Oregon Department of Agriculture
ODA Food Safety Program
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The Food Safety Modernization Act (FSMA) and Oregon Agriculture

What is FSMA?

Congress passed the Food Safety Modernization Act (FSMA) in 2011. The goal of FSMA is to take a more proactive, preventive approach to food safety in the United States, rather than responding to outbreaks.

The Food and Drug Administration (FDA) is responsible for the implementation of FSMA in cooperation with states, tribes, and other partners. FDA has released final versions of several major rules to implement FSMA, including a rule for produce safety.

Who is covered by the produce safety rule?

The rule covers produce, but several types of produce and several categories of farming operations are exempt. Exemptions include:

- Farms with a 3-year average of produce sales of $25,000 or less.
- Farms with a 3-year average of food sales of $500,000 or less IF more than 50% of sales are to qualified end users (subject to modified requirements).
- Produce defined as “rarely consumed raw,” including potatoes, cranberries, and several other crops.
- Produce that receives commercial processing that adequately reduces presence of microorganisms of public health significance.
- Produce grown by an individual for personal consumption or consumption on the same farm where it is grown.
- Produce that is not a raw agricultural commodity.

How will FSMA affect Oregon agriculture and food businesses?

The rules will affect thousands of fruit and vegetable farmers, food processors, and animal food producers in Oregon. Produce safety rules include requirements for:

- Personnel qualifications and training
- Health and hygiene
- Agricultural water
- Biological soil amendments of animal origin and human waste
- Domesticated and wild animals
- Growing, harvesting, packing, and holding activities
- Equipment, tools, buildings, and sanitation
- Sprouts

When do the rules take effect?

- General compliance deadline takes effect December 31, 2017.
- Small business (less than 500 employees business-wide) compliance deadline takes effect December 31, 2018.
- Very small business (less than $250,000 annual food sales) compliance period takes effect December 31, 2019.
- All farms have an additional 2 years to comply with agricultural water requirements.

How can produce farmers learn more about the rules?

The Produce Safety Alliance is developing training that will be delivered across the US once it is approved. Training will likely become available in the fall and winter of 2016-2017.

More information is available on FDA's produce safety rule web site at:
http://go.usa.gov/cJGPF