

Issue Briefs

INTERNATIONAL
**FRESH
PRODUCE**
ASSOCIATIONSM



International Fresh Produce Association Endorsed Legislation in 118th Congress

Bill Number	Bill Name	Sponsors
<u>HR 4127</u>	Fair Access to Agriculture Disaster Programs Act	Panetta (D-CA), Cammack (R-FL), Scott (R-GA), Lofgren (D-CA), Duarte (R-CA), Langworthy (R-NY), Edwards (R-NC)
<u>HR 4173</u>	Advancing Automation Research and Development in Agriculture Act	LaMalfa (R-CA), Miller (R-OH), Carbajal (D-CA), Spanberger (D-VA)
<u>HR 4739/S. 2682</u>	Protecting America's Orchardists and Nursery Tree Growers Act	Huizenga (R-MI), Panetta (D-CA)/Warnock (D-GA), Tillis (R-NC)
<u>HR 4838</u>	Specialty Crop Security Act of 2023	Slotkin (D-MI), Chavez-DeRemer (OR)
<u>HR 4800</u>	Growing Access to Environmental Sustainability (GATES) Act	Panetta (D-CA), Duarte (R-CA)
<u>HR 5062</u>	The Specialty Crop Mechanization Assistance Act	Valadao (R-CA), Costa (D-CA), LaMalfa (R-CA), Panetta (D-CA)
<u>HR 5061</u>	The Specialty Crop Domestic Market Promotion Program Act	Valadao (R-CA), Soto (D-FL), LaMalfa (R-CA), Costa (D-CA)
TBD	Continuous Improvement and Accountability in Organic Standards Act (CIAO)	Newhouse (R-WA); Panetta (D-CA)
<u>S. 2591</u>	Supporting Urban Farmers Act of 2023	Fetterman (D-PA), Brown (D-OH), Van Hollen (D-MD), Wyden (D-OR), Markey (D-MA), Casey (D-PA), Lujan (D-NM)
<u>H.R. 2720</u>	Strengthening Organic Agricultural Research (SOAR) Act of 2023	Newhouse (R-WA), Panetta (D-CA), Pingree (D-ME)
<u>H.R. 648/S. 176</u>	Expanding Agricultural Exports Act of 2023	Newhouse (R-WA), Costa (D-CA) / King (I-ME), Ernst (R-IA), Smith (D-MN), Collins (R-ME), Grassley (R-IA)
<u>S. 2326</u>	SNAP Nutrition Security Act	Booker (D-NJ), Rubio (R-FL)
<u>H.R. 4856</u>	GusNIP Flexibility Act	Crawford (R-AR), Kildee (D-MI)
TBD	Fresh Produce Procurement Reform Act	Valadao (R-CA), DeLauro(D-CT), Brown(D-OH)
<u>H. R. 4319</u>	Farm Workforce Modernization Act	Z. Lofgren (D-CA)/D. Newhouse (R-WA)
<u>H. R. 4708</u>	HIRE ACT	T. Gonzalez (R-TX)
<u>S. J. Res. 25/</u> <u>H. J. Res. 59</u>	H2A Congressional Review Act Resolution	T. Scott (R-SC)/R. Norman (R-SC)
<u>S. 874/</u> <u>H. R. 3308</u>	Farm Operations Support Act	J. Ossoff (D-GA), T. Tillis (R-NC) / J. Wilson (R-SC)
<u>HR5199</u>	Specialty Crop Research Act	Slotkin (D-MI)
<u>H.R. 4873</u>	Food Supply Chain Capacity and Resiliency Act	R. Khanna (D-CA), M. Miller (R-OH)

Food Safety

Promoting an Efficient, Effective, Transparent, and Collaborative FDA

Quick Facts

- CDC estimates 1 in 6 Americans suffer from foodborne illness annually.
- FDA regulates 78% of the U.S. food supply, including all fresh fruits and vegetables.
- FDA also has primary regulatory responsibility for tobacco, vaccines, drugs, medical devices, etc. which are substantially better funded than food.

Background

Except for USDA's regulation of meat, poultry, and some related products, food is regulated by the Food and Drug Administration. FDA's leader, the Commissioner, is historically a medical doctor with more expertise on the drugs than food. From a budget perspective, funding for food and nutrition programs pales in comparison to other FDA programs. To make matters worse, FDA rarely takes full advantage of external partnership opportunities. Only in the last year has the agency demonstrated a willingness to collaborate with industry assess and promote produce safety prevention strategies and partner on food safety training.

The produce sector lacks trust in FDA due to its insular operation, which is especially evident—and jeopardizes public health—when foodborne illness outbreaks occur. Notably, FDA recently proposed consolidating many parts of the agency regulating food into a Human Foods Program. The aim – and, our hope – is this will address previous issues with delays in rule making, policy setting, and enforcement. This proposed structure, combined with more Congressional interest on both appropriations and oversight, presents an opportunity to help shape produce safety regulation for the future.

Food Safety Regulatory Reform Today

The regulation of food is too important to be given less FDA time, attention and resources than pharmaceuticals, vaccines, tobacco, and medical devices. Consumers and regulated food industries deserve sensible, efficient, effective regulations and rapid resolution of issues when they occur.

To better leverage opportunities for partnerships that create a safer food supply, IFPA supports:

- FDA appointment of a Deputy Commissioner for Human Foods with accountability to the commissioner, direct authority over all food-related programs and resources, and to lead culture transformation that improves effectiveness, efficiency, transparency, and collaboration.
- Engaging stakeholders and food industry experts when considering foodborne illness outbreak evaluation models compatible with FDA and CDC needs.
- Transparent accounting of FDA expenditures on food programs to guide industry support for bolstering agency funding and help identify opportunities to leverage partnerships and outside resources.
- Consistent, transparent policies and enforcement actions that balance public health concerns with fresh produce's critical role in the improving the health of the American diet.

Taking On Our Workforce Challenges

Quick Facts

- Agricultural production employed approximately 2.5 million people in 2022, with an additional 18+ million employed in agriculture-related jobs through the supply chain.
- According to the Department of Labor, upwards of 50–70% of domestic agriculture labor is unauthorized.
- Participation in the H-2A Visa Program for agricultural workers has increased by more than 300% in the last 17 years.
- According to the Partnership for a New American Economy, shortages in farm labor have resulted in higher food prices for consumers and as much as \$3 billion in missed GDP growth.

Background

For years, the fresh produce industry and our allies have made an overwhelming case for the need to reform the laws governing our broken immigration system. It's up to Congress to build a legal and reliable workforce, especially since USDA now expects the U.S. to import more food than it exports.

Last year, Congress made considerable progress toward addressing farm worker issues with House passage of the Farm Workforce Modernization Act and introduction of the Affordable and Secure Food Act. This year, Congress is considering similar legislative solutions.

Serious labor challenges also exist elsewhere in the supply chain, with the need for additional truck drivers, railroad workers, and the need to avert another crisis, like the 2022 union strikes.

2023 Workforce Priorities

Any legislation to reform the H-2A program should include:

- opening the program up to year-round industries,
- allowing on-farm produce processing to utilize the program, and,
- addressing the inequities in the current calculation of the Adverse Effect Wage Rate (AWER).
- Push for regulatory changes to the Department of Labor's H-2A program to better serve producers' needs.
- Work with allies to reform and remove the cap on the H-2B visa program to meet the fresh produce industry's needs.
- Develop programs with stakeholder input that enhance and address building a labor supply to meet the needs of industries throughout the supply chain, including:
- Capacity building for the transportation sector, mentorships and collaborations highlighting the fresh produce and floral industry, and,
- Securing resources for curriculum development to encourage new entries to the fresh produce and floral industry supply chain.

Nutrition & Growing Consumption

Quick Facts

- Eight out of ten healthcare dollars are spent on preventable chronic diseases.
- 9 out of 10 Americans do not meet the 2020–25 Dietary Guidelines recommendations for fruit and vegetable consumption.
- Current WIC benefit amounts provide enough fruits and vegetables for participants to meet Dietary Guidelines for Americans' recommendations.
- The Fresh Fruit and Vegetable Program has been shown to decrease obesity rates and reduce plate waste.
- SNAP participants consistently cite affordability issues as a barrier to eating healthier foods like fruits and vegetables.

Background

The Dietary Guidelines for Americans (DGA) establish a strong federal framework for nutrition targets, particularly the call to make fruits and vegetables “half the plate.” Yet, one year after the historic White House Conference on Hunger, Nutrition and Health – many government nutrition programs continue to fall short on delivering the resources Americans need to follow the DGA. Reversing the nation’s diet-related diseases demands a systemic approach targeted at increasing Americans’ consumption of fruits and vegetables. To improve the health of Americans by filling half their plate with produce, starting now through 2030, we must accomplish the “fruit and vegetable moonshot” by adopting systemic, scalable policies and programs guided by the principle of “millions of mouths at a time.”

2023 and the 118th Congress Nutrition Priorities

Farm Bill

- Make dietary quality a core goal of SNAP while exploring a stand-alone fruit and vegetable benefit for SNAP families and expanding the Gus Schumacher Nutrition Incentive (GusNIP) program.
- Modernize USDA procurement programs to include more, and a wider variety, of fresh produce while eliminating lowest-cost bid solicitations.
- Maintain 10% of GusNIP funding for Produce Prescription projects.
- Expand the Fresh Fruit and Vegetable Program (FFVP) to all low-income elementary schools and keep the program open to only fresh commodities.

The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

- USDA should release the WIC food package update making permanent the enhanced fruit and vegetable benefit amount. This update reflects a 3x–4x increase and would lead to low-income women and young children accessing the daily recommended amounts of produce.
- Congress should not intervene in delaying the WIC food package release or the science-based process of updating nutrition standards in WIC.

- Reject the House FY24 Appropriations bill proposal to slash fruit and vegetable benefits by 70% for women and 56% for children. Support the Senate’s FY24 proposal.

Produce Prescriptions (PRx)

- Provide a PRx benefit covering produce within Medicare.
- Evaluate the Indian Health Service (IHS) and Veterans Affairs (VA) produce prescription pilots.
- Health and Human Services (HHS) should continue to expedite state Medicaid waivers for produce prescriptions.

School Meals

- Congress and USDA should provide schools with adequate financial and procurement resources to ensure students have access to a wide variety of fresh fruits and vegetables.

FDA

- Promote nutrition clarity in food labeling, including front of pack options.
- Require fruit and vegetable claims (in name or imaging) to disclose the quantity of per serving fruit and vegetable servings in household measures.



Specialty Crop Priorities for the 2023 Farm Bill

Executive Narrative & Overview



Executive Narrative

The production of fruits, vegetables, tree nuts, nursery, and greenhouse operations accounts for more than 44% of farmgate value for crops. In a recent 2022 study, the fresh produce and floral industry alone represents 2.2 million US jobs in all 50 states and \$120.6 billion of labor income in the United States economy. These attributes are what have aligned the Specialty Crop Farm Bill Alliance recommendations for the 2023 Farm Bill.

A broad coalition of specialty crop organizations, known as the Specialty Crop Farm Bill Alliance (SCFBA), representing U.S. growers and shippers have been working to forge mutual objectives for the 2023 Farm Bill. Some highlights from these recommendations are outlined below. The full SCFBA 2023 Farm Bill Recommendations **can be found at www.farmbillalliance.com**.

Highlights of 2023 Farm Bill Priorities

Definition of Specialty Crops

The SCFBA opposes any attempt to expand the definition of specialty crops beyond the commonly understood meaning set forth in the Specialty crop Competitiveness Act of 2004, which defines specialty crops as fruits, vegetables, tree nuts, dried fruits, and nursery crops (including floriculture).

Conservation and Climate

As Congress and USDA consider new initiatives to help growers combat and adapt to climate change, the SCFBA has proposed principles to guide their work as it relates to specialty crops. Research and data on climate change and specialty crops lag behind other agricultural commodities and require a greater commitment by policymakers in data collection, resources, and industry engagement.

The SCFBA proposes an increased emphasis on climate adaptation in conservation programs, including a greater list of related activities covered by these programs. Policymakers should also implement reforms to enable more specialty crop producers to participate in conservation programs, including proposed new approaches to means testing that would be more equitable to specialty crops than Adjusted Gross Income.



Specialty Crop Priorities for the 2023 Farm Bill

Crop Insurance and Commodity Programs

The SCFBA proposes several technical enhancements to the Tree Assistance Program, Whole Farm Crop Insurance Program, and Noninsured Crop Disaster Assistance Program. A relatively small percentage of specialty crop operations participate in USDA commodity or crop insurance programs, and the SCFBA also proposes general improvements to facilitate greater access to specialty crops, including improved data collection, more accurate pricing in setting premiums and paying claims, and greater outreach to specialty crop growers across all regions of the United States.

Nutrition

Nine in ten Americans do not consume fruits and vegetables in the amounts recommended by the Dietary Guidelines for Americans (DGA); while at the same time three quarters of Americans are overweight or obese and only 1 in 10 are metabolically healthy. If we are to reverse these devastating realities, a strong specialty crop industry and a more concerted effort to structure Farm Bill nutrition programs to address the underconsumption of DGA recommendations is needed.

The SCFBA calls for dedicated resources for fruit and vegetable access for SNAP participants, reforming the USDA procurement programs to be more inclusive of a wide range of specialty crops that will address underconsumption in vulnerable communities, and expanding the Fresh Fruit and Vegetable Program.



Research

Prior Farm Bills included key provisions which dedicated research funding addressed industry priorities in specialty crop research and extension, and these investments should be sustained and expanded in the 2023 Farm Bill. The Specialty Crop Research Initiative (SCRI), the primary source for specialty crop research funding, is based on competitive processes, require stakeholder involvement, and have already had significant positive impacts. The SCFBA proposes an additional \$50mIn in annual mandatory funding for SCRI and that Congress reinstate the Secretary's authority to waive the matching funds requirement in SCRI.





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The SCFBA proposes that additional resources be directed to new research focused on FSMA compliance as well as training programs through the Cooperative Extension Service to assist growers with their FSMA compliance obligations.

The SCFBA proposes establishing a new program to consolidate mechanization and automation research into one new initiative

The IR4 Project serves a critically important role for agriculture by facilitating the availability of needed pest management solutions for specialty crops, and the SCFBA proposes Congress provide mandatory funding of not less than \$50mIn annually.

Specialty Crop Block Grants

The SCBG Program is a much-needed effort to help specialty crop producers to balance the uncertainties of agriculture production with improvements to their products and the access consumers have to those products. This program must be maintained, and Congress should work with the specialty crop sector to build on its success. The SCFBA proposes that Congress increase mandatory funding to \$100mIn annually. Congress should require USDA to improve its administration of multi-state grants; work with industry and state program administrators to evaluate the program's success more effectively; and provide greater guidance to state program administrators on best practices for program administration, such as requiring state program administrators to conduct stakeholder outreach earlier in the application and approval process.



Trade

U.S. specialty crop growers face significant obstacles in the development of export markets for their commodities and unique challenges due to the perishable nature of our products. The SCFBA proposes that Congress continuing mandatory funding for the Technical Assistance to Specialty Crops (TASC) and increasing Marketing Access Promotion (MAP) program funding to \$400 million. These important trade tools address sanitary and phytosanitary, as well as marketing barriers to the export of U.S. specialty crops. The SCFBA also proposes that Congress ensure the Maximum Residual Level (MRL) database is funded.



Specialty Crop Priorities for the 2023 Farm Bill

Plant, Pest and Disease Eradication

The SCFBA continues to support expedited and aggressive actions by the federal government, in cooperation with the industry and stake holders at the state and local levels, to eradicate and protect the domestic market from the increasing threat of exotic pests and diseases entering the U.S. The APHIS PPA 7721 program serves that purpose and funds a wide array of plant pest-related projects under six broad goal areas. SCFBA is requesting an additional \$15 million in annual funding due to the increased value and demand of the program's investments in pest and disease prevention and mitigation.

New Initiatives to Enhance Competitiveness

The SCFBA also proposes several new initiatives to enhance the competitiveness of specialty crops for the 2023 Farm Bill and beyond. There are two new programs focused on the importance of mechanization and automation – one focused on investments in early-stage research and development, and a second program to help specialty crop growers purchase mechanized and automated technologies when they're commercially available yet not widely adopted due to their high cost. A new domestic promotion program at AMS modeled after the successful MAP program. A requirement for USDA to invest in its data collection and analytics to better understand the specialty crop industry across its functions and programs. Lastly, an ongoing industry effort to evaluate the feasibility of establishing a risk management safety net designed exclusively for specialty crop growers.





Overview

Since, 2004, the Specialty Crop Farm Bill Alliance (SCFBA), has grown to represent more than 200 organizations covering more than 300 different commodities that are produced in the United States. Below is a brief overview of the most recent recommendations to enhance the competitiveness of specialty crops for the 2023 Farm Bill. The full SCFBA 2023 Farm Bill Recommendations **can be found at www.farmbillalliance.com**.

Healthy Americans

Investments in the competitiveness and sustainability of the U.S. specialty crop industry will produce a strong return for all Americans, not just farmers. Expanding access and availability to safe, wholesome, healthy, and affordable foods, as well as trees, flowers, and plants, will encourage life-long healthy eating habits, mental and physical well-being, and help address national priorities such as obesity, heart disease, and food and nutrition insecurity.

1. Modernize USDA Procurement Programs
2. Invest in GusNIP to expand consumption of fresh fruits and vegetables
3. Expand Schools in Fresh Fruit and Vegetable Program
4. Create a USDA Promotion Program for Domestic Specialty Crops

Trade and Foreign Competition

Preserving the critical supply chain for domestically sourced healthy foods in the United States should be a national priority. Establishing a competitive playing field for American specialty crop producers includes assisting American producers with unfair foreign competition, promoting American specialty crops in foreign markets, and eliminating trade barriers that discriminate against American specialty crop exports.

1. Expand Market Access Program
2. Maintain Technical Assistance for Specialty Crops
3. Require Competitiveness Report for Exports of Specialty Crops
4. Strengthen Buy American Requirements
5. Expand Plant Pest and Disease and National Clean Plant Network Programs

Competitiveness and Sustainability

In recognition of its significance to American agriculture, the American food supply, and the communities it supports across the United States, a proportional share of farm bill resources and mandatory spending should be allocated to specialty crop priorities. To foster a better understanding of the specialty crop industry in the United States, Congress and USDA should invest in the human resources, expertise, and data collection and analytics necessary throughout the government to better serve this diverse and vital agricultural sector and its supply chains.

1. Expand and enhance the Specialty Crop Block Grant Program
2. Invest in USDA's data collection and understanding of specialty crops
3. Improve crop insurance product development and access



Specialty Crop Priorities for the 2023 Farm Bill

4. Propose technical enhancements to the Tree Assistance Program, the Whole Farm Crop Insurance Program, and the Noninsured Crop Disaster Assistance Program
5. Consider a risk management/safety net program for specialty crops
6. Strengthen the USDA National Organic Program

Research and Innovation

Scientific breakthroughs, technological innovation and data-enabled decision-making will continue to drive long-term sustainability and profitability of the specialty crop industry as it adapts to labor, climate and environmental challenges, pests and diseases, rising global competitiveness, shifting consumer preferences, supply chain disruptions, and other challenges. A sustained federal investment into research and innovation must be of a meaningful scale to catalyze opportunities for the industry, alleviate existing challenges, and propel the U.S. specialty crop industry to a new level of global competitiveness.

1. Expand and improve Specialty Crop Research Initiative
2. Create a new Mechanization and Automation Research program
3. Establish a reimbursement-based cost-share program focused on deploying new technologies
4. Invest in additional resources for the IR-4 Project
5. Provide technical assistance and research to assist growers with their Food Safety Modernization Act compliance

Natural Resources and Climate

The production methods and structure of certain specialty crop producers have historically inhibited their ability to participate in many USDA conservation programs. Recognizing the diverse nature and unique challenges involved in specialty crop production enhances the ability of specialty crop producers to participate fully in all USDA conservation programs as well as any initiatives to address global climate change.

1. Expand opportunities for specialty crops to participate in conservation programs, particularly with respect to climate adaptation
2. Reform AGI limitations for specialty crops
3. Invest in climate-related data collection and research, reflective of the diversity of specialty crops in the U.S.
4. Propose principles to guide any new climate programs for specialty crops

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