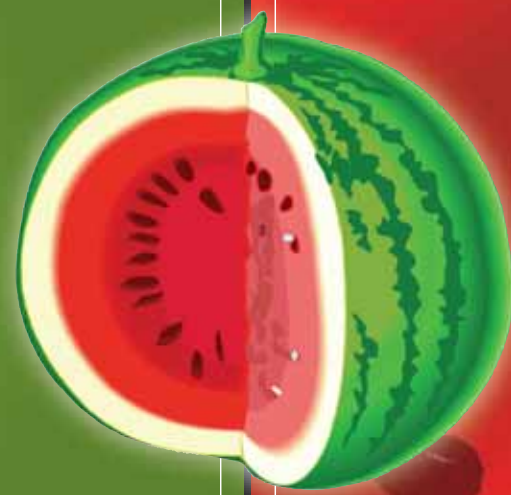


the vine line

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E-Verify Bill May Be Dead On Arrival

Conservative, tea-party and libertarian groups have joined liberals in fighting a bill in Congress that would crack down on illegal-immigrant workers. The legislation, they argue, would hurt businesses and employees while expanding government regulation. The bill would require all employers to use E-Verify, an electronic government database that checks whether new hires are eligible to work in the U.S.

Its prospects had looked good in the GOP-controlled House. It was previously regarded as less controversial than others drafted to tackle illegal immigration. It was seen as able to win bipartisan support in the Senate, too, especially with unemployment high. Now, the backlash threatens to sideline the bill, as Republicans seek to placate conservatives wary of legislation they consider intrusive and to court Hispanic voters who might deem it discriminatory.

Recently a coalition of regional and national groups that champion less government, privacy protection and small-business interests wrote a letter to members of Congress urging them to vote against the bill, while they also advertise and use social media to spread the word.

The letter said requiring the use of E-Verify, which is currently voluntary, would create a de facto national identification system, infringe on rights such as the freedom to seek work, cripple small businesses, turn employers into immigration agents and encourage identity theft. The letter calls the bill a “job killer” that will cost employers millions of dollars. The Tea Party said that their movement strongly opposed illegal immigration but that “it’s not private enterprise’s job to enforce immigration.”

“The bill doesn’t stem the tide of illegal immigration,” said Andrew Langer, president of the Institute for Liberty, an anti-regulation group. Instead, he said, “it adds to the burden on small business when the economy is in the doldrums—a baffling idea.”

The efforts of the conservative and libertarian groups put them on the same side of the bill as liberal organizations that favor an amnesty for millions of illegal immigrants.

E-Verify works by comparing information entered from an employee’s I-9 employment form with Social Security Administration and Department of Homeland Security records. It is used by 4% of U.S. employers. Federal contractors must participate, and a few states also mandate its use.

Businesspeople are pushing for a business-friendly immigration policy. Over the summer, farmer groups descended on Capitol Hill to protest what they see as E-Verify’s negative impact on their work force and on U.S. food production.

In a sour economy, Rep Lamar Smith is pushing E-Verify as a tool to open up jobs for unemployed Americans. Critics say this bill is enough to jeopardize jobs for hundreds of thousands of legal workers who are mistakenly flagged. At the same time, it fails to catch illegal immigrants using stolen or borrowed documents, which E-Verify can’t detect.

First Version of Field Operations and Harvesting Food Safety Standards Finalized

In a marathon two-day session, the Technical Working Group (TWG) of the Produce GAPs Harmonization Initiative completed the review and finalized the official first version of the pre-farm gate Harmonized Standards. The TWG reviewed comments from auditors, suppliers and customers that performed ten pilot audits since the Harmonized Standards were drafted last August.

“Throughout the process of developing the Harmonized Standard, one of the constants has been the working group’s consideration of feedback. The group has worked hard to consider every comment, and where those comments indicated a weakness or potential for misunderstanding in the standard, changes were made,” said Suresh DeCosta, Chair of the TWG and Manager of Quality Systems U.S. Supply Chain Management for McDonald’s.

The TWG also reviewed the Global Food Safety Initiative (GFSI) guidelines for GAP food safety standards to ensure that all guidelines within the scope of the Harmonized Standard were addressed.

The Harmonized Standards were initiated as a result of the 2009 United Fresh Global Conference on Produce Food Safety Standards, where 300 stakeholders in the fresh produce supply chain met to discuss audit fatigue and whether differences between existing audit standards were improving food safety or just adding cost. Since that time, the TWG, comprised of over 150 volunteers representing growers, shippers, customers, audit organizations and trade associations, met ten times to harmonize thirteen GAP food safety standards into a single checklist appropriate for all fresh produce commodities and all size operations. A second checklist, for post-harvest operations, is still considered draft and will be finalized by the TWG soon.



The finalized Field Operations and Harvesting standards are available free of charge by logging on to http://www.unitedfresh.org/newsviews/gap_harmonization. A “Calibration Committee”, comprised of auditor trainers and commodity experts, is being assembled to develop a training program for auditors on how to use the standards, and organizations like the Agricultural Marketing Service of USDA, NSF Agriculture (previously NSF Davis Fresh) and NCSI Americas are already making plans to offer audits using the Harmonized Standards.

“As of September 1, we will be using the harmonized standards exclusively in our standard GAP audit process,” said Donna Garren, president of NSF Agriculture. GLOBAL G.A.P and SQF, which offer food safety certifications based on the GFSI guidelines, are also working to adapt their audit checklists to utilize the harmonized standards.

Department of Labor Proposes Child Labor Regulations

The Department of Labor published proposed child labor regulations on Sept. 2 that seek to prohibit farm workers under 16 from operating almost all power driven equipment and set other new rules prohibiting young workers from contact with pesticides, timber operations and storage bins. The regulations would only apply to hired farm workers and not change the child labor parental exemption, which allows children freedom to work on farms owned or operated by their parents. The proposed regulations will have a 60-day comment period.

“There are not as many changes as a lot of people feared,” said Frank Gasperini, executive vice president of the National Council of Agricultural Employers, Gasperini said the new regulations are expected to have a minor effect on larger producers, mainly related to record keeping. “I think the impact is likely to be more important to farm worker families and rural families more than it is to farmers,” he said. “Teenagers work on farms but they are not the bulk of farm workers.”

In a pre-release version of the rule, the Department of Labor said that the proposal would implement specific recommendations made by the National Institute for Occupational Safety and Health and increase parity between the agricultural and non-agricultural child labor provisions. Gasperini said the regulations are likely to have the most effect on very small farms.

“I think the big concern to me is whether this might hinder or future by making it so difficult for teens to work on farms that we further reduce people going into agriculture.” Gasperini said Department of Labor officials told members of Congress that the regulations will:

- Strengthen current child labor regulations prohibiting agricultural work with animals and in pesticide handling, timber operations, manure pits and storage bins.
- Prohibit youth in both agricultural and non agricultural employment from using electronic, including communication, devices while operating power-driven equipment.
- Prohibit farm workers under 16 from operating almost all power-driven equipment. A similar prohibition has existed as part of the non agricultural child labor provisions for more than 50 years.

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