

**HOUSE COMMITTEE ON AGRICULTURE**  
**SUBCOMMITTEE ON HORTICULTURE AND ORGANIC AGRICULTURE**  
**HEARING ON SAFETY OF FRESH PRODUCE**  
**MAY 14, 2009**  
**MR. JOSEPH PEZZINI**  
**CHIEF OPERATING OFFICER - OCEAN MIST FARMS**

GOOD MORNING MR. CHAIRMAN....MY NAME IS JOE PEZZINI AND I AM THE CHIEF OPERATING OFFICER FOR OCEAN MIST FARMS. OCEAN MIST FARMS IS A FAMILY OWNED COMPANY BASED IN CASTROVILLE CALIFORNIA THAT HAS BEEN PRODUCING VEGETABLES SINCE 1924. WE ARE COMMITTED TO BOTH THE ART AND SCIENCE OF AGRICULTURE AND HAVE INVESTED HEAVILY IN OUR PLANT BREEDING, GROWING, HARVESTING, COOLING AND SHIPPING OPERATIONS WHICH ARE ALL STATE OF THE ART.

I AM ALSO CHAIRMAN OF THE CALIFORNIA LEAFY GREENS MARKETING AGREEMENT, THE ORGANIZATION FORMED A LITTLE OVER TWO YEARS AGO TO REGULATE THE LEAFY GREENS INDUSTRY IN CALIFORNIA, AND TO VERIFY THAT OUR GROWERS ARE ALL IMPLEMENTING THE HIGHEST FOOD SAFETY PRACTICES IN GROWING, HARVESTING, AND HANDLING OF LETTUCE, SPINACH AND OTHER LEAFY GREEN VEGETABLES.

TWO YEARS AGO TO THE DAY, I TESTIFIED BEFORE THIS COMMITTEE ABOUT A NEW PUBLIC-PRIVATE PARTNERSHIP CREATED TO VERIFY THAT THE BEST PRACTICES IN FOOD SAFETY ON THE FARM WERE BEING FOLLOWED FOR THE PRODUCTION OF LETTUCE AND LEAFY GREENS. AT THAT TIME THE PROGRAM WAS JUST STARTING. NOW I AM HERE TODAY TO GIVE YOU AN UPDATE ON THE CALIFORNIA LEAFY GREENS MARKETING AGREEMENT. AND WITH OUR EXPERIENCE I AM EVEN MORE CONVINCED THAT THIS MODEL PROGRAM IS A "BEST IN CLASS" EXAMPLE OF A PUBLIC PRIVATE PARTNERSHIP ALLOWING INDUSTRY AND GOVERNMENT TO WORK TOGETHER TO ACHIEVE COMMON GOALS.

LET ME START BY PROVIDING SOME BACKGROUND.

IN SEPTEMBER OF 2006, AN OUTBREAK ULTIMATELY TIED TO CALIFORNIA-GROWN SPINACH RESULTED IN A NATIONAL RECALL AND BROUGHT OUR INDUSTRY TO A HALT. THE OUTBREAK HAD HUGE FINANCIAL COSTS, BUT MORE IMPORTANT WERE THE HUMAN COSTS. OVER 300

CONSUMERS WERE MADE ILL FROM THE TAINTED SPINACH, AND, TRAGICALLY, THREE PEOPLE DIED.

SINCE THAT TIME, OUTBREAKS ASSOCIATED WITH OTHER PRODUCTS HAVE CONTINUED TO KEEP THE NATIONAL FOCUS ON FOOD SAFETY POLICY. GIVEN THAT DEBATE, THE STEPS WE HAVE TAKEN IN CALIFORNIA TO RAISE THE BAR FOR FOOD SAFETY MAY BE INSTRUCTIVE, AS WE HAVE CREATED A PROGRAM WITH STRONG GOVERNMENT INVOLVEMENT TO CERTIFY THAT OUR MEMBERS ARE DOING ALL THEY CAN TO REDUCE THE RISK OF FOOD BORNE ILLNESS IN CALIFORNIA LEAFY GREEN PRODUCTS.

FOLLOWING THE SPINACH OUTBREAK IN 2006, OUR INDUSTRY JOINED WITH THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE AND THE US DEPARTMENT OF AGRICULTURE TO CREATE THE LEAFY GREENS MARKETING AGREEMENT. AS AN INDUSTRY, OUR GOALS WERE TO:

- CREATE A PROGRAM WITH STRONG GOVERNMENT OVERSIGHT AND INVOLVEMENT IN ORDER TO REBUILD CONFIDENCE AMONG BUYERS AND CONSUMERS ABOUT THE SAFETY OF LEAFY GREEN PRODUCTS FROM CALIFORNIA
- ADOPT A SET OF SCIENCE-BASED FOOD SAFETY STANDARDS THAT WOULD BECOME A UNIVERSAL SET OF STANDARDS ADOPTED BY ALL LEAFY GREEN GROWERS IN THE STATE
- INCORPORATE GOVERNMENT INSPECTIONS TO VERIFY COMPLIANCE WITH THE NEW STANDARDS
- BUILD A PROGRAM WITH EFFECTIVE AND TRANSPARENT PENALTIES FOR NON-COMPLIANCE

THE RESULT WAS THE CALIFORNIA LEAFY GREENS MARKETING AGREEMENT. IN ESSENCE A MARKETING AGREEMENT IS A LEGAL AGREEMENT THAT BINDS SIGNATORIES TO A COMMON PURPOSE. IN THE CASE OF THE CALIFORNIA LEAFY GREENS MARKETING AGREEMENT THAT PURPOSE IS TO CERTIFY THE SAFE GROWING AND HANDLING OF LEAFY GREEN PRODUCTS TO CONSUMERS.

IT IS IMPORTANT TO NOTE THAT THE LEAFY GREENS MARKETING AGREEMENT IS NOT INDUSTRY SELF-REGULATION. ALTHOUGH MEMBERSHIP IN THE ORGANIZATION IS VOLUNTARY, ONCE A COMPANY JOINS THE REQUIREMENTS OF THE AGREEMENT, COMPLIANCE IS MANDATORY FOR ALL MEMBERS, AND THE RULES ARE BACKED UP BY THE FORCE OF LAW. AS AN INDUSTRY WE INSISTED ON THE USE OF GOVERNMENT AGRICULTURAL INSPECTORS, WHO ARE INDEPENDENT, CREDIBLE AND UNBIASED, RATHER THAN PRIVATE COMPANY AUDITORS.

SINCE ITS CREATION TWO YEARS AGO, THE LGMA HAS HAD SEVERAL SIGNIFICANT ACHIEVEMENTS. ALMOST 100 PERCENT OF THE LEAFY GREENS PRODUCED IN OUR STATE ARE MARKETED BY COMPANIES THAT ARE SIGNATORIES TO THE MARKETING AGREEMENT, MEANING THAT VIRTUALLY ALL CALIFORNIA LEAFY GREENS ARE BEING SHIPPED BY COMPANIES INSPECTED BY THE USDA INSPECTORS AND CERTIFIED TO BE IN COMPLIANCE WITH OUR GOOD AGRICULTURAL PRACTICES. A COMPREHENSIVE SET OF FOOD SAFETY PRACTICES HAS BEEN DEVELOPED BY INDUSTRY EXPERTS, FOOD SAFETY SCIENTISTS AT MAJOR UNIVERSITIES AND OTHER FOOD SAFETY EXPERTS. THE CONSERVATION COMMUNITY HAS ALSO PROVIDED INPUT ON THE STANDARDS WORKING IN HARMONY WITH THE ENVIRONMENT. THESE STANDARDS ARE IMPLEMENTED THROUGH AND ENFORCED BY THE MARKETING AGREEMENT.

IN THE PAST TWO YEARS WE HAVE COMPLETED ALMOST 1,000 FOOD SAFETY AUDITS OF HANDLERS AND GROWERS IN CALIFORNIA – ALL DONE BY GOVERNMENT INSPECTORS. AND THOSE AUDITS HAVE RESULTED IN THE ISSUANCE OF OVER 1,800 INDIVIDUAL CITATIONS – MOSTLY FOR FAIRLY MINOR NON-CONFORMITIES. AND, SINCE THE MARKETING AGREEMENT REQUIRES CORRECTIVE ACTION ON ALL OF THESE NON-CONFORMITIES, WE HAVE REQUIRED THAT OUR MEMBERS UNDERTAKE CORRECTIVE ACTION ON ANY AND ALL ISSUES CITED BY THE INSPECTORS.

THE LGMA PROGRAM DOES HAVE TEETH. WE HAVE NOT HESITATED TO PUNISH, THROUGH DECERTIFICATION AND PUBLIC NOTIFICATION, COMPANIES THAT COMMIT FLAGRANT PENALTIES OR FAIL TO CORRECT MINOR PROBLEMS AS REQUIRED BY THE MARKETING AGREEMENT.

I AM HAPPY TO REPORT TO YOU, THEREFORE, THAT OUR INDUSTRY HAS FULFILLED THE PROMISES WE MADE TWO YEARS AGO. THIS PRIVATE PUBLIC PARTNERSHIP HAS RESULTED IN A STRONG SYSTEM FOR VERIFYING THAT LEAFY GREENS FARMERS ARE IMPLEMENTING ACCEPTED FOOD SAFETY PRACTICES AND PROTECTING PUBLIC HEALTH. AND, AS WE HAVE DONE THIS, WE'VE SEEN THE PROGRAM BECOME A MODEL FOR OTHER STATES AND INDUSTRIES. ALREADY, BOTH ARIZONA AND FLORIDA HAVE ADOPTED THE CALIFORNIA LEAFY GREENS STANDARDS AS THEIR OWN, AND WE'VE SEEN TOMATO AND MUSHROOM INDUSTRIES BUILD FOOD SAFETY PROGRAM MODELED ON OURS.

WE HAVE ALSO JOINED WITH AGRICULTURAL GROUPS FROM ACROSS THE COUNTRY TO WORK ON THE ESTABLISHMENT OF A NATIONAL LEAFY GREENS MARKETING AGREEMENT. THIS NATIONAL PROGRAM WILL BE BEST OVERSEEN BY THE USDA, WHO IS FAMILIAR WITH AGRICULTURE AND HAS THE ON FARM KNOWLEDGE TO INSPECT AND VERIFY GOOD AGRICULTURAL PRACTICES.

NOW, LET ME GIVE YOU SOME OF MY COMPANY'S EXPERIENCES AS A MEMBER OF THE LGMA.

BECAUSE THE LGMA AUDIT STANDARDS ARE COMPREHENSIVE AND VERY SPECIFIC, THIS HAS BECOME THE MOST RIGOROUS INSPECTION WE FACE ON THE FARM AS WE DEAL WITH MANY DIFFERENT AUDITS FROM VARIOUS COMPANIES. IT CAN BE A TEDIOUS PROCESS, VERY DOCUMENT INTENSIVE. THE OTHER COMPELLING FEATURE IS THAT WE ARE SUBJECT TO SCHEDULED AND UNANNOUNCED AUDITS AS PART OF THE PROGRAM. THIS MEANS VIGILANCE MUST ALWAYS BE MAINTAINED AS INSPECTORS WILL SHOW UP AT ANY TIME.

AND COMPLINACE IS VERY REAL TO US. IF WE LOSE OUR CERTIFICATION, NOT ONLY IS IT MADE PUBLIC, IT HAS HUGE CONSEQUENCES TO OUR BUSINESS. WE WOULD NOT BE ABLE TO SELL OUR PRODUCTS TO BUYERS IN CANADA OR MEXICO, AND DOMESTIC CUSTOMERS LIKE MARKON FOODSERVICE WOULD STOP DOING BUSINESS WITH US.

WE ACCEPT THESE RESPONSIBILITIES WITH A DOUBLING OF OUR RESOURCES AND STAFF DEDICATED TO OUR FOOD SAFETY PROGRAM OVER THESE PAST TWO YEARS. BUT NO COMPANY CAN TAKE FOOD SAFETY FOR GRANTED AND WHEN AN OUTBREAK OCCURS IT IMPACTS THE INDUSTRY AS A WHOLE. OUR LIVELIHOODS AND REPUTATIONS DEPEND ON OUR ABILITY TO PRODUCE SAFE FOOD. BUT MOST IMPORTANTLY WE ARE COMMITTED TO PROTECTING PUBLIC HEALTH, AS THIS IS THE SAME FOOD WE FEED TO OUR FAMILIES.

WHILE WE ARE PROUD OF THE PROGRESS WE HAVE MADE, WE REMAIN RESOLUTE IN OUR COMMITMENT TO DO EVERYTHING FEASIBLE TO PREVENT CONTAMINATION AND ILLNESS. WE LOOK FORWARD TO WORKING WITH THIS COMMITTEE TO ENSURE THAT WE ARE EMPOWERED TO MAKE CERTAIN WE DELIVER PRODUCTS THAT ARE SAFE, EVERY BITE, EVERY TIME.

I WOULD LIKE THANK THE COMMITTEE FOR ALLOWING MY TESTIMONY AND I AM PLEASED TO ANSWER ANY QUESTIONS YOU MIGHT HAVE.

Committee on Agriculture  
U.S. House of Representatives  
Required Witness Disclosure Form

House Rules\* require nongovernmental witnesses to disclose the amount and source of Federal grants received since October 1, 2006.

Name: Joseph Pezzini  
Address: 10855 Ocean Mist Parkway Castroville CA  
95012  
Telephone: 831-633-2144

Organization you represent (if any): Ocean Mist Farms  
Western Growers Assoc, California Leafy Greens Marketing Agreement

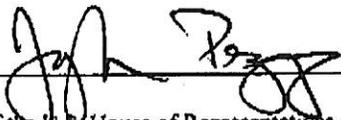
1. Please list any federal grants or contracts (including subgrants and subcontracts) you have received since October 1, 2006, as well as the source and the amount of each grant or contract. House Rules do NOT require disclosure of federal payments to individuals, such as Social Security or Medicare benefits, farm program payments, or assistance to agricultural producers:

Source: N/A Amount: 0  
Source: \_\_\_\_\_ Amount: \_\_\_\_\_

2. If you are appearing on behalf of an organization, please list any federal grants or contracts (including subgrants and subcontracts) the organization has received since October 1, 2006, as well as the source and the amount of each grant or contract:

Source: \_\_\_\_\_ Amount: \_\_\_\_\_  
Source: \_\_\_\_\_ Amount: \_\_\_\_\_

Please check here if this form is NOT applicable to you:

Signature: 

\* Rule XI, clause 2(g)(4) of the U.S. House of Representatives provides: *Each committee shall, to the greatest extent practicable, require witnesses who appear before it to submit in advance written statements of proposed testimony and to limit their initial presentations to the committee to brief summaries thereof. In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by any entity represented by the witness.*

PLEASE ATTACH DISCLOSURE FORM TO EACH COPY OF TESTIMONY.

Joe Pezzini  
Biography

**Employment:**

Chief Operating Officer for Ocean Mist Farms Castroville, CA 2001 – present.  
Ocean Mist Farms is an 85 year old grower-shipper of artichokes and fresh vegetables in California and Arizona. We operate two distribution facilities in Castroville and Coachella CA. We farm and ship vegetables in five districts: Salinas Valley, Coachella Valley, Oxnard, Huron and Yuma AZ. We also import from Mexico during the season. I am responsible for Cooling Operations, Food Safety, R & D, Quality Assurance, Human Resources and Strategic Planning.

Managing General Partner for Valley Pride Inc, custom vegetable harvesting California and Arizona 1987 – present.

**Family Agricultural History and Education:**

My father and grandfather came from Italy in the 1920s. My grandfather first farmed artichokes at the west end of Carmel Valley in 1930 and then moved north to Castroville in 1940. My father took over the artichoke farm with his brother-in-law after WWII. I grew up working on the family farm with my brothers and sisters.

I attended Hartnell College before transferring to UC Davis, graduating with a B.S. in Agricultural Science and Management. I went on to earn a MBA from the Agribusiness Institute at the University of Santa Clara.

I returned to the Salinas Valley after college in 1983, landing a job with Boutonnet Farms as a ranch manager.

Mary, my wife of 23 years and I have two children, David 21 and Bess 17.

**Affiliation:**

Chairman of the Advisory Board, California Leafy Green Product Handler Marketing Agreement

Past Chairman of the Board, Grower Shipper Association of Central California

Past President of the Board for Ag Against Hunger

Past Treasurer of the Board of ARIEL Theatrical

California Agricultural Leadership Program Graduate Class 28

**Awards:**

2007 Produce Man on the Year, Vance Publishing Corporation

2007 Agriculture Leader of the Year, Salinas Valley Chamber of Commerce

2007 Profiles in Leadership Honoree, California Agricultural Leadership Foundation

2007 Single Step Award, Perishable Pundit

2008 The Packer Top 25, Vance Publishing Corporation

**Degrees:**

MBA - University of Santa Clara School of Business, Agribusiness Institute 1983

Bachelor of Science - Agricultural Science and Management, UC Davis 1981