



Setting Our 2022 Public Policy Course

Strategic Initiatives and Action Plan

As the formation of the International Fresh Produce Association comes into focus, IFPA will build on government relations efforts from United Fresh Produce Association's 2021 public policy workplan. For 2022, we will continue a similar evaluation process to determine the overarching federal policy priorities for the upcoming year. In January these priorities will be reviewed and approved by the IFPA Board of Directors. Below is a final set of recommendations as developed by the Government Relations team and the IFPA Government Relations Council.

1. Immigration Reform/Guest Worker Program

With the House passage of the Farm Workforce Modernization Act, the focus remains on Senate efforts to forge a bi-partisan agreement on immigration reform. Senator Michael Bennet (D-CO) and Senator Michael Crapo (R-ID) held a meeting with industry leaders on June 16, 2021, which outlined a process on how the Senate will move forward on agriculture immigration reform efforts. These negotiations have moved slowly but we expect increased attention by the bi-partisan Senate group in the first quarter of 2022.

In addition, House and Senate Democrats are working within the Build Back Better (BBB) reconciliation legislation to authorize Department of Homeland Security (DHS) to provide a parole "status" for periods of five years until 2031 to individuals who entered the United States without inspection or overstayed a visa prior to January 1, 2011 and have resided continuously since. At this time the Senate Parliamentarian has ruled that these provisions will not be acceptable in the BBB reconciliation package. It is unclear if Democrats in Congress will continue to pursue this legislative strategy which would legalize up to 7 million unauthorized residents in the United States including many current farmworkers who are in the United States without authorization.

2022 Action Plan

- Drive legislation to provide legal status for our current workforce and reform the H-2A guest worker program to provide for a stable future flow of workers.
- Support Senate legislation that provides relief to both the current workforce and enables future workers to enter the country through the H-2A process.
- Apart from legislation, work with the Biden Administration to seek greater modernization of the H-2A program. This includes addressing the Biden wage proposal which is currently out for public comment and is a continuation of the rulemaking initiated by the Trump Administration. As part of this process, IFPA will respond to rulemaking proposed by the Biden administration and seek regulatory opportunities to improve the H-2A program for agricultural employers.
- Finally, the industry must support a common approach that promotes a revised calculation of the Adverse Effect Wage Rate (AEWR) and the current prevailing wage practices.

2. Nutrition Policy

The COVID-19 pandemic has further highlighted our country's underlying health crisis due to poor nutrition. Those with obesity, diabetes, and similar conditions caused by poor nutrition who contract COVID are twice as likely to be hospitalized and have an astounding 50% increased likelihood of dying. Congress and the Administration must aggressively prioritize nutrition to improve dietary quality for all Americans.

2022 Action Plan

- Urge the creation of a federal national strategy to address the nation's nutrition crisis, including a White House Conference on Nutrition
- Reform USDA's purchasing and distribution programs for those in need to include fresh produce as laid out in the Fresh Produce Procurement Reform Act, introduced in September 2021
- Ensure all federal nutrition programs align with the government's own fruit and vegetable serving recommendations as included in the 2020-2025 Dietary Guidelines for Americans, including the Supplemental Nutrition Assistance Program (SNAP), as we enter the next Farm Bill process
- Build congressional consensus for Produce Prescriptions at the Department of Health and Human Services (HHS) through Medicare and Medicaid

- Support students' access to and intentional frequency of exposure to healthful and nutritious meals to facilitate taste acquisition and dietary inclusion of a wide variety of fresh fruits and vegetables through Child Nutrition Reauthorization

3. Food Safety

Our industry will continue to work tirelessly to provide safe fresh fruits and vegetables. Together with this commitment, we must work with the regulatory and public health community to implement sound, science-based policies.

2022 Action Plan

- Work with FDA and other stakeholders to improve the collaboration between industry and FDA, with the goal of more timely and practical policies and regulations
 - Work with the new FDA commissioner to propose a change in FDA structure resulting in clear responsibility and accountability for produce safety at the commissioner level
- Support research that enables farms to assure safe produce
 - Support SCRI and CPS research
 - Spearhead a multi-institutional public-private collaboration to tackle *Cyclospora*
- Resolve FSMA-related regulatory issues
 - Encourage FDA to propose a workable "farm" definition under FSMA
 - Help address and perfect FDA's proposed rule related to Ag Water

4. Infrastructure/Supply Chain

COVID-19 and its fallout have greatly impacted the fresh produce supply chain, resulting in, significant delays in delivering fresh produce to customers, both at the retail level and wholesale level along with public institutions such as schools. Many of these challenges are rooted in a lack of labor, port congestion, input cost, road transportation, as well as some regulatory challenges.

In November, Congress passed the Infrastructure Investments and Jobs Act which was strongly supported by the fresh produce industry. The legislation includes the most significant investments in our nation's infrastructure in history. Additional

measures under consideration by Congress may address some of the specific challenges created and exacerbated by COVID, which include import/export challenges, and create an opportunity to bring in new drivers to our transportation system.

2022 Action Plan

- Undertake efforts to better balance the needs of ocean carriers with the needs of the fresh produce industry. Concerns over ocean carriers and terminals practices at U.S. ports include ignoring the Federal Maritime Commission's existing demurrage and detention guidelines and making containers unavailable to carry agricultural cargo. With this in mind, legislation such as the Ocean Shipping Reform Act would modernize infrastructure vital to the global fresh produce supply chain.
- Motor carrier freight transportation is at the core of moving fresh produce through the United States. It is important to adopt policies to mitigate the ongoing truck driver shortage, such as removing the commercial driver's license (CDL) restrictions on drivers aged 18-20 that creates an obstacle to recruiting a new generation of drivers into the industry. The DRIVE-Safe Act would help with this important issue.
- Work with Congress and the Administration to ensure that there is an adequate labor supply to meet the needs of the industry throughout the supply chain.
- Ensure flexibility through regulatory relief for the transportation sector to ensure that perishable goods like fresh produce can be delivered timely and safely. Progress can be made with a modest increase in truck weight limits through Department of Transportation and Congress and by supporting flexibilities such as relief from Hours-of-Service requirements which have been critical over the last 18 months.

5. Farm Bill Preparation

This year, preparation for the reauthorization of the 2023 Farm Bill will begin in earnest. The produce industry will again lead these efforts through the Specialty Crop Farm Bill Alliance. The Alliance will begin to review current Farm Bill programs that have been the foundation of our industry efforts for the past 14 years. These programs are the cornerstone of ensuring our industry is competitive in the global marketplace.

2022 Action Plan

- Drive policies in the Farm Bill that help expand needed resources and programs to increase consumption of fresh produce.
- Continue supporting and leading efforts through the Specialty Crop Farm Bill Alliance.
- Identify new areas of focus that impact the fresh produce industry that should be considered in the 2023 Farm Bill. These include automation, research, data collection, risk management programs, and strengthening key specialty crop programs that are reauthorized in the Farm Bill.

Additional Policy Priorities

- **Climate Change:** The Biden Administration has made addressing climate change top priority. In Congress, the Growing Climate Solutions Act has passed the Senate and is awaiting consideration in the House. The fresh produce industry should align our various commodities' sustainability efforts to develop a common agenda and policy recommendations on how current and enhanced production practices can leverage support and resources during the consideration of federal policies that focus on climate change.
- **International Trade:** The fresh produce industry will work with industry partners and elected officials to support existing trade agreements and future agreements that provide new market opportunities while demanding science-based and risk management-based decisions are enforced related to country access across the globe.
- **Crop Protection Tools:** We will continue to work with stakeholders to ensure that regulation of crop protection tools is based on sound science. We will work with crop protection companies and their trade associations to ensure that specialty crops are a priority in research and development. We will work with grower organizations and their trade associations to ensure regulatory oversight is commensurate with risk-based assessments.
- **Plant Breeding:** The produce industry recognizes that modern technology in plant breeding is a critically important tool to combat pests and disease, improve health and nutrition, and enhance sustainability through reduced need for water and other agricultural inputs. Modern technology in plant breeding provides multiple options for breeders in targeting enhanced traits and carefully controlling plant attributes, with and without genetic engineering. We support science-based regulation in this area.

- **Organic Agriculture:** The International Fresh Produce Association will work with their newly created Organic Council to develop sensible policies within current and future organics regulation and legislation. This includes engagement with the USDA National Organic Panel (NOP) National Organic Standards Board (NOSB), and Congress on all new regulatory requirements or policy decisions.
- **COVID-19 Relief Programs:** IFPA will continue to review and evaluate COVID-19 programs which were utilized by the fresh produce industry. As we move forward, programs or parts of programs that show promise might be considered for future growth through policy and regulatory efforts.
- **Research:** IFPA will look to drive and prioritize public and private research for the fresh produce industry across all platforms and disciplines. This multi-year effort will start with an evaluation of current research conducted in the fresh produce space.
- **Data Collection and Analysis:** Over the past 20 months, USDA's information on the commercial fruit and vegetable industry was very limited. This has become very apparent during the development of new programs to address COVID-19. USDA was severely handicapped when trying to address some of our challenges compared to other major commodities that USDA monitors. This included their lack of data around accurate pricing information, supply chain disruptions, input cost and cost of production data, labor challenges, scope of operations, and other issues.