance as established in this Position Paper. Should additional issues surface during the year, or further refinement of GFVGA's position is required, the Executive Committee and/or the Board of Directors will address these items as required in 2009.

1. **Labor and Immigration Reform** – This has been the association's number one National issue for the past fifteen years. Due to the 2012 election, most likely there will be little legislation passed. GFVGA's policy continues to support the following items as it relates to labor and immigration reform,
  - To support state or national E-verify bills, the legislation must also include a reasonable and 'user friendly' guest worker program.
  - Guest worker program that establishes the wage rate at the 'prevailing wage rate' rather than wages being set based on the 'adverse effect wage rate' (AEWR).
  - Simplified processing and administrative requirements for guest workers including clarification of transportation costs and fees paid by the grower prior to workers arriving at the farm.
  - Clarity in the language to insure the overall immigration reform or adjustment of status for illegal aliens will not have an adverse effect on current guest worker programs.
  - Relief on the 50% rule and require mediation before either party can bring suit.
  - Inclusion of 'farm work experience' as a requirement for hiring workers for a H2A contracts.

GFVGA will continue to monitor state and national immigration and labor reform legislation, and serve as the spokesperson for Georgia's fresh produce industry,

2. **Food Safety** – The passage of FSMA will require of a dozen separate rulemakings and at least 10 guidance documents. GFVGA should be involved to work with the fresh produce industry to shape these regulations, including:
  - Produce production standards
  - Preventive controls and food safety plans for facilities
  - Traceability
  - Regulatory requirements of imported foods

In cases where the new regulations are inadequate or inappropriate, GFVGA will work with industry organizations to encourage Congressional allies to utilize their oversight responsibility to address policy issues. GFVGA will continue to follow the following guiding principles as FSMA regulations are developed:

- Must allow for a risk based, commodity-specific approach, based on the best available science.
- Must be regionally consistent and applicable to the identified commodity or commodity sector, no matter where grown or packaged in the United States or imported into this country.

Since 2009, GFVGA has taken positions to support the National Leafy Green Marketing Agreement, the tomato industry standardized matrix, the National Watermelon Association watermelon food safety guidelines and a Food Safety Guidelines Harmonization Task Force. GFVGA's involvement on these projects and others in the future will follow the principals outlined above.

3. **2012 Farm Bill Passage** – with the failure of the Deficient Reduction Committee in the Fall of 2011 to meet their goals and timeline, it appears the 2012 Farm Bill will be written with a similar process as in the past. GFVGA has a seat on the Steering Committee of the Specialty Crop Farm Bill Alliance working with other state and national produce associations to insure the Bill meets the needs of the industry. This will include:
  - State Specialty Crop Block Grants to the Departments of Agriculture
  - Specialty Crop Research Initiative base line funding
  - Pest and Disease Programs
  - Fresh Fruit and Vegetable increases in School Nutrition programs
4. **Legal Services Corporation** - The GFVGA will support and endorse any legislation to reduce or eliminate the scope of the LSC and/or decrease or eliminate funding for the corporation. This agency continues to bring illegal and frivolous lawsuits against growers that require valuable time and monetary resources from the grower just to defend them for doing NOTHING wrong.
5. **Nutrition Policy to Increase Fruit and Vegetable Consumption** – GFVGA will work with the industry in shaping nutrition policy that drives increased consumption of fresh fruits and vegetables. In 2012 work will be to insure adequate funding is provided, or maintained, in key nutrition programs.
6. **OTHER** - GFVGA continues to monitor and review legislation that may affect our industry. Several of the agencies and legislative avenues that will be monitored include,
  - **Pesticide Data Program** – GFVGA will work with other industry friend to sunset this program, and eliminate their annual summary of pesticide residues (all of which fall within the allowable tolerances). However some of the NGO's use this data to establish the 'Dirty Dozen', the fruit and vegetables to avoid due to the pesticide residue.
  - **Prevent government regulation of sustainability** – While the 2005 Farm Bill included a definition of 'sustainable agriculture', the federal government has not established guidelines. GFVGA will work to insure any sustainability programs developed should be voluntary and developed based on sound science, cost effectiveness and not generate a competitive advantage for any area of the country.
  - **Estate Tax Elimination** – continuation of the family farm is critical. Many times farms have to be sold or the farming operation cannot continue to operate after the principal operator dies. While a positive reform was passed which extended the reformed tax structure to 2013, a permanent repeal of this law is needed.
  - **Highway Transportation Bill** – Congress has enacted a short-term extension of the current transportation bill, rather than debating a 5-year bill. GFVGA will monitor the discussions regarding the passage of a full five-year reauthorization bill that includes increased truck weights and a resolution of the US-Mexico cross-border trucking tariffs.

As other issues surface, GFVGA will address and monitor our position at that time.

