

Governor stalls agriculture overhaul

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By MARLA CONE - LOS ANGELES TIMES

Gov. Arnold Schwarzenegger has put a damper on legislation to protect consumers from lethal bacterial contamination of California-grown lettuce and spinach, saying he favors a voluntary, industry-run program to impose controls on growers.

In the wake of two major E. coli outbreaks last fall, state Sen. Dean Florez, D-Shafter, unveiled a trio of bills a month ago that would ban risky agricultural practices and require state health certification and inspection of farms growing leafy greens.

The farm industry opposes the proposed legislation, and instead plans to implement a marketing agreement in April aimed at establishing food-safety standards for the growers.

At the core of the debate is whether strong governmental action is needed to police a leafy greens industry that has repeatedly endangered public health or whether the industry self-regulation can ensure the safety of its billion-dollar commodity and restore consumer confidence.

Since 1995, 22 E. coli outbreaks have been traced back to lettuce and spinach, which is particularly susceptible to bacteria in soil, and in most cases the crops were grown in California.

A nationwide outbreak last September sickened more than 200 people and killed three, including a toddler, who ate prepackaged California spinach.

Two months later, more than 150 Taco Bell and Taco Johns customers in Northeastern states fell ill after eating tainted California lettuce.

Schwarzenegger's aides said the governor has not decided whether he would veto the legislation, but they said he supports the industry-led program rather than a government-mandated approach, and told Florez so in a private conversation last week.

Florez, whose district includes farm areas from Bakersfield to Fresno, said the industry's agreement amounts to "the fox guarding the henhouse" and calls leafy greens growers a "rogue industry" incapable of policing itself.

But he is now seeking a compromise with the industry because he said the governor's stance effectively kills the chances of his "California Produce Safety Action Plan" becoming law as originally written.

"I told him 'the next one won't be on me, it'll be on you,' " Florez said, suggesting to Schwarzenegger that if more people die in another E. coli outbreak linked to California crops, the governor could be blamed.

Sabrina Lockhart, a spokesperson for the governor, said Schwarzenegger "prefers an industry-regulated solution but his top priority is public safety." He directed state agencies to help the industry "develop strict agricultural practices" for its new program.

"The agricultural industry has a long history of partnering with government to improve its practices. Right now the administration is focused on working with the industry for best practices," she said.

The spinach industry lost an estimated \$100 million last fall when the FDA warned people to temporarily stop eating bagged spinach.

Mostly in the Salinas Valley, about 900 California farms grow spinach and lettuce, which is worth \$1.6 billion a year and accounts for about three-quarters of U.S. production.

On April 1, the industry plans to implement an agreement in which companies that package, process, or ship leafy greens will only buy spinach and lettuce from growers who meet a list of food safety standards.

So far, 51 of about 85 handlers - representing 90 percent of leafy greens - have voluntarily signed up for the program. Their growers will be subject to inspections and their spinach and lettuce will be labeled as state-certified.

The state Department of Food and Agriculture appointed a 14-member board to develop and oversee the standards. The standards are not yet completed, but may require irrigation water tests, prohibit use of raw manure, treatment of compost and buffers between crops and cows.