

Commission Questions FDA's Avocado Sampling Assignment



By Ken Melban
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Trevor Newhouse, West Pak, discusses food safety practices.

Last December, the California Avocado Commission (CAC) learned “off the record” that the Food and Drug Administration (FDA) intended to conduct a Sampling Assignment Pilot Program for the following products: sprouts; domestically produced raw milk aged cheeses; and, domestic and imported whole, fresh avocados.

To put it mildly, we were stunned!

Why would FDA include fresh avocados, an inarguably low-risk product with a stellar record on food safety, with commodities that historically pose much greater risk? FDA stated the goal of the SAPP is to “fill in knowledge gaps regarding the prevalence of bacterial pathogens in specific food products and identify likely routes of contamination.”

Commission President Tom Bellamore immediately initiated high-level contact with FDA directly and through our Washington, D.C., counsel, advising the agency that CAC represents more than 95 percent of the domestic avocado industry and noting we should have been contacted by the FDA as the SAPP was being considered and developed. Bellamore also communicated concerns about the genesis of the SAPP, how it might be conducted and how results may be disclosed.

Again, without any previously reported food safety in-

cidents involving fresh whole avocado, we have been included in this SAPP. The mere knowledge that avocados are being examined by the FDA may raise possible concerns from both retailers and consumers, regardless of how unfounded. The Commission has invested millions of grower dollars to develop our highly respected and valued Hand Grown in California brand, and any unmerited fears of fresh avocado safety would likely cause disruption to the domestic avocado market resulting in potential serious financial loss.

The Commission’s frustrations were shared by APEAM, the Mexico avocado growers association, and a concerted plan was put in place to invite FDA officials to tour each respective country’s operations and learn first-hand about fresh avocado production and packing. In April, the Commission hosted 11 FDA officials for two days of grove and packing facilities tours, which followed similar tours held in

Mexico in late March.

The California tour represented a broad, cross-sample of FDA officials involved in the SAPP, including senior officials from Washington, D.C., regional supervisors and area inspectors. At the beginning of the tour, as Bellamore and I were becoming familiar with the FDA participants, we kept it very non-confrontational. But as the end of the first day drew near, the atmosphere would best be described as one in which the “gloves came off!”

We directly questioned them on issues ranging from how FDA established their commodity rankings for the assignment and their rationale of including avocados, to their sampling protocols and how they could ensure the integrity of the samples taken at retail. While they didn't provide us



FDA representatives tour an avocado grove.



Dana Thomas, Index Fresh, answers questions from participants.

with satisfactory answers in all areas, there were some positives, an example of which occurred just as we boarded the bus for the second day of the tour when they informed us that retail samples would be taken from the back of the store before the avocados had come in contact with consumers.

Ultimately, our goal was to get FDA to eliminate the avocado SAPP entirely, which had been scheduled to start this past January. While we were successful in getting it delayed, unfortunately the avocado SAPP did commence in mid-May. The SAPP calls for the collection of 1600 samples — 70 percent imported (1,120) and 30 percent domestic (480) — collected at ports of entry, distribution centers and warehouses, packinghouses, and retail and foodservice. Sample sizes (20 pieces of whole fruit) are to be tested for *Listeria monocytogenes* and *Salmonella*. We know, as a result of the

Commission's involvement, FDA is better informed on California avocado production and potential negative market implications and we expect application of their new-found knowledge. In addition, we believe FDA has an improved understanding of California avocado production which should assist them in their decision-making on the Food Safety Modernization Act.

But, as experience has taught us when dealing with governmental bureaucracies, one can only hope logic and common-sense will prevail. We will have to see how the SAPP unfolds, so for now, I leave you with the following quote from Mark Twain, “I am quite sure now that often, very often, in matters concerning religion and politics a man's reasoning powers are not above the monkeys.” My apologies to any monkeys I may have offended. 🥑



Tom Bellamore and Jerome Stehly discuss California avocado production.