

FSMA Recap

by Caleb Goossen, Crop & Conservation Specialist

The Food Safety Modernization Act (FSMA) was passed into law in 2011. Hopefully this means that all of our MOFGA certified produce farms know by now whether they completely fall under the Produce Safety Rule or not. The Fall 2018 Sprout ran a trainings and resources piece for farmers which you can read here <https://mofgacertification.org/the-organic-sprout/>

If you still aren't certain what the rules mean for you, you can follow this flow-chart to check yourself: <https://www.fda.gov/media/94332/download>. Otherwise it is important that you reach out to one or more of the following resources to help you determine what you may need to do to be in compliance with the rule:

- Your local Cooperative Extension office
- Linda Titus from AgMatters, LLC (by phone: (207)631-3303 or email: linda@agmattersllc.com); Linda also has resources available at her website: <http://www.agmattersllc.com/gap/>
- Caleb Goossen, MOFGA's Crop & Conservation Specialist (by phone: (207)568-6029 or email: cgoossen@moga.org).
- Farmers can also request an

“On-Farm Readiness Review” from the Maine Department of Agriculture, Conservation and Forestry, sort of a “practice inspection” for educational purposes. To request an On-Farm Readiness Review, contact Leah Cook by phone: (207)764-2100 or email: leah.cook@maine.gov. She and her team can also help you determine whether your farm is fully covered by the rules or eligible for exemptions.

The first compliance inspections for Large Farms (produce sales over \$500,000) start in June, and Small Farms (produce sales from \$250,001 - \$500,000) should be in compliance now, with inspections beginning a year from now.

Among other obligations, all farms that are fully covered by the Produce Safety Rule need to attend a food safety training in order to comply with the section of FSMA that states: “At least one supervisor or responsible party for your farm must have successfully completed food safety training at least equivalent to that received under standardized curriculum recognized as adequate by the Food and Drug Administration.” As of now, that means a Produce Safety

Alliance training, put on by Cooperative Extension.

The nice thing about these trainings is that they have been grant subsidized, which pays for most of the costs, and that they are informative regarding the FSMA rules and can actually help you determine whether you are fully covered by the produce safety rule or not. Trainings have been held throughout the state this past winter, and the next training sessions will be offered again after the harvesting season (likely starting sometime in October). For more information about Produce Safety Alliance trainings, contact Robson Machado at robson.machado@maine.edu or (207)581-3144.

If you have already been to a food safety training and already know the rules and where you fall within them, but are wondering if your sales growth has placed your farm in a new category, the inflation adjusted exemption limits for gross sales averaged over the years 2016 through 2018 are now \$27,528 for the de minimis exemption and \$550,551 for the qualified exemption. If you don't know what that means, please reach out to any of the individuals or offices mentioned above!



Chart of Compliance Dates:

| Covered Farm Size: | VERY SMALL FARMS 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 |
| Water Testing Requirements | January 26, 2024 | January 26, 2023 | January 26, 2022 |
| Compliance Inspections | Spring 2021 | Spring 2020 | Spring 2019 |

