

108TH CONGRESS
1ST SESSION

H. R. 3242

To ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 2, 2003

Mr. OSE (for himself, Mr. DOOLEY of California, Mr. ACEVEDO-VILÁ, Mr. ENGLISH, Mr. FILNER, Mrs. KELLY, Mr. KOLBE, Mr. LARSEN of Washington, Mr. MCHUGH, Mr. NUNES, Mr. RADANOVICH, Mr. SCOTT of Georgia, Mr. THOMPSON of California, Mr. GALLEGLY, Mr. CARDOZA, Mr. DEFAZIO, Mr. KINGSTON, Mr. WU, Mr. HINOJOSA, and Mr. FARR) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Specialty Crops Competitiveness Act of 2003”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purpose.
- Sec. 3. Definitions.

TITLE I—SPECIALTY CROP GRANTS AND LOANS

- Sec. 101. Grants to States to enhance competitiveness of specialty crops.
- Sec. 102. Department of Agriculture operating loans.

TITLE II—MARKETING

- Sec. 201. Implementation of food safety programs under marketing orders.
- Sec. 202. School garden grant pilot program.
- Sec. 203. Increase in maximum amount of assistance authorized under tree assistance program.
- Sec. 204. Hunts Point Terminal Market, Bronx, New York.
- Sec. 205. Maintenance of Fredericksburg Inspection Training Center.

TITLE III—INTERNATIONAL TRADE

- Sec. 301. Position in Office of the United States Trade Representative for specialty crops.
- Sec. 302. Foreign market access study and strategy plan.
- Sec. 303. Technical assistance for specialty crops.
- Sec. 304. Animal and Plant Health Inspection Service.
- Sec. 305. Supplier credit guarantee program.
- Sec. 306. Foreign development assistance.
- Sec. 307. Protection of intellectual property rights in plants and plant-derived material.

TITLE IV—SPECIALTY CROP RESEARCH

- Sec. 401. Transfer of administration and funding of Office of Pest Management Policy.
- Sec. 402. Additional research initiatives.
- Sec. 403. National specialty crops development initiative grant program.

TITLE V—INVASIVE PEST AND DISEASE RESPONSE

- Sec. 501. Emergency response fund.
- Sec. 502. Independent scientific advice for Animal and Plant Health Inspection Service.
- Sec. 503. Food safety initiatives.

TITLE VI—CONSERVATION

Sec. 601. Elimination of limitation on adjusted gross income from eligibility requirements for environmental quality incentives program.

Sec. 602. Sustainability practices.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) A secure domestic food supply is a national
4 security imperative for the United States.

5 (2) A competitive specialty crop industry in the
6 United States is necessary for the production of an
7 abundant, affordable supply of highly nutritious
8 fruits, vegetables, and other specialty crops, which
9 are vital to the health and well-being of all Ameri-
10 cans.

11 (3) Increased consumption of specialty crops
12 will provide tremendous health and economic bene-
13 fits to both consumers and specialty crop growers.

14 (4) Specialty crop growers believe that there are
15 numerous areas of Federal agriculture policy that
16 could be improved to promote increased consumption
17 of specialty crops and increase the competitiveness
18 of producers in the efficient production of affordable
19 specialty crops in the United States.

20 (5) As the globalization of markets continues, it
21 is becoming increasingly difficult for United States
22 producers to compete against heavily subsidized for-
23 eign producers in both the domestic and foreign
24 markets.

1 (6) United States specialty crop producers also
2 continue to face serious tariff and non-tariff trade
3 barriers in many export markets.

4 (b) PURPOSE.—It is the purpose of this Act to make
5 necessary changes in Federal agriculture policy to accom-
6 plish the goals of increasing fruit, vegetable, and nut con-
7 sumption and improving the competitiveness of United
8 States specialty crop producers.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) The term “specialty crop” means all agri-
12 cultural crops, except wheat, feed grains, oilseeds,
13 cotton, rice, peanuts, sugar, and tobacco.

14 (2) The term “Secretary” means the Secretary
15 of Agriculture.

16 (3) The term “State” means the several States,
17 the District of Columbia, the Commonwealth of
18 Puerto Rico, the Commonwealth of the Northern
19 Mariana Islands, American Samoa, Guam, the Vir-
20 gin Islands, and any other territory or possession of
21 the United States.

22 (4) The term “State department of agriculture”
23 means the agency, commission, or department of a
24 State government responsible for protecting and pro-
25 moting agriculture within the State.

1 **TITLE I—SPECIALTY CROP**
2 **GRANTS AND LOANS**

3 **SEC. 101. GRANTS TO STATES TO ENHANCE COMPETITIVE-**
4 **NESS OF SPECIALTY CROPS.**

5 (a) AVAILABILITY AND PURPOSE OF GRANTS.—For
6 each of the Federal fiscal years 2004 through 2008, the
7 Secretary of Agriculture shall make a grant under this
8 section to each State that submits an annual application,
9 at such time and in such form as the Secretary prescribes,
10 requesting the grant for that fiscal year. The grant funds
11 shall be used by the State department of agriculture solely
12 to enhance the competitiveness of specialty crops. Grant
13 funds provided under this section shall supplement the ex-
14 penditure of State funds in support of specialty crops and
15 specialty crop producers, and shall not replace State
16 funds.

17 (b) GRANTS BASED ON VALUE OF PRODUCTION.—
18 Subject to subsection (c), the amount of the grant for a
19 fiscal year to a State under this section shall bear the
20 same ratio to the total amount made available under sub-
21 section (f) for that year as the value of specialty crop pro-
22 duction in the State during the preceding calendar year
23 bears to the value of specialty crop production during that
24 calendar year in all those States submitting applications
25 for a grant for that fiscal year.

1 (c) MINIMUM GRANT AMOUNT.—At a minimum, each
2 eligible State shall receive \$2,000,000 per year as a grant
3 under this section.

4 (d) GRANT EXPENDITURE PRIORITIES.—As a condi-
5 tion on the receipt of a grant under this section, the State
6 department of agriculture shall conduct at least one public
7 hearing, or provide some other method for public com-
8 ment, to obtain the advice and opinion of specialty crop
9 producers in the State regarding the disposition of the
10 grant funds. The Secretary shall ensure that State agri-
11 culture authorities take such advice and opinions into ac-
12 count in making their decisions on the expenditure of the
13 grant funds.

14 (e) USE OF COMMODITY CREDIT CORPORATION.—
15 The Secretary shall use \$470,000,000 of funds of the
16 Commodity Credit Corporation during each of the fiscal
17 years 2004 through 2008.

18 **SEC. 102. DEPARTMENT OF AGRICULTURE OPERATING**
19 **LOANS.**

20 (a) INCREASE IN LIMITS ON OPERATING LOANS FOR
21 PRODUCERS OF FRUITS OR VEGETABLES.—Section
22 313(a)(1) of the Consolidated Farm and Rural Develop-
23 ment Act (7 U.S.C. 1943(a)(1)) is amended—

1 (1) by inserting “or, if the borrower is a pro-
2 ducer of a specialty crop, \$500,000” after
3 “\$200,000”; and

4 (2) by inserting “or, if the borrower is a pro-
5 ducer of a specialty crop, \$1,500,000” after
6 “\$700,000”.

7 **TITLE II—MARKETING**

8 **SEC. 201. IMPLEMENTATION OF FOOD SAFETY PROGRAMS** 9 **UNDER MARKETING ORDERS.**

10 Section 8c(7) of the Agricultural Adjustment Act (7
11 U.S.C. 608c(7)), reenacted with amendments by the Agri-
12 cultural Marketing Agreement Act of 1937, is amended—

13 (1) by redesignating subparagraphs (C) and
14 (D) as subparagraph (D) and (E), respectively; and

15 (2) by inserting after subparagraph (B) the fol-
16 lowing new subparagraph (C):

17 “(C) In the case of an order relating to a specialty
18 crop, authorizing the implementation of food safety pro-
19 grams, such as good agricultural and manufacturing prac-
20 tices, ISO 9000 standards, and Hazard Analysis of Crit-
21 ical Control Points programs, designed to enhance the
22 safety of the specialty crop and products derived from spe-
23 cialty crops.”.

1 **SEC. 202. SCHOOL GARDEN GRANT PILOT PROGRAM.**

2 (a) GRANTS AUTHORIZED.—The Secretary of Agri-
3 culture may make grants to State or local educational
4 agencies and nonprofit organizations for the purpose of
5 supporting school garden programs that allow children to
6 learn about the importance of specialty crops to a healthy
7 diet. The Secretary shall initially target the grants to sub-
8 stantial urban centers.

9 (b) CONSULTATION.—The Secretary shall develop
10 and carry out the grant program in consultation with the
11 State department of agriculture of each State and other
12 appropriate institutions in which the grant program is
13 conducted.

14 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated to the Secretary
16 \$15,000,000 to make grants under this section.

17 **SEC. 203. INCREASE IN MAXIMUM AMOUNT OF ASSISTANCE**
18 **AUTHORIZED UNDER TREE ASSISTANCE PRO-**
19 **GRAM.**

20 Section 10204(a) of the Farm Security and Rural In-
21 vestment Act of 2002 (7 U.S.C. 8204(a)) is amended by
22 striking “\$75,000” and inserting “\$150,000”.

23 **SEC. 204. HUNTS POINT TERMINAL MARKET, BRONX, NEW**
24 **YORK.**

25 The Secretary of Agriculture shall use up to
26 \$20,000,000 of the funds of the Commodity Credit Cor-

1 poration to provide restitution to licensed specialty crop
2 shippers for economic losses incurred as a result of the
3 preparation of false inspection certificates by graders of
4 the Department of Agriculture at Hunts Point Terminal
5 Market, Bronx, New York.

6 **SEC. 205. MAINTENANCE OF FREDERICKSBURG INSPEC-**
7 **TION TRAINING CENTER.**

8 There is authorized to be appropriated to the Sec-
9 retary of Agriculture each fiscal year \$1,500,000 specifi-
10 cally for the maintenance of the Agricultural Marketing
11 Service inspection training center in Fredericksburg, Vir-
12 ginia.

13 **TITLE III—INTERNATIONAL**
14 **TRADE**

15 **SEC. 301. POSITION IN OFFICE OF THE UNITED STATES**
16 **TRADE REPRESENTATIVE FOR SPECIALTY**
17 **CROPS.**

18 The United States Trade Representative shall estab-
19 lish at least one position in the Office of the United States
20 Trade Representative that is responsible solely for trade
21 matters related to specialty crops.

22 **SEC. 302. FOREIGN MARKET ACCESS STUDY AND STRATEGY**
23 **PLAN.**

24 (a) STUDY.—The General Accounting Office shall
25 study—

1 (1) the extent to which United States specialty
2 crops have or have not benefited from any reduc-
3 tions of foreign trade barriers, as provided for in the
4 Uruguay Round Agreements; and

5 (2) the reasons why United States specialty
6 crops have or have not benefited from such trade-
7 barrier reductions.

8 (b) STRATEGY PLAN.—The Secretary shall prepare
9 a foreign market access strategy plan, on the basis of the
10 foreign market access study, to increase exports of spe-
11 cialty crops, including an assessment of the foreign trade
12 barriers that are incompatible with the Uruguay Round
13 Agreements and a strategy for removing those barriers.

14 (c) REPORT.—Not later than one year after the date
15 of the enactment of this Act, the General Accounting Of-
16 fice shall submit to Congress a report that contains the
17 results of the study and the Secretary shall submit to Con-
18 gress the plan.

19 (d) DEFINITION.—For purposes of this section,
20 “Uruguay Round Agreements” includes any agreement re-
21 ferred to in section 101(d) of the Uruguay Round Agree-
22 ments Act (19 U.S.C. 3511(d)).

1 **SEC. 303. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.**

2 Section 3205(d) of the Farm Security and Rural In-
3 vestment Act of 2002 (Public Law 107–171; 7 U.S.C.
4 5680(d)) is amended—

5 (1) by striking “\$2,000,000” and inserting
6 “\$10,000,000”; and

7 (2) by striking “2002” and inserting “2004”.

8 **SEC. 304. ANIMAL AND PLANT HEALTH INSPECTION SERV-**
9 **ICE.**

10 The Secretary of Agriculture shall establish, in the
11 Animal and Plant Health Inspection Service of the De-
12 partment of Agriculture, the Sanitary and Phytosanitary
13 Export Petition Division for the sole purpose of processing
14 petitions that are submitted to that service for reducing
15 sanitary and phytosanitary trade barriers in export mar-
16 kets. Each division shall be adequately staffed and sup-
17 ported by resources necessary and appropriate to manage
18 the work associated with export petitions. The Secretary
19 is directed to eliminate the existing backlog of petitions
20 within five years of enactment.

21 **SEC. 305. SUPPLIER CREDIT GUARANTEE PROGRAM.**

22 (a) STUDY.—The Secretary of Agriculture shall di-
23 rect the Foreign Agricultural Service of the Department
24 of Agriculture, in consultation with the Agricultural Tech-
25 nical Advisory Committee for Trade in Fruits and Vegeta-
26 bles and the Agricultural Technical Advisory Committee

1 for Processed Foods, to study how the Supplier Credit
2 Guarantee Program, as provided in section 202 of the Ag-
3 ricultural Trade Act of 1978 (7 U.S.C. 5622), can be
4 modified to increase exports of specialty crops. The study
5 shall include an examination of how other countries that
6 are members of the World Trade Organization facilitate
7 exports of specialty crops from these countries.

8 (b) REPORT.—Not later than 180 days after the date
9 of the enactment of this Act, the Secretary shall submit
10 to Congress a report that contains the results of the study.

11 **SEC. 306. FOREIGN DEVELOPMENT ASSISTANCE.**

12 (a) STUDY.—The Secretary of Agriculture shall di-
13 rect the Foreign Agricultural Service of the Department
14 of Agriculture, in consultation with the Economic Re-
15 search Service of that Department and the Agency for
16 International Development, to evaluate how the United
17 States Government can best assist the economic develop-
18 ment of developing countries without causing harm to the
19 United States specialty crop industry.

20 (b) REPORT.—Not later than one year after the date
21 of the enactment of this Act, the Secretary shall submit
22 to Congress a report that contains the results of the eval-
23 uation.

1 **SEC. 307. PROTECTION OF INTELLECTUAL PROPERTY**
 2 **RIGHTS IN PLANTS AND PLANT-DERIVED MA-**
 3 **TERIAL.**

4 (a) ESTABLISHMENT.—The Secretary of Agriculture
 5 shall establish an office in the Department of Agriculture
 6 for the sole purpose of encouraging the development and
 7 protection of intellectual property rights in plants and ma-
 8 terial derived from plants.

9 (b) DUTIES.—The office shall be an advocate for the
 10 interests of United States producers of specialty crops—

11 (1) before the Office of Patents, Trademarks,
 12 and Copyrights of the United States Department of
 13 Commerce and other Federal agencies; and

14 (2) in international governmental and non-
 15 governmental organizations dealing with intellectual
 16 property rights.

17 **TITLE IV—SPECIALTY CROP**
 18 **RESEARCH AND GRANTS**

19 **SEC. 401. TRANSFER OF ADMINISTRATION AND FUNDING**
 20 **OF OFFICE OF PEST MANAGEMENT POLICY.**

21 (a) TRANSFER.—The Secretary shall transfer the Of-
 22 fice of Pest Management Policy of the Department of Ag-
 23 riculture from the Agricultural Research Service to the Of-
 24 fice of the Secretary of Agriculture for administrative and
 25 funding purposes.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to the Secretary \$5,000,000
3 each fiscal year for the activities of the Office of Pest
4 Management Policy.

5 **SEC. 402. ADDITIONAL RESEARCH INITIATIVES.**

6 (a) METHYL BROMIDE ALTERNATIVES.—

7 (1) AUTHORIZATION.—The Secretary shall ele-
8 vate the priority of current methyl bromide alter-
9 native research and extension activities and reexam-
10 ine the risks and benefits of extending the phase-out
11 deadline in effect on the date of the enactment of
12 this title. Any alternative pesticide to methyl bro-
13 mide shall include—

14 (A) the estimated cost to the grower or
15 processor associated with the alternative pes-
16 ticide; and

17 (B) how that cost is likely to relate to
18 international trade, especially in competition
19 with countries not prohibited from using methyl
20 bromide.

21 (2) AUTHORIZATION OF APPROPRIATIONS.—
22 There is authorized to be appropriated \$5,000,000
23 to carry out this subsection.

24 (b) QUANTIFICATION OF CLEAN AIR BENEFITS.—

1 (1) AUTHORIZATION.—The Secretary, acting
2 through the Economic Research Service, shall quan-
3 tify the clean air benefits of the specialty crop indus-
4 try in relation to urban sprawl.

5 (2) AUTHORIZATION OF APPROPRIATIONS.—
6 There is authorized to be appropriated \$5,000,000
7 to carry out this subsection.

8 (c) ENHANCING QUALITY OF FRESH PRODUCE.—

9 (1) AUTHORIZATION.—The Secretary, action
10 through the Agriculture Research Service and Coop-
11 erative State Research, Education, and Extension
12 Service, shall conduct preharvest and post harvest
13 research specifically targeted to maintain and en-
14 hance the quality of fresh produce, including taste
15 and appearance.

16 (2) AUTHORIZATION OF APPROPRIATIONS.—
17 There is authorized to be appropriated \$1,000,000
18 to carry out this subsection.

19 (d) NEW CROP PROTECTION TOOLS.—

20 (1) AUTHORIZATION.—The Secretary shall con-
21 duct research to develop cost effective and effica-
22 cious new crop protection tools and integrated pest
23 management systems to address the loss of key pes-
24 ticides through the implementation of the Food

1 Quality Protection Act of 1996 and related meas-
2 ures.

3 (2) AUTHORIZATION OF APPROPRIATIONS.—

4 There is authorized to be appropriated \$1,000,000
5 to carry out this subsection.

6 (e) FOREIGN INVASIVE PESTS AND DISEASES.—

7 (1) AUTHORIZATION.—The Secretary may con-
8 duct specific research—

9 (A) to identify and prioritize the harmful
10 economic and health impact of foreign invasive
11 pests and diseases threatening the United
12 States; and

13 (B) to develop corresponding eradication
14 and control programs.

15 (2) AUTHORIZATION OF APPROPRIATIONS.—

16 There is authorized to be appropriated \$1,000,000
17 to carry out this subsection.

18 **SEC. 403. NATIONAL SPECIALTY CROPS DEVELOPMENT INI-**
19 **TIATIVE GRANT PROGRAM.**

20 The Secretary, through integrated competitive grant
21 programs administered by the Cooperative Research, Edu-
22 cation, and Extension Service, shall use \$30,000,000 from
23 the Commodity Credit Corporation for each of fiscal years
24 2005 through 2009 to support the National Specialty
25 Crop Development Initiative, a long-term program to im-

1 prove efficiency and competitiveness of specialty crop pro-
2 ducers in the world marketplace. The Secretary, through
3 the Agricultural Research Service and the Cooperative Re-
4 search, Education, and Extension Service, working jointly
5 with industry, shall use an appropriate amount of such
6 funds to organize workshops to develop a comprehensive
7 strategic plan to address short-term, intermediate-term,
8 and long-term needs in production technology, marketing,
9 product development, and food safety issues essential to
10 maintain a competitive specialty crop industry.

11 **TITLE V—INVASIVE PEST AND**
12 **DISEASE RESPONSE**

13 **SEC. 501. EMERGENCY RESPONSE FUND.**

14 (a) **ESTABLISHMENT.**—There is established on the
15 books of the Treasury an account to be known as the
16 “Invasive Pest and Disease Response Fund”. There shall
17 be deposited into the Fund—

18 (1) such amounts as may be authorized for and
19 appropriated to the Fund; and

20 (B) any proceeds received by the Secretary of
21 Agriculture as reimbursement for services provided
22 by the Secretary using amounts in the Fund.

23 (b) **AVAILABILITY.**—Amounts in the Fund shall re-
24 main available until expended.

1 (c) USE OF FUND.—In such amounts as provided in
2 appropriation Acts, the Secretary may use amounts in the
3 Fund to support emergency eradication and research ac-
4 tivities of the Animal and Plant Health Inspection Service
5 in response to economic and health threats posed by
6 invasive pests and disease to agricultural commodities.

7 (d) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated to the Fund such
9 amounts as may be necessary to achieve a balance in the
10 Fund of \$75,000,000 at the start of each fiscal year.

11 **SEC. 502. INDEPENDENT SCIENTIFIC ADVICE FOR ANIMAL**
12 **AND PLANT HEALTH INSPECTION SERVICE.**

13 (a) FINDING.—Congress finds that the decisional
14 process at the Animal and Plant Health Inspection Service
15 with respect to requests to import specialty crops into the
16 United States or export specialty crops from the United
17 States would have greater credibility if the scientific anal-
18 ysis underlying such requests were to undergo independent
19 scientific peer review.

20 (b) PEER REVIEW PROCESS.—The Administrator of
21 the Animal and Plant Health Inspection Service shall es-
22 tablish a process to obtain independent advice and peer
23 review on the scientific and technical aspects of requests
24 to import specialty crops into the United States or export
25 specialty crops from the United States, including the prep-

1 aration of risk assessments and the design of mitigation
2 measures. The independent review process shall be initi-
3 ated at the request of the Administrator.

4 (c) QUALIFICATIONS.—Each person who participates
5 in an independent scientific review panel under this sec-
6 tion shall be qualified by education, training, and experi-
7 ence to evaluate scientific and technical information on
8 matters subject to review.

9 (d) REVIEW REQUIRED.—The Administrator shall
10 request an independent review of the scientific and tech-
11 nical work products data that are used in connection with
12 policy guidance on or in support of a decision on any of
13 the following:

14 (1) Any situation where there has been a re-
15 quest to export a United States-grown specialty crop
16 to another country.

17 (2) Establishment of the “appropriate level of
18 protection” or “level of negligible risk” which will be
19 applicable to the consideration of a request for ap-
20 proval to import a specialty crop from another coun-
21 try.

22 (3) Consideration of the type (qualitative or
23 quantitative) of risk assessment to conduct with re-
24 spect to a request for approval for the importation
25 of a specialty crop into the United States.

1 (4) The sufficiency, type, and quality of data
2 that should be submitted to the Administrator in
3 conjunction with a request to import a specialty crop
4 into the United States and to merit preparation of
5 a risk assessment.

6 (5) Following preparation of a risk assessment,
7 a review of—

8 (A) the risk assessment, including the as-
9 sumptions and interpretation of the data used;
10 and

11 (B) the mitigation measures designed to
12 address the plant pest and disease issues rel-
13 evant to the request.

14 (6) Situations in which the Animal and Plant
15 Health Inspection Service is considering permitting
16 an import from a country where—

17 (A) multiple plant pests are present in the
18 growing regions;

19 (B) both plant pests and plant diseases are
20 present in the growing regions; or

21 (C) new information or developments have
22 become known which cast doubt on the sci-
23 entific underpinning of previous decisions.

24 (e) REVIEW PROCESS.—To facilitate review under
25 this section, the Administrator shall make available to the

1 review panel all of the scientific and technical information
2 in the possession of the Animal and Plant Health Inspec-
3 tion Service that is relevant to the matter to be reviewed.
4 The panel shall make available to the Administrator, with-
5 in the time specified by the Administrator, advice and
6 comments on the adequacy of the scientific and technical
7 basis of the proposed action, together with any pertinent
8 information in the possession of the panel.

9 (f) UTILIZATION OF TECHNICAL AND SCIENTIFIC CA-
10 PABILITIES OF FEDERAL AGENCIES.—In preparing such
11 advice and comments, a review panel may avail itself of
12 the technical and scientific capabilities of any Federal
13 agency having relevant expertise.

14 (g) COMMITTEES AND INVESTIGATIVE PANELS.—
15 The Administrator may establish such committees and
16 panels as are necessary to carry out this section.

17 (h) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated such funds as are nec-
19 essary to carry out this section.

20 **SEC. 503. FOOD SAFETY INITIATIVES.**

21 (a) INITIATIVE AUTHORIZED.—The Secretary of Ag-
22 riculture may carry out a food safety education program
23 to educate the public and persons in the fresh produce
24 industry about—

1 (1) scientifically proven practices for reducing
2 microbial pathogens on fresh produce; and

3 (2) methods of reducing the threat of cross-con-
4 tamination of fresh produce through unsanitary han-
5 dling practices.

6 (b) COOPERATION.—The Secretary may carry out the
7 education program in cooperation with public and private
8 partners.

9 (c) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to the Secretary
11 \$1,000,000 to carry out this section.

12 **TITLE VI—CONSERVATION**

13 **SEC. 601. ELIMINATION OF LIMITATION ON ADJUSTED** 14 **GROSS INCOME FROM ELIGIBILITY REQUIRE-** 15 **MENTS FOR ENVIRONMENTAL QUALITY IN-** 16 **CENTIVES PROGRAM.**

17 Section 1001D(b)(2)(C) of the Food Security Act of
18 1985 (7 U.S.C. 1308–3a(b)(2)(C)) is amended by insert-
19 ing “(other than the program under chapter 4 of subtitle
20 D of such title)” after “of this Act”.

21 **SEC. 602. SUSTAINABILITY PRACTICES.**

22 (a) ENCOURAGEMENT OF VOLUNTARY SUSTAIN-
23 ABILITY PRACTICES GUIDELINES.—In administering this
24 Act and the amendments made by this Act, the Secretary
25 of Agriculture shall encourage the development of vol-

1 unitary sustainable practices guidelines for producers and
2 processors of specialty crops, including provisions that—

3 (1) enhance producer-to-producer and proc-
4 essor-to-processor education about the importance of
5 sustainable practices, and how self-governance will
6 enhance the economic viability and future of the spe-
7 cialty crop community; and

8 (2) demonstrate that working closely with
9 neighbors, communities, and other stakeholders to
10 maintain an open dialogue can address concerns, en-
11 hance mutual respect, and accelerate results.

12 (b) PRIORITY IN ELIGIBILITY FOR CONSERVATION
13 PROGRAMS.—In establishing eligibility for participation in
14 conservation programs administered by the Department of
15 Agriculture, the Secretary of Agriculture may give priority
16 to specialty crop producers who follow such sustainability
17 guidelines.

○