



FSMA Resources for Farmers

by Joan Cheetham, MCS Certification Specialist

The Food Safety Modernization Act (FSMA) aims to ensure the U.S. food supply is safe by shifting the focus from responding to contamination to preventing it. It includes new regulations for produce farms and for facilities that process food for people to eat. The FSMA will be implemented by the [U.S. Food and Drug Administration](#) (FDA) and relevant state agencies. The Cornell University *Produce Safety Alliance* website has a concise outline of the overall legislation that has seven parts: <https://producesafetyalliance.cornell.edu/food-safety-modernization-act>.

While some parts of the FSMA requirements have already gone into place for very large operations (over \$500K annually), the timeline for implementation and enforcement remains slightly undetermined. The rule states implementation for very small businesses (\$25,000-\$250,000) as of January 2020, and small businesses (\$250,000-\$500,000) as of January 2019. We have heard mid-2019 for enforcement in Maine, allowing the State to develop its process for oversight and enforcement.

Two parts of FSMA may impact Maine farms and food processors:

1. **Produce Safety:** Establishes science-based standards for growing, harvesting, packing and holding produce on farms.
2. **Preventive Controls for Human Food:** Requires that food facilities have safety plans that set forth how they will identify and minimize hazards.

There are several "qualified exemptions" to the rules, including gross sales of less than \$25,000 in produce sales annually (a three year average adjusted for inflation based on 2011 rates), as well as whether you sell more than half of your sales to "qualified end users", defined as consumers, restaurants, or food establishments in the same state or within 275 miles of your farm. In addition, there are several crops that are not subject to FSMA requirements. In all exemption cases, all operations are required to keep records for three years. A full list of exemptions can be found at the FDA link below.

The **U.S. Food and Drug Administration** website has links to the actual rule and to factsheets and FSMA details. Here is the link to their FSMA Produce Safety Factsheet: <https://www.fda.gov/>

[downloads/Food/GuidanceRegulation/FSMA/UCM472887.pdf](https://www.fda.gov/downloads/Food/GuidanceRegulation/FSMA/UCM472887.pdf)

The **National Sustainable Agriculture Coalition** has flowcharts to help you determine how your business may be affected by FSMA: http://sustainableagriculture.net/wp-content/uploads/2016/02/2016_2-FSMA-Final-Rule-Flowchart-V3.pdf

The **University of Maine Cooperative Extension** can provide assistance to farms and food processors. Jason Bolton is the point person regarding food safety for food processors, while Mark Hutton and David Handley are the University's contacts regarding on-farm food safety. They can be reached at:

- Jason.bolton@maine.edu
(207)581-1366
- Mark.hutton@maine.edu
(207)933-2100
- David.handley@maine.edu
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Ag Matters, LLC in Vassalboro is offering some free services to vegetable farms in Maine affected by FSMA. Linda Titus can help you understand if, how, and when FSMA applies to your farming operation. Contact Linda Titus at Linda@agmattersllc.com or (207)631-3303.

Cullen Wilson is with the US FDA in Maine. Produce Safety Network/US Food and Drug Administration
312 Fore St., Portland, Maine
Phone: 207/221-0053 ext. 1112 / Email: cullen.wilson@FDA.hhs.gov

Celeste Poulin is Division Director, Quality Assurance and Regulations at Maine Department of Agriculture, Conservation, and Forestry and is charged with heading up the FSMA program in Maine. You can contact her by phone (207) 287-3841 or email Celeste.Poulin@maine.gov

MOFGA Agricultural Services can provide assistance and guidance in understanding the requirements: please contact Dave Colson at 207-568-6020 or dcolson@mofga.org.

