

## **FDA Food Safety Modernization Act - Produce Safety Rule**

### **What is the Ohio Department of Agriculture's Role?**

The Ohio Department of Agriculture, Division of Food Safety, through a cooperative agreement with the FDA, is responsible for enforcing the Produce Safety Rule in Ohio. We have been working to identify and address the needs of produce growers in Ohio who are covered by the Produce Safety Rule.

We will begin farm inspections according to the compliance dates outlined below, but prior to inspections, we'll be providing free farm consultations. These voluntary consultation visits will help growers identify what steps they may need to take to comply with the Produce Safety rule before a regulatory inspection. We are also providing Produce Safety Alliance Grower Training courses across the state free of charge to Ohio farms.

### **Is my farm covered?**

Under the Produce Safety Rule, farms will fall into one of three categories:

- 1) Farms that are exempt from the rule
- 2) Farms that are eligible for a qualified exemption
- 3) Farms that are covered by the rule

If a farm does not qualify for any of the exemptions listed in the coverage and exemption/exclusions flow chart, then it is considered a farm covered under the rule and must comply with the full requirements of the Produce Safety Rule.

### **Voluntary Inspection**

A farm may request a voluntary inspection under the FSMA Produce Safety Rule. A voluntary inspection under the FSMA Produce Safety Rule will help farms that are excluded or exempt from the rule show they are following a set of produce safety standards that help reduce the risk of microbial contamination during the growing, harvesting, packing, and holding of fresh fruits and vegetables on their farm. There is no charge for a voluntary inspection under the FSMA Produce Safety Rule. A produce farm that requests a voluntary inspection would be provided a yearly inspection and documentation from the ODA to show they are inspected under the FSMA Produce Safety Rule.

Contact us to discuss requirements and schedule a consultation visit if you are interested in a voluntary inspection under the FMSA Produce Safety Rule.

### **Compliance Dates**

The Produce Safety Rule came into effect on January 26, 2016, and compliance dates for some parts of the rule have already taken effect. For covered farms, there is a staggered schedule of compliance dates. The chart on the next page shows the current compliance dates for the Produce Safety Rule.



Business Size	 Compliance Dates for Sprouts	 Compliance Dates For Most Produce	 Water Related Compliance Dates <sup>1</sup>	Compliance Date for Qualified Exemption Labeling Requirement <sup>2</sup>	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) <sup>3</sup>	1/26/18	1/28/19	1/26/23		
Very small businesses (>\$25K-250K) <sup>4</sup>	1/28/19	1/27/20	1/26/24		

\*Chart provided by the Cornell Produce Safety Alliance

### **What should produce growers do to prepare?**

Farms can request a farm consultation visit to determine specific requirements to their farm. This service is offered as a one-on-one training in which ODA staff will visit farms and walk growers through what will be expected with new federal regulations on their farm. Farms will also receive resource materials that will help aid in compliance. Farms that are exempt from the rule are also welcome to schedule consultation visits.

### **Produce Safety Alliance Grower Trainings**

The Produce Safety Rule requires at least one supervisor or responsible party from every farm covered under the rule to receive training under an FDA recognized curriculum. The Produce Safety Alliance Grower Training is the only standardized national training program currently approved by FDA to satisfy this requirement.

Trained and certified staff from the Ohio Department of Agriculture are providing Grower Training courses across the state free of charge to Ohio farms. This one-day course will cover the key areas and requirements of the Produce Safety Rule. More information on the Produce Safety Alliance and Grower Training courses being held can be found by calling (614) 600-4272, email [mfout@agri.ohio.gov](mailto:mfout@agri.ohio.gov) or visit <https://agri.ohio.gov/wps/portal/gov/oda/divisions/food-safety/resources/Produce-Safety>.

### **Who do I contact for more info?**

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