



Implementing the Produce Safety Rule in GA

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Food Safety Modernization Act: Produce Safety Rule

- First ever mandatory federal standard for growing, harvesting, packing, and holding of fresh produce
- Signed into law by former President Obama on January 4th 2011



GDA Produce Safety Program: Implementation of the Produce Safety Rule

- Team Members:
 - Brad Bush – Program Manager
 - Susan Alexander – Associate Program Manager
 - David Woods – Grant Coordinator
 - 2 Education and Outreach Coordinators
 - 3 Inspectors



Produce Safety Rule Compliance

- Who must comply?

The Produce Safety Rule could potentially apply to any fresh fruit or vegetable producer depending on their sales.



Produce Safety Rule Compliance

- “All other Businesses”
 - Over \$500,000 in produce sales

January , 2018

- Small Businesses
 - \$250,000-\$499,999 in produce sales

January, 2019

- Very Small Businesses
 - \$25,000-\$249,999 in produce sales

January, 2020

Produce Safety Rule Compliance Chart

Business Size	 Compliance Dates for Sprouts	 Compliance Dates For Most Produce	 Water Related Compliance Dates ¹	Compliance Date for Qualified Exemption Labeling Requirement ²	Compliance Date for Retention of Records Supporting a Qualified Exemption
All other businesses (>\$500K)	1/26/17	1/26/18	1/26/22	1/1/2020	1/26/16
Small businesses (>\$250K-500K) ³	1/26/18	1/28/19	1/26/23		
Very small businesses (>\$25K-250K) ⁴	1/28/19	1/27/20	1/26/24		



Produce Safety Rule Compliance

- All produce is considered in the calculation of annual produce sales for compliance
- Example: (average gross sales over 3 years)
 - \$20,000 in pecan sales
 - \$8,000 in watermelon sales

This farm would have to comply but only the watermelon growing, harvesting, packing and holding would be inspected



Exemptions

- The Produce Safety Rule Exemptions:
 - Produce that is not a raw agricultural commodity
 - Produce that FDA has classified as “rarely consumed raw”
 - Farms that have an average annual value of produce sold during the previous three-year period of \$25,000 or less (gross profit)
 - Produce that is used for personal or on-farm consumption



Rarely Consumed Raw List

- Produce FDA has identified as rarely consumed raw:
- asparagus; black beans, great Northern beans, kidney beans, lima beans, navy beans, and pinto beans; chickpeas; collards; sweet corn; eggplants; figs; lentils; okra; peanuts; pecans; potatoes; pumpkins; winter squash; sweet potatoes

Qualified Exemption

- Farms must meet 2 requirements to be eligible for a qualified exemption:
 - Food sales averaging less than \$500,000 per year during the previous three years
 - During a 3-year period, your farms average annual value of all food sold directly to a qualified end user must exceed the average annual monetary value of food sold to all other buyers during that period
- *qualified end user: either the consumer of the food or restaurant in the same state no more than 275 miles away



Produce Safety Alliance Grower Training

- Produce Safety Alliance Grower Training
- Meets requirement §112.22(c)
- PSA Grower Trainings in Georgia
 - Approximately 32 trainings
 - Approximately 1,000 producers trained
- Key Components:
 - Agriculture Water
 - Biological Soil Amendments
 - Domesticated and Wild Animals
 - Worker Training and Health and Hygiene
 - Equipment, Tools and Buildings



Produce Safety Alliance Grower Training

- Discussion:
 - Need for another PSA GT for blueberry growers specifically
 - Need for a half-day update training on produce safety
 - Need for a possible Spanish training for third party harvester groups



On Farm Readiness Reviews

- Free, Non-Regulatory, Voluntary
- No notes are taken, nothing becomes public record.
- 2-3 GDA Produce Safety team members will come to farm prior to inspection for a walk through.
- Team will answer questions and discuss any potential issues.



On Farm Readiness Reviews

- OFRR's were first conducted in 2018
- A few hiccups at first, but growers seem to benefit from the opportunity today.



Produce Safety Program: Inspections

- If you are required to comply with the PSR, you will be inspected by the GDA Produce Safety Program.
- This is a mandatory inspection nationwide.
- FDA jurisdiction vs GDA jurisdiction
- Inspections will be scheduled ahead of time with communication with GDA staff.



Produce Safety Program: Inspection Frequency

- Originally, inspections were yearly.
- Current inspection cycle: If inspected this year, next inspection may be in 2024.
- Lack of manpower and limited on resources.



Produce Safety Program: Changes in the Water Portion of the PSR

- Testing frequency, testing methods
- FDA first public meeting for proposed water rule in February 2022
- To submit questions/comments:
agwater@fda.hhs.gov



Contact Information

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