

FSMA FACTS: **What You Need to Know About the Produce Safety Rule**



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Quality Assurance & Regulations

What is FSMA?

The Food Safety Modernization Act is:

- Mandatory food safety law passed in 2011.
- First major update to the federal food code since 1938.
- Establishes science-based minimum standards for produce handling on farms.
- Applies a preventive approach to ensuring food safety.
- Uses systems-based thinking to provide adaptability of Rules to a wide range of businesses.
- Implemented in 7 different parts.



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What is FSMA?

The Food Safety Modernization Act's 7 parts:

1. **Produce Safety Rule**
2. Preventive Controls for Human Food
3. Preventive Controls for Animal Food
4. Foreign Supplier Verification Programs
5. Accreditation of 3rd Party Auditors/Certification Bodies
6. Sanitary Transport of Human & Animal Food
7. Prevention of Intentional Contamination/Adulteration



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What Are the Underlying Ideas?

The **Produce Safety Rule** is based on consumer health and produce safety fundamentals:

- Microbiological pathogens can make people sick.
- Pathogens are more likely to make vulnerable people sick, including the **young**, the **elderly**, the **pregnant**, and the **immunocompromised**.
- Pathogens are commonly found in animal and human feces.
- Pathogens most commonly contaminate food via:
 - People
 - Water
 - Food contact surfaces, including equipment
 - Biological soil amendments



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What's In the Produce Safety Rule?

The Produce Safety Rule is divided into Subparts:

- | | |
|---|---|
| A. General Provisions | K. Growing, Harvesting, Packing, & Holding Activities |
| B. General Requirements | L. Equipment, Tools, Buildings, & Sanitation |
| C. Personnel Qualifications & Training | M. Sprouts |
| D. Health & Hygiene | N. Analytical Methods |
| E. Agricultural Water | O. Records |
| F. Biological Soil Amendments of Animal Origins | P. Variances |
| I. Domesticated & Wild Animals | Q. Compliance & Enforcement |
| | R. Withdrawal of Qualified Exemptions |



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What Is Covered By The PSR?

- COVERED PRODUCE =
 - All produce generally consumed raw.
- COVERED ACTIVITIES =
 - All growing, harvesting, packing, and holding activities.
 - Certain narrowly defined processing activities on-farm.
- COVERED FARMS =
 - Farms doing covered activities, with covered produce.
- Some exemptions available to growers.



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What Is NOT Covered By The PSR?

- PRODUCE THAT IS RARELY CONSUMED RAW =
 - **Produce not generally consumed raw**, as substantiated by consumer data.
 - **All 'rarely consumed raw' produce is listed in the 'exhaustive' list in the PSR.**
- CROPS GROWN FOR ON-FARM OR PERSONAL USE.
- SEEDS AND FOOD GRAINS =
 - **Small, hard fruits or seeds of arable crops** that are primarily grown and processed for use as meal, flour, baked goods, cereals or oils.
- CROPS GROWN FOR ANIMAL FEED =
 - Covered under the Preventive Controls for Animal Food.



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C. PERSONNEL QUALIFICATIONS & TRAINING

- ALL WORKERS must be trained:
 - To perform their duties/tasks.
 - In the principles of food hygiene and food safety.
 - In the importance of health and personal hygiene for all workers and visitors, including recognizing symptoms of contagious health conditions (vomiting, diarrhea, jaundice, fever, open wounds, etc...)
 - In the minimum standards required by the Produce Safety Rule, as applicable to their jobs.



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C. PERSONNEL QUALIFICATIONS & TRAINING

- HARVEST WORKERS must be trained to:
 - Recognize produce that should NOT be harvested.
 - Inspect harvest containers & equipment to make sure they're clean, maintained, & functioning.
 - Correct problems with harvest containers or equipment, or notify their supervisor of problems.



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C. PERSONNEL QUALIFICATIONS & TRAINING

- SUPERVISORS OR AT LEAST ONE RESPONSIBLE PARTY:
 - Must be **qualified by training or experience** to recognize food safety hazards and address them.
 - Must be **assigned or identified** as responsible for ensuring compliance with the Produce Safety Rule.
 - Must **attend a PSA Grower Training** (only once), if farm is fully covered under the Produce Safety Rule.



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C. PERSONNEL QUALIFICATIONS & TRAINING

- Trainings for any required topic must be:
 - Provided upon hiring.
 - Done at least annually.
 - Done as frequently as necessary, based on observations of worker behavior.
 - Delivered in a manner that's appropriate and understandable to workers.
 - Recorded, including dates, topics covered, and names of trainees.



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D. HEALTH & HYGIENE - WORKERS

- Ill/contagious workers are **not** allowed to handle covered produce or food contact surfaces.
- Workers are required to follow hygienic practices including:
 - Handwashing
 - Maintaining personal cleanliness
 - **Not** eating, chewing gum, using tobacco in food handling areas.
 - Maintaining gloves (if used) in clean, intact, sanitary condition.
- Must remove or cover **hand jewelry** if it can't be cleaned.
- Must avoid contact with animals when working.
- Must take steps to **minimize risk of contamination** when working with work animals.
- Must take steps to **prevent contamination** by ill/contagious people.



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D. HEALTH & HYGIENE - VISITORS

- Visitors must be made aware of all food safety and hygiene practices.
- You must take reasonable measures to ensure that visitors follow these policies and rules.
- **Toilets** and **handwashing facilities** must be available to all visitors.



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E. AGRICULTURAL WATER

- AGRICULTURAL WATER =
 - **All water used in covered activities on covered produce where water is intended or likely to contact:**
 - Covered produce.
 - Food contact surfaces (including food packaging).
- CAN INCLUDE:
 - Irrigation water.
 - Water used for dust abatement.
 - Water used for frost protection.
 - Water used for chemical or fertilizer applications.
 - Water used for washing, cooling, or misting.
 - Water used in to clean equipment and food contact surfaces.



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E. AGRICULTURAL WATER

- WATER SYSTEMS must be **inspected** at least annually and **maintained** to prevent water sources and systems from causing contamination.**
- WATER QUALITY must be **known**—i.e. tested—before use.**
- WATER QUALITY CRITERIA**:
 - Are currently **UNDER REVIEW** and **ON HOLD**.
 - Two different quality criteria requirements depending on the use of the water.

****Remember: water requirements are delayed for FSMA.****



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E. AGRICULTURAL WATER

- ANNUAL AG WATER TESTS:
 - **Municipal water**: 1 annual report or test result certificate.
 - **Ground water**: minimum 1 sample per year **per source**.
 - **Surface water**: minimum 5 samples per year **per source**.
- INITIAL AG WATER SURVEY:
 - **Ground water**: minimum 4 samples over 1 yr or growing season **per source**.
 - **Surface water**: minimum 20 samples over minimum 2 yrs or maximum 4 yrs **per source**.

****Remember: water requirements are delayed for FSMA.****



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E. AGRICULTURAL WATER

AGRICULTURAL WATER QUALITY CRITERIA:

- WATER USED DURING GROWING ACTIVITIES in a direct application method on covered produce must meet a:
 1. **Geometric Mean (GM)** of ≤ 126 CFUs of **generic E. coli/100 mL**, AND;
 2. **Statistical Threshold Value (STV)** of ≤ 410 CFUs of **generic E. coli/100 mL**.

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E. AGRICULTURAL WATER

AGRICULTURAL WATER QUALITY CRITERIA:

- WATER USED FOR NON-GROWING ACTIVITIES including:
 - Irrigating sprouts.
 - Direct applications that contact covered produce during or after harvest activities.
 - Use that contacts food contact surfaces or in ice that will touch food contact surfaces.
 - Use for handwashing during and after harvest activities.
1. Must have **NO** detectable **generic E. coli**, AND;
 2. May **NOT** be UNTREATED surface water.

****Remember: water requirements are delayed for FSMA.****



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E. AGRICULTURAL WATER

IF WATER USED DURING GROWING ACTIVITIES DOES **NOT** MEET QUALITY STANDARDS:

- **You must suspend use** of water source and/or distribution system **as soon as practicable** and **no later than the following year**, UNLESS you:
 - **Apply a time interval** between water application and harvest, or between harvest and end of storage that provides an adequate reduction of microbial levels to meet microbial quality criteria, OR;
 - **Re-inspect the entire water systems**, take measures to address any problems, and determine whether measures were effective to ensure water meets microbial quality criteria, OR;
 - **Treat** (and monitor) **water** to meet microbial criteria.

****Remember: water requirements are delayed for FSMA.****



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E. AGRICULTURAL WATER

IF WATER USED FOR NON-GROWING ACTIVITIES DOES **NOT** MEET QUALITY STANDARDS:

- **You must immediately discontinue use** of that water source and/or distribution system, and BEFORE you can use it again you must EITHER:
 - **Re-inspect the entire water systems**, take measures to address any problems, and determine whether measures were effective to ensure water meets microbial quality criteria, OR;
 - **Treat** (and monitor) **water** to meet microbial criteria.

****Remember: water requirements are delayed for FSMA.****



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E. AGRICULTURAL WATER

- Water temperature in dump tanks/flumes must be controlled to **prevent pathogen infiltration** into susceptible produce.
- Reclaimed/recirculated water quality must be monitored and maintained.
- Any water treatments must be **appropriate for uses** and **monitored properly**.
- Process water must properly and freely **drain**.
- Condensate and overhead drip must **NOT** contact produce.
- Ice should be treated as a sanitary product and process.



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F. BIOLOGICAL SOIL AMENDMENTS OF ANIMAL ORIGIN

- BIOLOGICAL SOIL AMENDMENTS OF ANIMAL ORIGIN:
 - Can include:
 - Manures.
 - Composts.
 - Fish emulsions.
 - Blood or bone meal.
 - Pulverized feathers.
 - Carcasses.
 - Table waste, and more...
 - Must be handled, conveyed and stored so they don't become **sources of contamination**.



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F. BIOLOGICAL SOIL AMENDMENTS OF ANIMAL ORIGIN

- TREATED BIOLOGICAL SOIL AMENDMENTS OF ANIMAL ORIGIN (BSAAO):
 - Must be **properly treated by documented, scientifically validated controlled methods** to lower microbial hazards.
 - Must be handled, conveyed, and stored in a way that **prevents re-contamination**.
 - Must be considered untreated if mixed with UNTREATED BSAAOs.
- TREATED BSAAO may have **NO** detectable:
 - Listeria
 - Salmonella
 - *E. coli O157:H7*



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F. BIOLOGICAL SOIL AMENDMENTS OF ANIMAL ORIGIN

- TREATED COMPOST must maintain aerobic conditions for:
 - **3 days @ 131°F** plus curing for **static piles**.
 - **15 days @ 131°F**, with a minimum of **5 turns** for **turned piles**.
- To be considered TREATED, AGRICULTURAL TEAS must be made with water with **no detectable generic *E. coli*** and **no additives**.
- **NO** HUMAN WASTE is allowed on covered produce.
- SEWAGE SLUDGE BIOSOLIDS can be used if they meet requirements of 40 CFR part 503 subpart D.



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F. BIOLOGICAL SOIL AMENDMENTS OF ANIMAL ORIGIN

- APPLICATION INTERVALS FOR UNTREATED BSAAOs:
 - Are **currently UNDER STUDY** and **PENDING MORE DATA**.
 - Currently no interval if application does not contact produce.
 - Can use NOP Standard of:
 - 90 days **before** harvest for crops that do not contact the soil.
 - 120 days **before** harvest for crops that do contact the soil.
- APPLICATION INTERVALS FOR TREATED BSAAOs:
 - **0 days** for any treated manures, applied in any manner.



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I. DOMESTICATED & WILD ANIMALS

- DOMESTICATED & WILD ANIMALS IN OUTDOOR OR PARTIALLY ENCLOSED BUILDINGS:
 - Areas used for covered activities (includes outdoor areas and partially-enclosed buildings) must be assessed for **signs of animal intrusion and potential contamination**.
 - In areas with significant evidence of potential contamination, crops must **be evaluated to determine if they can be harvested** in compliance with Subpart K.
 - In areas with significant evidence of potential contamination, measures must be taken during growing season to **help identify contaminated produce later** to prevent harvesting.



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I. DOMESTICATED & WILD ANIMALS

- The Produce Safety Rule does **NOT**:
 - Authorize or require the ‘taking’ of threatened or endangered wildlife or the destruction of wildlife habitat.
 - Require covered farms to exclude animals from outdoor growing areas.

****Working animals are allowed.****

****Domesticated animals are allowed.****

****Pets are allowed.****

****IF you are managing the potential for contamination.****



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K. GROWING, HARVESTING, PACKING, & HOLDING ACTIVITIES

HANDLING DURING COVERED ACTIVITIES:

- **Covered** and **non-covered produce** must be stored separately **IF** both are not handled according to the PSR.
- Food contact surfaces must be cleaned and sanitized, as necessary, between **non-covered produce** and **covered IF** both are not handled according to the PSR.
- Harvested covered produce must be handled in a manner that protects against contamination.



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K. GROWING, HARVESTING, PACKING, & HOLDING ACTIVITIES

HARVESTING:

- Must perform a **visual assessment** of production areas and all covered produce to be harvested for signs of contamination or potential risks prior to harvest.
- Product **contaminated by animal feces** must **NOT** be harvested.
- **Harvest containers** and **equipment** must be clean, maintained, and in good repair.
- **Damaged harvest containers** must **NOT** be used.



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K. GROWING, HARVESTING, PACKING, & HOLDING ACTIVITIES

- DROPPED PRODUCE =
 - Produce dropped before harvest.
 - Must **NOT** be **harvested** or **distributed**.
 - Does not include produce normally grown on or under the ground, or intentionally dropped as part of harvest.



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K. GROWING, HARVESTING, PACKING, & HOLDING ACTIVITIES

- PACKAGING must:
 - Prevent the formation of *C. botulinum* toxin is that is a known or reasonably foreseeable hazard.
- PACKAGING MATERIALS must be:
 - Adequate for its intended use.
 - Cleanable or designed for single use.
 - Unlikely to support growth or transfer of bacteria.
 - Clean prior to re-use (can use liners).



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L. EQUIPMENT, TOOLS, BUILDINGS, & SANITATION

- BUILDINGS =
 - Fully OR partially enclosed buildings.
 - Includes equipment and packaging storage areas.
- Building, equipment, tools, and sanitation rules look to protect:
 - COVERED PRODUCE.
 - Food contact surfaces (including packaging).
 - Areas used for covered activities.
 - Water sources.
 - Water distribution system.



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L. EQUIPMENT, TOOLS, BUILDINGS, & SANITATION

- BUILDINGS:
 - Must take measures to **prevent contamination**.
 - Must have **suitable size, construction, & design** to facilitate maintenance and cleaning.
 - Must have **enough space** for storage of materials.
 - Must be kept **orderly and clean**.
 - Must have **adequate drainage** to keep free from standing water.
- Overhead fixtures must **not** become a source of contamination.



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L. EQUIPMENT, TOOLS, BUILDINGS, & SANITATION

- TOILETS AND HANDWASHING FACILITIES must be:
 - Available, accessible, and numerous enough for workers.
 - Equipped with:
 - Toilet paper.
 - Water for handwashing that has **no detectable generic *E. coli***.
 - Soap.
 - Single-use drying device.
 - Directly accessible for servicing.
 - Serviced, cleaned, and maintained regularly.
 - Handwashing facilities must be close to toilets.



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L. EQUIPMENT, TOOLS, BUILDINGS, & SANITATION

- PLUMBING must:
 - Distribute water under pressure as needed, to all areas where used in **covered activities**, for **sanitary operations**, or for **handwashing and toilet facilities**.
 - Properly convey sewage and liquid disposable waste.
 - Avoid being a source of contamination to all food and food contact surfaces.
 - **NOT** allow **backflow from** or **cross connection between** piping systems for waste and piping systems for clean water.



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L. EQUIPMENT, TOOLS, BUILDINGS, & SANITATION

- SEWAGE & WASTEWATER:
 - All sewage and wastewater must be disposed of properly.
 - Sewage and wastewater systems must be properly functioning.
 - Must be inspected for proper functioning after flood events.
 - Must be managed to prevent any spills or leakage from contaminating produce or food handling areas.
- TRASH & LITTER must be:
 - Removed from production areas.
 - Kept contained.
 - Managed to prevent contamination of food and food handling areas.



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L. EQUIPMENT, TOOLS, BUILDINGS, & SANITATION

- EQUIPMENT AND TOOLS must be:
 - Inspected and maintained in good condition.
 - Cleaned and, when necessary and appropriate, sanitized before use.
 - Designed and constructed so they can be cleaned and maintained.
 - Installed and maintained to facilitate cleaning.
 - Stored and maintained so they don't contaminate covered produce.
 - Stored and maintained so they don't attract or harbor pests.
- SEAMS on food contact surfaces must be:
 - Smoothly bonded, OR:
 - Maintained to **minimize accumulation** of organic matter.



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L. EQUIPMENT, TOOLS, BUILDINGS, & SANITATION

- MECHANICAL EQUIPMENT used for harvesting, packing, and storage must be maintained and used in a manner that **minimizes risk of contamination**.
- TRANSPORT VEHICLES:
 - Must be clean before use.
 - Must be in good condition.
 - Must **NOT** become a potential source of contamination.
 - Must be adequate for use in transporting covered produce.
 - Must be considered “equipment” when transporting covered produce.
- Instruments that take measurements must be accurate.



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L. EQUIPMENT, TOOLS, BUILDINGS, & SANITATION

- **CLEANING & SANITATION:**
 - Food contact surfaces must be **cleaned** and, when necessary and appropriate, **sanitized** as frequently as reasonably necessary to prevent contamination.
 - NON-food contact surfaces must be **maintained and cleaned** as frequently as reasonably necessary to prevent contamination.
 - Toilet facilities must be **cleaned and serviced** at a frequency sufficient to ensure suitability for use.
 - Harvest containers must be **clean before use**.
 - Transport vehicles must be **clean before use for harvested produce**.
 - Cleaning and sanitation must be **recorded**.



****SANITIZING cannot happen without cleaning happening first.****

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L. EQUIPMENT, TOOLS, BUILDINGS, & SANITATION

- **PEST CONTROL IN BUILDINGS:**
 - Must take reasonable, necessary measures, including routine monitoring to **protect** the following **from contamination by pests**:
 - Covered produce.
 - Food contact surfaces.
 - Food-packing materials.
 - Must take measures to **exclude pests** from fully enclosed buildings.
 - Must take measures to **prevent pests from becoming established** in partially-enclosed buildings.



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L. EQUIPMENT, TOOLS, BUILDINGS, & SANITATION

- DOMESTICATED ANIMALS:
- Must **exclude domesticated animals** from fully enclosed buildings where there is:
 - Covered produce.
 - Food contact surfaces.
 - Food packaging.
- Must **separate domesticated animals** from food activity areas by:
 - Location.
 - Time.
 - Partition.



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DOMESTICATED & WILD ANIMALS

- **Guide** or **guard dogs** are allowed **IF** they are unlikely to result in contamination.
- Must control **excreta and litter** from domesticated animals and maintain system of control.



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M. SPROUTS N. ANALYTICAL METHODS

- SPROUTS:
 - Maine has chosen not to accept jurisdiction for the Sprouts Rule, which means **farmers producing sprouts will be directly inspected by the FDA** for compliance with this Subpart.

- ANALYTICAL METHODS:
 - Lays out specific analytical requirements for the testing methods required by Subpart E. Agricultural Water, and Subpart M. Sprouts.



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O. RECORDS

- RECORDS must be:
 - **Created in real time**, as the activities occur.
 - **Accurate, legible, and indelible.**
 - **Dated and signed** by the person who performed the documented activity.
 - **Reviewed, dated, and signed** by a supervisor or responsible party for many records.
 - **Kept for at least 2 years** past the date they were recorded.
 - **Readily accessible and available** to inspectors during inspections, or provided to inspectors **within 24 hrs** of inspection.

****See handout for complete list of required records.****



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O. RECORDS

- RECORDS must include:
 - Name and location of your farm.
 - Actual values and observations collected during monitoring.
 - Adequate description of covered produce that’s applicable to the record.
 - Location of the growing area.
 - Dates and times activities were recorded.
- They can be original records, true copies, or electronic copies.
- Existing records that fulfill the PSR’s requirements are acceptable.



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P. VARIANCES

Q. COMPLIANCE & ENFORCEMENT

- VARIANCES:
 - This subpart lays out the processes and options by which government entities (State, Tribal, or foreign country) may request variances from the requirements listed in the Rule.
- COMPLIANCE & ENFORCEMENT:
 - Establishes that failure to comply with the requirements of this regulation is a **prohibited act** under the Federal Food, Drug, & Cosmetic Act (FD&C Act).
 - Establishes the provisions that the FDA coordinate education and enforcement activities by helping develop education, training, and enforcement approaches.



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R. WITHDRAWAL OF QUALIFIED EXEMPTION

- QUALIFIED EXEMPTION can be withdrawn if:
 - There is an active investigation of a foodborne illness outbreak that is **directly linked to your farm**.
 - **Conduct or conditions on your farm** make it necessary in order to prevent or mitigate foodborne illness outbreaks via the food produce, handled, or held on your farm.
- If your qualified exemption is withdrawn, you:
 - **MUST** satisfy the **full requirements of the Produce Safety Rule**.
 - Will have **120 days** to resolve your compliance issues.
 - May have to take certain actions sooner than 120 days to resume normal operations.
 - Can **appeal the withdrawal** and/or **apply to get it reinstated**.



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R. WITHDRAWAL OF QUALIFIED EXEMPTION

- Before the FDA issues an order to withdraw your qualified exempt status, they:
 - Will consider preliminary options such as:
 - **warning letters.**
 - **Recalls.**
 - **Seizures.**
 - **Administrative detention** (of product).
 - **Injunctions.**
 - **MUST** notify your person in charge of the circumstances that are prompting that potential withdrawal, and
 - **MUST** provide you with an opportunity to **respond in writing within 15 days, and**
 - **MUST** consider the actions you've taken to address the original circumstances.



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EXEMPTIONS, NON-COVERAGE, & COMPLIANCE DATES

- EXEMPTIONS and NON-COVERAGE available in the language of the PSR are based on risk assessments.
- There are **3 specific types** of EXEMPTIONS or NON-COVERAGE:
 1. FARMS NON-COVERED BASED ON PRODUCE SALES.
 2. QUALIFIED EXEMPT FARMS.
 3. COMMERCIAL PROCESSING EXEMPT PRODUCE.
- Each has different eligibility criteria and compliance requirements.



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EXEMPTIONS, NON-COVERAGE, & COMPLIANCE DATES

1. FARMS NON-COVERED BASED ON PRODUCE SALES =

Sell <\$25,000* in produce sales.

*(*3-year average, adjusted for inflation, using 2011 as the baseline for adjustment.*)*

- REQUIREMENTS for FARMS NON-COVERED BASED ON PRODUCE SALES :
 - Do **NOT** have to meet any of the requirements of the PSR.
 - **ARE** required to produce safe food and prevent adulteration under the Federal Food, Drug, & Cosmetics Act (FD&C Act).



MAINE DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY www.maine.gov/dacf/qar/

EXEMPTIONS, NON-COVERAGE, & COMPLIANCE DATES

2. QUALIFIED EXEMPT farms =

Sell >\$25,000* in produce sales.

Sell <\$500,000* in total food sales.

Sell >50% of total food sales to Qualified End Users.

*(*3-year average, adjusted for inflation,
using 2011 as the baseline for adjustment.*)*

• QUALIFIED END USERS =

- Individual consumer of the food.
- Restaurants or retail stores:
 - Within the same state or Tribal reservation as the farm.
 - Within 275 miles of the farm.



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EXEMPTIONS, NON-COVERAGE, & COMPLIANCE DATES

• REQUIREMENTS for QUALIFIED EXEMPT farms:

1. LABELING:

- **MUST** include your **farm name** and **complete business address** on any food packaging label normally required by the FD&C Act.
- **MUST** prominently and conspicuously display your **farm name** and **complete business address** at the point of purchase for foods **NOT** requiring food packaging labels by the FD&C Act.

2. RECORDS:

- **MUST** keep sales records demonstrating your eligibility for the Qualified Exemption.
- **MUST** do a written annual review and verification of your Qualified Exempt Status.



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EXEMPTIONS, NON-COVERAGE, & COMPLIANCE DATES

3. COMMERCIAL PROCESSING EXEMPT PRODUCE=

Produce that will receive commercial processing that adequately reduces the presence of pathogens.

*(It is the **produce** NOT the farm that is exempt here.)*

- EXAMPLES OF COMMERCIAL PROCESSING =
 - Treating with a scientifically validated process to eliminate spore-forming microorganisms.
 - Processing products such as sugar, oil, wine, beer, or similar products.
 - Refining, distilling, etc.

****FREEZING is NOT considered a pathogen kill-step by the FDA.****



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EXEMPTIONS, NON-COVERAGE, & COMPLIANCE DATES

• REQUIREMENTS for COMMERCIAL PROCESSING EXEMPT PRODUCE:

1. DISCLOSURE:

- **MUST** disclose in your paperwork accompanying the product that it is:

“not processed to adequately reduce the presence of microorganisms of public health significance”



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EXEMPTIONS, NON-COVERAGE, & COMPLIANCE DATES

- REQUIREMENTS for COMMERCIAL PROCESSING EXEMPT PRODUCE:
 2. YOUR COMMERCIAL PROCESSOR CUSTOMER **MUST** give you annual written assurances that:
 - **They, or their subsequent customer**, will adequately process your produce to reduce pathogens.
 - If your customer has **NOT** performed the commercial processing, they will **disclose in their paperwork** accompanying the product to subsequent customers that it is:

“not processed to adequately reduce the presence of microorganisms of public health significance”
 - They will only sell to entities that agree **IN WRITING** to commercial processing of product.
- **NOTE: This requirement for written assurances from commercial processing customers has been delayed by 2 years.****



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EXEMPTIONS, NON-COVERAGE, & COMPLIANCE DATES

- COMPLIANCE DATES:

COVERED FARM SIZE:	VERY SMALL Produce Sales = \$25,000- \$250,000	SMALL FARMS Produce Sales = \$250,001 - \$500,000	LARGE FARMS Produce Sales = \$500,001 and above
PRODUCE SAFETY RULE	January 27, 2020	January 28, 2019	January 26, 2018
COMPLIANCE INSPECTIONS:	Spring 2021	Spring 2020	Spring 2019
WATER TESTING REQUIREMENTS:	January 26, 2024	January 26, 2023	January 26, 2022



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WAYS WE CAN HELP

- **PSA GROWER TRAININGS:**
 - Presented by UMaine’s Cooperative Extension.
 - Full day training in Food Safety and the Produce Safety Rule.
 - Required for all fully covered farms.
 - Open to everyone.
 - Currently costs only \$25 (includes good food and detailed training).
 - Could increase in cost going forward.
- **UPCOMING TRAINING DATES:**
 - One session at the Ag Trade Show on January 16, 2020.
 - Locations will continue to reach across Maine’s geography.
 - Call Leah Cook at **207-764-2100** for more information.



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WAYS WE CAN HELP

- **ON-FARM READINESS REVIEWS:**
 - FREE non-regulatory visits by Department of Agriculture inspectors, and either Linda Titus or Cooperative Extension partners.
 - Helpful advice to assess your readiness for PSR compliance.
 - Specific, technical answers to any questions you may have.
 - Brainstorming solutions with you on-farm with trained staff.
- **CONTACT LEAH TO REQUEST AN OFRR:**
 - PHONE: **207-764-2100**
 - EMAIL: **leah.cook@maine.gov**



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WAYS WE CAN HELP

- ONE-ON-ONE PSR CONSULTING:
 - FREE technical advising is available through the Department of Ag's FSMA outreach team and through the University of Maine Cooperative Extension.
 - Can give you customized advice and coaching to help you navigate the PSR and prepare for inspection.
 - Can help advise you on setting up logs and records to meet requirements.
- CONTACT LAUREN TO GET STARTED:
 - PHONE: **207-215-4793**
 - EMAIL: **lauren.mapes@maine.gov**



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WAYS WE CAN HELP

- PRODUCE SAFETY ALLIANCE:
 - Collaboration between Cornell University, FDA, & USDA to help growers prepare for FSMA compliance.
 - Has produce safety guidance and fact sheets.
 - Has records and food safety plan templates.
 - Offer trainings, including the PSA Grower Trainings.
- TO LOOK UP THEIR RESOURCES:
 - WEBSITE: <https://producesafetyalliance.cornell.edu/>



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WAYS WE CAN HELP

- **FDA TECHNICAL ASSISTANCE NETWORK (TAN):**
 - Subject matter experts available to answer technical questions.
 - Can give guidance on specific questions not fully explained in the Rule.
 - Comes straight from the FDA, so answers are fact checked and verified for compliance with the Rule before they answer you.
- **TO LOOK UP THEIR RESOURCES:**
 - WEBSITE:
<https://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm459719.htm>



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WAYS WE CAN HELP

- **MAINE'S BUREAU OF AGRICULTURE:**
 - Responsible for implementation of the Produce Safety Rule in Maine.
 - Trained in the Rule and on-farm requirements.
 - Funded and tasked with *helping* farmers get ready for this.
 - Funded and tasked with trying to reach every farm in the state of Maine.
 - Knowledgeable and motivated to empower Maine's farmers be *confident*, not just compliant.
- **GIVE US A CALL OR EMAIL ANY TIME:**
 - PHONE: **207-764-2100**
 - EMAIL: **leah.cook@maine.gov & lauren.mapes@maine.gov**



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THANK YOU!



QUESTIONS?

Call us at: 207-764-2100

Email Leah at: leah.cook@maine.gov

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