

# Food Safety Modernization Act Produce Safety Rule

## Fact Sheet for Produce Growers - August 2018



The Food Safety Modernization Act (FSMA) Produce Safety Rule establishes, for the first time, science-based minimum standards for the safe growing, harvesting, packing, and holding of fruits and vegetables grown for human consumption.

### What are the primary aspects and requirements<sup>1</sup> of the Produce Safety Rule?

*There are six key areas for growers to examine with specific requirements outlined in the Produce Safety Rule:*

- 1) *Agricultural Water*
- 2) *Biological Soil Amendments*
- 3) *Sprouts*
- 4) *Domesticated and Wild Animals*
- 5) *Worker Training and Health and Hygiene*
- 6) *Equipment, Tools and Buildings*

### Are there exemptions<sup>2</sup> to being covered under the rule?

*The following are exempt: 1) produce that is rarely consumed raw; 2) produce used for personal consumption; 3) food grains; 4) produce intended for commercial processing; and 5) farms that have an average annual value of produce sold during the previous three-year period of \$25,000 or less. To be eligible for a qualified exemption, your farm must meet two requirements: 1) total food and animal feed sales averaging less than \$500,000 per year during the previous three years, and 2) sales to qualified end-users<sup>3</sup> must exceed sales to all others combined during the previous three years.*

### Is there any assistance available to help my farm with compliance?

*K-State Research and Extension and the Kansas Department of Agriculture have teamed up to offer On-Farm Readiness Reviews (OFRR). This review will walk through your operation, step-by-step, and see what you're doing right and any potential areas of concern. This is a confidential service and there is no cost to growers!*

### How do I schedule an On Farm Readiness Review?

*A key starting point to doing the OFRR is attending a FSMA Produce Safety Alliance grower training. This is a one-day course offered by K-State Research & Extension throughout the state. This course introduces the key concepts about food safety that are covered by the FSMA Produce Safety rule. Farmers interested in an OFRR must also register<sup>4</sup> with KDA as a produce farm. Once you have attended a FSMA PSA training and registered as a produce farm with KDA, contact Cal Jamerson ([agri@ksu.edu](mailto:agri@ksu.edu) or 913-307-7394) about scheduling an OFRR.*

### Where do I go for more information<sup>5</sup> on produce safety and upcoming trainings?

*[ksre.ksu.edu/producesafety](http://ksre.ksu.edu/producesafety)*

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<sup>1</sup> FDA Produce Safety Rule Fact Sheet: [www.fda.gov/Food/GuidanceRegulation/FSMA/ucm334114.htm](http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm334114.htm)

<sup>2</sup> Coverage and Exemptions/Exclusions: [www.fda.gov/downloads/food/guidanceregulation/fsma/ucm472499.pdf](http://www.fda.gov/downloads/food/guidanceregulation/fsma/ucm472499.pdf)

<sup>3</sup> Qualified end-user is either (a) the consumer of the food or (b) a restaurant or retail food establishment that is located in the same state or the same Indian reservation as the farm or not more than 275 miles away.

<sup>4</sup> <https://fs22.formsite.com/KansasDeptAg/form64/index.html>

<sup>5</sup> [www.ksre.k-state.edu/foodsafety/produce/index.html](http://www.ksre.k-state.edu/foodsafety/produce/index.html)