

**SUMMARY OF PROPOSED CHANGES TO  
THE LGMA-APPROVED GUIDELINES**

***Issues Addressed:***

Issue 5: Environmental Assessments

Issue 14: Production Locations - Climatic Conditions and Environment

Issue 15: Production Locations - Encroachment by Animals and Urban Settings

***Prepared by:***

Western Growers

***Submitted to the***

Arizona Leafy Greens Technical Subcommittee &  
California LGMA Technical Committee

June 24, 2021



## BACKGROUND

Western Growers (WG) opened a comment period from April 28 to May 27, 2021, to gather proposed revisions to the leafy green guidance document. A total of 23 proposed revisions to the Adjacent Land Use / Production Locations sections were submitted. WG hosted one web discussion to share those proposed revisions and gather feedback from the leafy green industry. The list of the participants below is organized alphabetically and by webinar date.

### June 9, 2021 - Discussion Participants: 59 total participants

First Name	Last Name	Company/Entity
Aaron	Anderson	Pacific International Marketing
Adela	Zavala	Visionary Vegetables
Afreen	Malik	Western Growers Association
Amanda	Roach	Coronation Peak Ranches
Ambre	Sharkey	Primus Auditing Operations
Ann	Muriu	HEB
Anna	Gonsalves	Primuslabs
Arlin	Valenzuela	Church Brothers LLC/Church Brothers Farms
Ben	Morales	River Fresh Farms
Bradley	Zittlow	AZDA
Brandon	Narron	Ratto Bros., Inc.
Channah	Rock	University of Arizona
Christopher	Barclay	Nilson New Children's Trust
Cierra	Allen	Imperial County Farm Bureau
Clay	Frick	Gold Coast Packing
Connie	Quinlan	LGMA
Cory	Peeks	Vessey & Company, Inc.
Don	Stoeckel	CDFA Produce Safety Program
Ebelia	Lomeli	Harris Farms, Inc.
Elvia	Gutierrez	Grimmway Farms
Emily	Alvarez	Church Brothers Farms
Francisco	Valdes	Sabor farms
George	Fontes	Fontes Farms
Gerardo	Valenzuela	TLC Custom Farming Company

Gurmail	Mudahar	Tanimura & Antle Fresh foods
Jaime	Garcia	Peter Rabbit Farms
Jaime	Carrillo	Willoughby Farms Inc
Jake	Odello	The Nunes Company
Jeanine	Frierson	Fresh Del Monte/Mann Packing
Joe	Ferrari	Dole Fresh Vegetables
Juan Carlos	Mendoza	Sabor Farms
Kami	Weddle	Rousseau Farming
Kate	Burr	Markon
Kay	Pricola	IVVGA
Kelly	Smekens	Bonduelle Fresh Americas
Kelly	Miller	Griffin Family Farms
Kevin	Watson	AZ LGMA
Lauren	Sutherland	University of Chicago
Leticia	Reyes	Fresh Express
Lupe	Camarena	Nature Fresh Farms
Manjula	Talari	Grimmway Enterprises Inc
Maria	Barriga	Bella Vista Produce, Inc.
Martha	Mena	Four Little Devils Farms, Inc.
Meredith	Fischer	Campbell Ranches
Milt	Voss	Zada Fresh Farms
Natalie	Brassill	University of Arizona
Nob	Furukawa	Gold Coast Packing
Rachel	Magos	Imperial County Farm Bureau
Robert	Medler	WGA
Ron	Labastida	Babe Farms Inc.
Ron	Ratto	Ratto Bros.
Sade	Gigante	AZDA
Stephanie	Olivas	Gila Valley Farms
Tim	Klug	Sunsation Farms, Inc.
Tim	Dempsey	TLC Custom Farming Co., LLC
tim	short	United Vegetables Growers Coop
Tim	York	LGMA
Tony	Banegas	Bonduelle Fresh Americas (Ready Pac Foods, Inc.)
Valentin	Sierra	Amigo Farms, Inc.

### **Adjacent Lands / Production Location Proposed Changes and Web Discussions Synopsis**

WG received two proposals outlining revisions to Issues 5, 14, and 15. These proposals were presented by the entities listed below (entity/spokesperson)

- Arizona LGMA – Vicki Scott
- California LGMA – Sharan Lanini

Opinion polls were conducted to gauge the acceptability of key proposed revisions. The results of our polling process are not binding. Polling results are included below when applicable. We encourage the use of the attached working draft of the CA LGMA-approved guidelines to better follow and understand

the summary below. All the proposed revisions summarized below were submitted for both the Arizona and California LGMAs for consideration.

In more complex proposals a **blue font** indicates a language addition, and a **red font** strikethrough indicates a language deletion.

## **GLOSSARY TERMS, ACRONYMS, PURPOSE, AND GENERAL REQUIREMENTS**

### **Proposed Revision #1: New Glossary Term - Adjacent/Nearby Land** (see page 5)

Proponent: Greg Komar, CA LGMA

Proposed Revision: Definition – “Land within a proximity that could potentially affect safe production of leafy greens.”

Rationale: The committee decided to add this glossary term because it was not included in previous versions of the metrics.

Poll Results: Poll Question – “Is the proposed definition clear or does it need further clarification?”

26 Total Responses

- 85%: Clear as is.
- 12%: Needs improvement.
- 3%: Definition is not helpful.

Questions/Comments:

- Yuma Safe Product Council supports the addition of this definition.

### **Proposed Revision #3: New Glossary Term – Animal Feed Operation (AFO)** (see page 5)

Proponent: Greg Komar, CA LGMA

Proposed Revision: Definition – “Animal Feeding Operations (AFO) are agricultural operations where animals are kept and raised in confined situations. An AFO is a lot or facility (other than an aquatic animal production facility) where the following conditions are met: \*animals have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and \*crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. Less than 1000 animal units does not meet the requirements of a CAFO.”

Rationale: AFO was added as an adjacent land consideration thus requiring a glossary term.

Poll Results: Poll Question – “Is the proposed definition clear or does it need further clarification?”

26 Total Responses

- 77%: Clear as is.
- 19%: Needs improvement.
- 4%: Definition is not helpful.

Questions/Comments:

- Yuma Safe Product Council supports the addition of this definition.

**Proposed Revision #5: New Glossary Term – Animal Unit** (see page 6)

Proponent: Greg Komar, CA LGMA

Proposed Revision: Definition – “There are three approaches to defining an animal unit: cow-calf unit, 1,000 pounds of live weight of any species, and on an energy basis.”

Rationale: Animal unit is part of the AFO and CAFO glossary term and also is an important consideration when determining animal concentrations in adjacent and nearby land.

Poll Results: N/A.

Questions/Comments: There were no comments or question regarding this proposal.

**Proposed Revision #6: New Glossary Term – Grazing Lands** (see page 8)

Proponent: Greg Komar, CA LGMA

Proposed Revision: Definition – “Grazing Lands include grasslands, savannas, and shrublands that are grazed by livestock.”

Rationale: The committee decided to add this glossary term because it was not included in previous versions of the metrics.

Poll Results: N/A.

Questions/Comments:

- Yuma Safe Product Council supports the addition of this definition.

**Proposed Revision #8: New Glossary Term – Habitat** (see page 9)

Proponent: Greg Komar, CA LGMA

Proposed Revision: Definition – “The natural home or environment of an animal, plant, or other organism.”

Rationale: This was added per the AZ LGMA to describe other types of natural environments other than riparian areas.

Poll Results: N/A.

Questions/Comments:

- Yuma Safe Product Council supports the addition of this definition.

**Comments regarding the current glossary definition for Hobby Farm**

- Leafy Greens Safety Coalition would like to explore how a hobby farm should be measured (head/acre, totally animals on farm, etc.).

- Don Stoeckel (private citizen) - It seemed odd that this definition is (arguably) based on the source of 50% of income rather than the amount of produce sold (e.g., \$25K cut-off). In other words, a harvesting operation that generates \$1M/year through contract harvesting and sells \$100K/year of produce from their own property would seemingly meet this definition of a “hobby farm” through words but not intent.
- There were not specific revisions on the current definition.

**Proposed Revision #10: New Glossary Term – Riparian Area** (see page 11)

Proponent: Greg Komar, CA LGMA

Proposed Revision: Definition – “A vegetated ecosystem along a waterbody through which energy, materials, and water pass. Riparian areas characteristically have a highwater table and are subject to periodic flooding and influence from the adjacent waterbody. These systems encompass wetlands, uplands, or some combination of those two landforms. They will sometimes, but not in all cases, have all the characteristics necessary for them to be also classified as wetlands (USEPA 2005).”

Rationale: The committee decided to add this glossary term because it was not included in previous versions of the metrics.

Poll Results: N/A.

Questions/Comments:

Audience question: “Why is it that adjacent land with non-leafy greens will require a tissue sample, however, adjacent riparian/habitats defined as an animal home, does not?”

- Response: The risk assessment tool isn’t making any assumptions that tissue samples are required. The existence of some of these things in adjacent land doesn’t drive you to an automatic tissue sample. At this point, those adjacent land issues in Table 7 are only looking at pre-harvest pathogen testing as a mitigation and not mandatory expectation.

**Added acronyms to the Acronyms and Abbreviations section:**

- AFO – Animal Feeding Operation
- AU – Animal Units

**Added appendices to the List of Appendices section:**

- Appendix ? (Risk Assessment Tool)
- Appendix ? (Pre-Harvest Testing Guidance)

## INTRODUCTION

**Proposed Revision #11: Added Language to Metric Introduction** (see page 15)

Proponent: Greg Komar, CA LGMA

Proposed Revision: Added the phrase “and nearby” to the first paragraph of the metrics introduction section.

Rationale: Nearby is being added with Adjacent Land to keep consistency with FDA regulatory language. This proposed change is in multiple places throughout the metrics.

Poll Results: N/A.

Questions/Comments: There were no questions or comments regarding this proposal.

## ISSUE 5: ENVIRONMENTAL ASSESSMENTS

### **Comment from the Imperial Valley Vegetable Growers Association:**

1. We find the risk assessment tool to be beneficial and effective as method to assist growers in making determination of their specific circumstance. Training will need on its application and an app for field use is a must prior to implementation in real time.
2. Issues 5 and 15 (Environmental Assessments and Production Locations - Encroachment by Animals and Urban Settings) have been amended appropriately. The Technical Committee should monitor these two areas as more scientific data is proven and make adjustments as necessary.
3. As we continue to monitor and evaluate the food safety guidelines, all changes and recommendations should be based on scientific data. The most recent audit by LGMA indicates that the industry is 99% in compliance with the LGMA standards, all based on science.
4. We, the growers, need a greater voice in the decision being made that impacts the entire industry. We are thankful for our inclusion on the various subcommittee meetings, but the final decisions about growing practices exclude us. We, of course, are pleased with the return of Jack Vessey to the CA LGMA Board.

### **Comment from the Yuma Safe Produce Council:**

- The Yuma Safe Produce Council would like to make the following comments for review and consideration:
  - Support the definition changes in the glossary.
  - Support the language changes and additions in Table 7 that recommends an additional risk assessment to identify risks and mitigations.
  - Support the need for successful training to implement changes.

## Poll Regarding Assessment of Adjacent and Nearby Land Use

Question: “Do the proposed revisions in this section enhance food safety and are feasible to implement?”

30 Total Responses

- 97%: They enhance food safety and are feasible to implement
- 3%: They are not feasible to implement
- 0%: They do not enhance food safety
- 0%: They do not enhance food safety nor are feasible to implement

**Proposed Revision #14: Revised Assessment of Adjacent Lands Use Section Language – Issue 5** (see page 17)

Proponent: Greg Komar, CA LGMA

Proposed Revision: Revised language:

“~~Evaluate~~ Conduct and document a detailed risk assessment that ~~measures~~ evaluates risk level of all land and water ~~ways~~ sources adjacent and nearby to all production fields for possible sources of human pathogen of concern. These sources include, but are not limited to manure storage, compost storage and operations, biosolids, CAFO’s, AFO’s, grazing ~~/open range areas~~ lands, domestic animals/hobby farms, surface water storage and conveyance, habitat/riparian area, sanitary facilities, septic systems, and non-leafy green crops (See Table 7 and Appendix ? for further detail). If any possible ~~uses~~ sources on adjacent or nearby lands that might result in produce contamination are present, consult with the metrics and refer to Appendix Z.”

Rationale: This new language is being proposed to assure alignment with other areas of the metrics that promote risk-based assessments and mitigation strategies.

Poll Results: N/A.

Questions/Comments:

- The Yuma Safe Product Council supports the requirement of a detailed risk assessment on adjacent land uses in Table 7. Audit verification should be based on the completion of the assessment and should not add significant time to the audit. This addition will require training and sufficient time should be allowed for training prior to the start of the 21-22 desert season.
- Audience comment: A suggestion would be when people do their pre-harvest or pre-season ranch assessment to make sure the assessment is designed in a way wear no questions are missed.

**Proposed Revision #16: Added Assessment of Adjacent Lands Use Section Language – Issue 5** (see page 17)

Proponent: Greg Komar, CA LGMA

Proposed Revision: Added language:



“At any time prior to planting, during the growing of the crop, or during the period when harvest operations are occurring, if on farm or adjacent and nearby land activities result in a possible higher risk situation, conduct additional risk assessments and perform additional mitigations as necessary.”

Rationale: This language is being proposed to assure additional risk assessments are conducted if conditions change after initial assessments have been completed.

Poll Results: N/A.

Questions/Comments: There were no questions or comments regarding this proposal.

### **Proposed Revision #17: Moved Table 7 from Issue 15 to Issue 5 (see pages 19 and 20)**

Proponent: Greg Komar, CA LGMA

Proposed Revision: See attached working draft document for proposed revisions.

Rationale: The Adjacent Land Subcommittee determined this table is more closely aligned with Issue 5. The overall changes to the table are being suggested to allow for more clarity regarding what risks and mitigations to consider depending on Adjacent and Nearby Practices.

Poll Results: N/A.

Questions/Comments:

- Yuma Safe Produce Council supports moving Table 7 to Issue 5. The number associated with Table 7 should remain to avoid renaming/numbering other sections.
- Audience question: In our pre-harvest testing guidance, we are saying the distance is up to 2 miles should be considered as a risk factor. Is there any reference for the people to look at?
  - Response: The way the risk assessment tool is being developed, these all have a tab within the tool where you have an opportunity to assess the risk factors and then assign mitigation factors. There is a thread running all the way through the table, but the table is what's being used to assess risk factors.
- Audience question: Can you explain the difference between "pathogen testing" and "fecal-indicator testing"? Are you asking for preharvest pathogen testing for generic *E. coli* or for *Cyclospora*, *Cryptosporidium*, STEC, *Salmonella*, etc.? If it's *E. coli*, then can you describe the action levels that will help to reduce risk under mitigation factors?"
  - Response: The fecal indicator would be generic *E. coli*. Depending on the situation, more robust testing may be needed. We are working on some testing protocols that are not quite done but will be out soon which will offer more guidance.

### **Proposed Revision #19: Simplified Table 7 Header (see page 19)**

Proponent: Amanda Brooks, Yuma Safe Product Council

Proposed Revision: Revised header: “Adjacent and Nearby Land [PracticUses](#)”

Rationale: No rationale was provided.

Poll Results: N/A.

Questions/Comments: There were no questions or comments regarding the proposal.

**Proposed Revision #20: Simplified Table 7 Header** (see page 19)

Proponent: Amanda Brooks, Yuma Safe Product Council

Proposed Revision: Deleted header: "Specific Type of Operation"

Rationale: No rationale was provided.

Poll Results: N/A.

Questions/Comments: There were no questions or comments regarding the proposal.

**Individual uses (sections) listed in table 7 were revised. The polls below reflect feedback on each section)**

**Poll question regarding the Animal Operations section in Table 7**

Question: Do the proposed revisions in this section enhance food safety and are feasible to implement?

26 Total Responses

- 77%: They enhance food safety and are feasible to implement.
- 18%: They are not feasible to implement.
- 0%: They do not enhance food safety.
- 5%: They do not enhance food safety nor are feasible to implement.

**Poll question regarding the Compost/Soil Amendment Operations section in Table 7**

Question: Do the proposed revisions in this section enhance food safety and are feasible to implement?

28 Total Responses

- 82%: They enhance food safety and are feasible to implement.
- 10%: They are not feasible to implement.
- 4%: They do not enhance food safety.
- 4%: They do not enhance food safety nor are feasible to implement.

**Poll question regarding the Non-Leafy Green Crops section in Table 7**

Question: Do the proposed revisions in this section enhance food safety and are feasible to implement?

24 Total Responses

- 58%: They enhance food safety and are feasible to implement.
- 13%: They do not enhance food safety.
- 21%: They are not feasible to implement.
- 8%: They do not enhance food safety nor are feasible to implement.

### **Poll question regarding the Water Source and Systems section in Table 7**

Question: Do the proposed revisions in this section enhance food safety and are feasible to implement?

27 Total Responses

- 81%: They enhance food safety and are feasible to implement.
- 4%: They do not enhance food safety.
- 15%: They are not feasible to implement.
- 0%: They do not enhance food safety nor are feasible to implement.

### **Poll question regarding the Urban Settings section in Table 7**

Question: Do the proposed revisions in this section enhance food safety and are feasible to implement?

26 Total Responses

- 88%: They enhance food safety and are feasible to implement.
- 0%: They do not enhance food safety.
- 8%: They are not feasible to implement.
- 4%: They do not enhance food safety nor are feasible to implement.

### **Poll question regarding the Other Environmental Considerations section in Table 7**

Question: Do the proposed revisions in this section enhance food safety and are feasible to implement?

28 Total Responses

- 75%: They enhance food safety and are feasible to implement.
- 4%: They do not enhance food safety.
- 21%: They are not feasible to implement.
- 0%: They do not enhance food safety nor are feasible to implement.

### **Audience comments regarding Compost/Soil Amendments Operations:**

- Question: How will green waste compost operations be treated in comparison to other types of compost operations?
  - Response: None provided.
- Question: What will the recommended frequency be for pre-harvest pathogen testing? Some of our customers want tissue samples tests every 7 days (for example if we are in a field for 10 days, we would need 2 samples pulled, one that would cover the first 7 days and another that would cover the remaining 3 days). Can the LGMA add a time frame in the guidance for frequency, or do we need to treat tissue samples just as we treat 7-day pre-harvest assessments?
  - Response: We are in the process of working through the guidance details. That said, if it's a continuous block and you're taking multiple samples, it could be troublesome. More guidance will be published soon.

### **Audience comments regarding Water Source and Systems:**

- Question: Why is surface water distance from manure 100-200 ft. and well head distance is 200 ft? Isn't surface water considered a higher risk?
  - Response: Where you see a distance noted, that's already an established metric that's been in effect since the beginning of the LGMA's.

### **Comment from Yuma Safe Produce Council regarding Non-Leafy Green Crops in Table 7:**

- The growing and harvesting practices of other covered crops should be evaluated, however, are likely a lower risk. Consider management control and practices.

## **ISSUE 14 PRODUCTION LOCATIONS**

### **Poll regarding Production Locations Best Practices**

Question: Do the proposed revisions in this section enhance food safety and are feasible to implement?

19 Total Responses

- 89%: They enhance food safety and are feasible to implement.
- 5%: They do not enhance food safety.
- 5%: They are not feasible to implement.
- 0%: They do not enhance food safety nor are feasible to implement.

### **Proposed Revision #22: Revised Best Practices Language – Issue 14 (see page 26)**

Proponent: Greg Komar, CA LGMA

Proposed Revision: Revised Language:

- During the Environmental Assessments discussed in Section ~~53~~, the location of any adjacent and nearby land uses that are likely to present a food safety risk should be documented and if the designated food safety professional deems that there is the potential for microbial contamination from adjacent areas, a detailed risk assessment of adjacent and nearby land shall be performed to determine the risk level as well as to evaluate potential strategies to control or reduce the introduction of human pathogens.

Rationale: This language being proposed is to better align with updates in Issue 5. The language about conducting a risk assessment was moved from bullet #8.

Poll Results: N/A.

Questions/Comments: There were no questions or comment regarding the proposal.

**Proposed Revision #23: Revised Best Practices Language – Issue 14** (see page 26)

Proponent: Amanda Brooks, Yuma Safe Product Council

Proposed Revision: Revised Language:

- In addition, as specified in Table 7, any deviations from the recommended buffer distances due to mitigation factors or increased risk should be documented [in a detailed risk assessment of adjacent land](#).

Rationale: We support including language in this section that requires a detailed risk assessment be performed for adjacent land.

Poll Results: N/A.

Questions/Comments: There were no questions or comment regarding the proposal.