



*Where the subject may be perishable  
but the insight isn't.*

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## **Recommendation For An 'Appropriate' Seed-screening Program Shows FDA Unwilling To Take Responsibility For Its Recommendations**

*Jim Prevor's Perishable Pundit, May 12, 2009*

On April 28, 2009, the Perishable Pundit published a piece titled, [Insights On The Alfalfa Sprout Advisory](#), which included an interview with Bob Sanderson of [Jonathan's Sprouts](#). The interview revealed an insight into a fundamental food safety problem regarding alfalfa sprouts: *Alfalfa seeds are not typically grown for human consumption*. So all the food safety burden is put on the sprouter. We suggested the following:

*Most alfalfa is raised for animal feed, so they make no effort to avoid animals or animal excrement in the growing fields. Later on, when a sprouting facility buys the seed it suddenly becomes food for human consumption. Yet it was not grown under any procedures designed to keep it clean and free of pathogens.*

*Any buyers out there who want to make a productive contribution, here is an opportunity: Make a policy that next year you will only buy alfalfa sprouts that are grown from seed certified to have been raised on a third-party audited, GAP-compliant farm. This should also be added to the FDA's Guidance Document.*

We seem to have hit a nerve, as three days later the FDA sent out a [letter](#) to the sprout industry, which included these lines:

*As you are aware, seeds are considered the most likely source of contamination in most sprout-associated outbreaks. Therefore, it is important that sprout growers source their seeds from suppliers with an appropriate program to screen their seeds for potential contamination with pathogens.*

This kind of communication illustrates clearly the enormous frustration of dealing with the FDA and the enormous obstacles the incentives of the FDA pose for food safety.

The questions are obvious: Why use vague language such as saying that seed producers ought to

have “an appropriate program” — what does that mean? How would a farmer know if he had one, and what would make a sprouter agree with the farmer on that point?

And is the goal solely to “screen” for pathogens or is the goal also to grow seeds in an environment where they are less likely to become contaminated with a pathogen?

If someone managed to somehow discern what the FDA was talking about in terms of an “appropriate program,” where would a sprouter find seed that was grown under such conditions? Would it be labeled in some special way? Inspected in some way? Audited in some fashion?

Does the FDA communicate in this way because it has no idea of what the “appropriate program” might be or does it communicate this way because the very last thing the FDA wants is to be held responsible for something?

As long as it merely urges an “appropriate program” as the criteria, FDA is fully protected. If there ever is a food safety problem, it will use that food safety problem as [ipso facto](#) proof that the suppliers did not have an “appropriate program” in place.

If FDA says anything useful, say that in an “appropriate program,” fields must be fenced with a fence going from 12 inches below ground to six feet over the ground level, and if a burrowing animal digs under the fence or a leaping animal leaps over the fence and this causes a food safety problem, then this failure will be on FDA’s hands.

And the Number One most important priority at FDA is not enhancing safety, of food or medicine; it is, instead, making sure that no FDA executive can ever be blamed for a death or illness related to food or medicine.

There are many efforts afoot to reorganize our government’s effort in the food safety arena. Many of the plans, such as proposals to create one food safety agency focused on logistics, organizational charts, developing clearer lines of authority, etc., may help or hurt or not make a difference.

To make a big difference, we need to focus in on changing the incentives of individuals... in this case the executives at FDA.

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