

FSMA OVERVIEW: PRODUCE SAFETY RULE

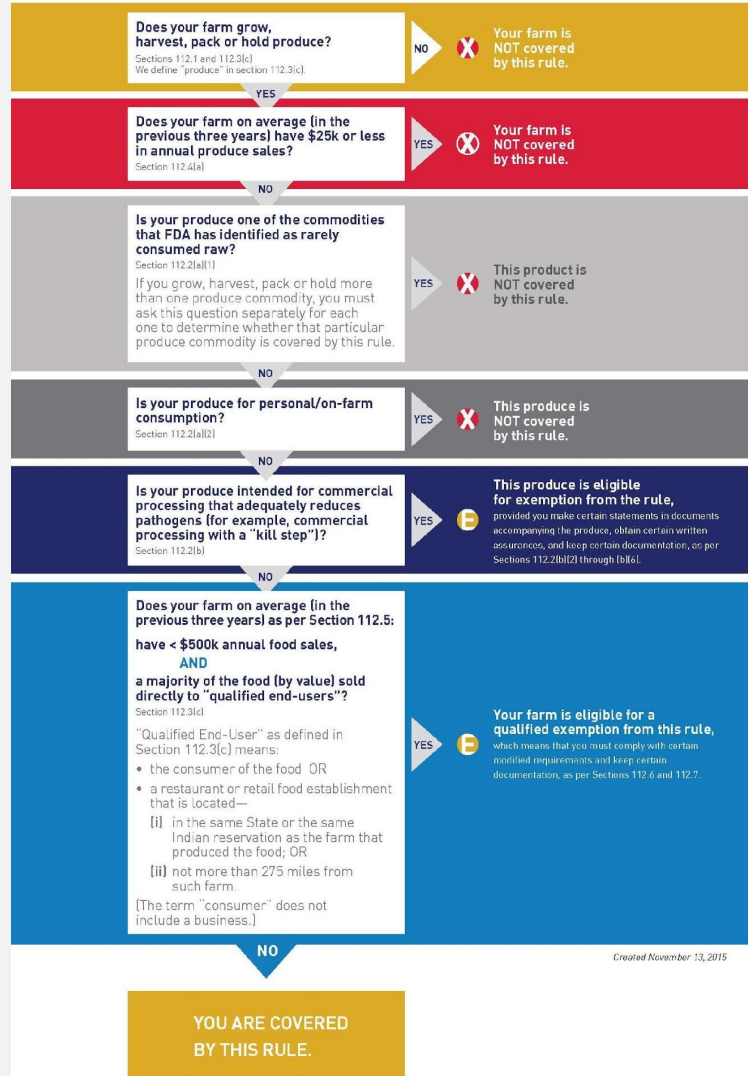
Finding where you currently “sit”

Understanding where you may “fall” in the future

WHAT AM I CURRENTLY SUBJECT TO?

STANDARDS FOR PRODUCE SAFETY Coverage and Exemptions/Exclusions for 21 PART 112

The Preventive Controls for Human Food rule clarified the definition of a farm to cover two types of farm operations, primary production farms and secondary activities farms. The same definition is used in the Produce Safety rule (section 112.3(c)). Below are basic criteria that determine whether an operation that meets the definition of "farm" is subject to the produce rule.



VIEW THIS GUIDE [HERE](#)

SEE NEXT SLIDE FOR HELPFUL DEFINITIONS

HELPFUL DEFINITIONS

“Rarely consumed raw” examples:

Asparagus • various beans • beets • collards • eggplants • okra • potatoes • pumpkins • winter squash • sweet potatoes etc. For more information, click [HERE](#)

“Qualified End-User” means:

- the consumer of the food (NOT a business) **OR**
- a restaurant or retail food establishment that is located—
 - (i) **in the same State** or the same Indian reservation as the farm that produced the food; **OR**
 - (ii) not more than 275 miles from such farm.

COMPLIANCE REQUIREMENTS

FULLY EXEMPT

- N/A -only need records showing that gross sales and/or crop type meet exemption criteria

QUALIFIED EXEMPT

Disclose mailing address at point of sale

- i.e. farmer's market stand

General sales records to show income requirement is met

- i.e. sold 500\$ on [date] at [location].

NON-EXEMPT: COMPLIANCE CATEGORIES

1. Worker Health, Hygiene, and Training
2. Soil Amendments
3. Wildlife and Domesticated Animals
4. Production Water
5. Post-harvest Water
6. Postharvest Handling and Sanitation

A NOTE ABOUT THE NEXT SLIDES:

If you are fully exempt or qualified exempt, the following slides detail compliance requirements that do not currently apply to you. However, you may wish to continue on in order to better understand what is required for non-exempt producers, or to learn more about the Produce Safety Rule in general.

EACH CATEGORY INVOLVES:

1

•Assessing Risks

2

•Implementing Practices

3

•Monitoring Practices

4

•Taking Corrective Actions

5

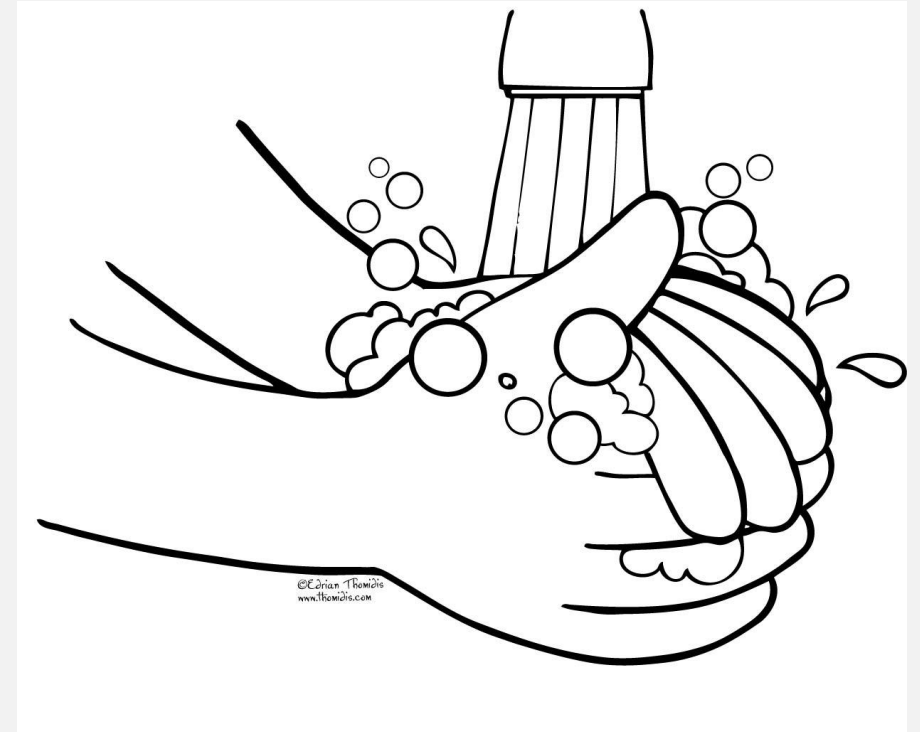
•Keeping Records

**COMPLIANCE CATEGORY 1:
WORKER HEALTH, HYGIENE, AND TRAINING**

WORKER HEALTH, HYGIENE, AND TRAINING

- Give instruction on general principles of food safety and hygiene
- Job-specific training (harvester vs planting)
- Access to hand washing and bathroom facilities w/ “running water” (could be as simple as a jug w/ a spigot)

*Training upon hire and once yearly thereafter



**COMPLIANCE CATEGORY 2:
SOIL AMENDMENTS**

SOIL AMENDMENTS

Raw manure, composted manure, chemical, green waste, bio solids, pre-consumer vegetative waste

- *Untreated* amendments (i.e. vegetative waste) must be treated in a “scientifically valid” process* such as:
 - Composting or application interval

*More detailed requirements are not yet in place; additional research is needed.



**COMPLIANCE CATEGORY 3:
WILD AND DOMESTICATED ANIMALS**

WILD AND DOMESTICATED ANIMALS

- Assess crops prior to, and during, harvest to identify likely points of intrusion
- Adjust as intrusions occur
 - (i.e. Avoid harvesting where defecation is present)



**COMPLIANCE CATEGORY 4:
WATER QUALITY TESTING**

WATER QUALITY TESTING FREQUENCY

Surface Water	Ground Water	Public Supply
20 + times during first 2-4 years	4+ times during first growing season	Copy of facility's results or compliance certificates
5+ times per year thereafter	1+ times per year thereafter	

*Acceptable E. Coli levels & timeline for corrective actions differ between Production Water (irrigation, frost protection, etc.) and water used for harvest and post-harvest activities (packing, holding, etc).

**COMPLIANCE CATEGORY 5:
POST-HARVEST HANDLING & SANITATION**

POST-HARVEST HANDLING & SANITATION

- Inspect, maintain, clean, and sanitize contact services
- Use tools, containers, equipment, etc. that enable proper cleaning
- Exclude and deter pests



**COMPLIANCE CATEGORY 6:
PRODUCE SAFETY RULE CERTIFICATION**

QUALIFIED INDIVIDUAL

Each non-exempt farm is required to have one employee who has received a Produce Safety Rule training certification



A NOTE ABOUT THE NEXT SLIDE:

FSWCD is currently conducting a feasibility for centralized cold storage, so the following slide will address how participating in cold storage may impact your exemption status under the Produce Safety Rule. This is hypothetical and is meant to help us understand what would impact your decision to pursue cold storage in the future.

HOW MIGHT COLD STORAGE AFFECT YOUR EXEMPTION STATUS?

RENTING STORAGE SPACE

- **No impact.** If you store produce at a central location, but still retain ownership of that produce, then your exemption status is not affected. Requirements for the desired exemption category must still be met, but choosing to store produce off-farm will not itself alter the exemption status.

SELLING TO A FOOD HUB

- **It Depends:** *A food hub is not necessarily a qualified end user.* If you gross less than 500k in sales AND have a larger dollar figure in sales to “qualified end users” than to a food hub, then you will retain a qualified exemption status.
- (wholesale prices at food hubs may make it easier to meet these requirements).

WAS THIS HELPFUL?

Let us know!

Please take 2 minutes to share your feedback
by clicking [here](#)

For further questions contact Brian Atkinson

Office Phone: (907) 479-1213 x 108

Email: brian.fswcd@gmail.com