

# Food Safety Modernization Act (FSMA)

Implementation of On-Farm Food  
Safety



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## FSMA

- Signed into Law January 4, 2011
- 41 Sections
- Focus on **Prevention**
- Ensure the US Food Supply is Safe





# Preventive Focus

Food Safety Incident



Unacceptable Condition



Breakdown or Lack of Preventive Plan



## **FSMA 7 Proposed Rules**

- **Produce Safety**
- Preventive controls for human food
- Preventive controls for animal food
- Foreign supplier verification
- Third party auditor
- Intentional adulteration
- Sanitary transportation





# Produce Safety

- Who's Covered?
  - Produce that is typically eaten raw
- Who's Not Covered?
  - Produce rarely consumed raw
  - Produce destined for commercial processing
  - On-farm consumption
  - Farms with <\$25,000 annual sales
  - Farms with <\$500K & 50% of sales "local"
    - Local = in-state or within 275 mi.



## Produce Safety

- What's Covered?
  - Agricultural Water
  - Biological Soil Amendments of Animal Origin
  - Equipment, Tools and Buildings
  - Animals in the Growing Area
  - Health and Hygiene





## FSMA Impact

- **Current Food Safety Regulation for Farmers:**
  - Prevent Adulteration
    - No specific on-farm requirements
  - No Routine On-Farm Regulatory Inspections
    - “For Cause” investigations only
- **FSMA:**
  - Minimum Standards for On-Farm practices
  - Routine On-Farm Regulatory Inspections
  - Training Requirements



## Impact on Buyers

- **Buyer Specific Food Safety Requirements:**
  - **Currently:**
    - Exceed government minimum requirements
    - Not used by many small/medium sized companies
  - **With FSMA:**
    - Buyer requirements will be needed to ensure products used/sold meet minimum regulatory requirements
    - Many buyers will exceed minimum requirements
    - Liability added to buyers without current requirements
      - Could be using/selling food the doesn't meet the minimum government standards





## Impact on Exempt Farms

- Exempt from Routine Regulatory Inspections
  - “For Cause” investigations will still occur
- Market Driven (buyer) Requirements Still Apply
  - Farms exempt from government rules will still need to meet buyer requirements
- Limited Ability to Sell Produce
  - Competition from farms that meet requirements
  - Liability to buyers

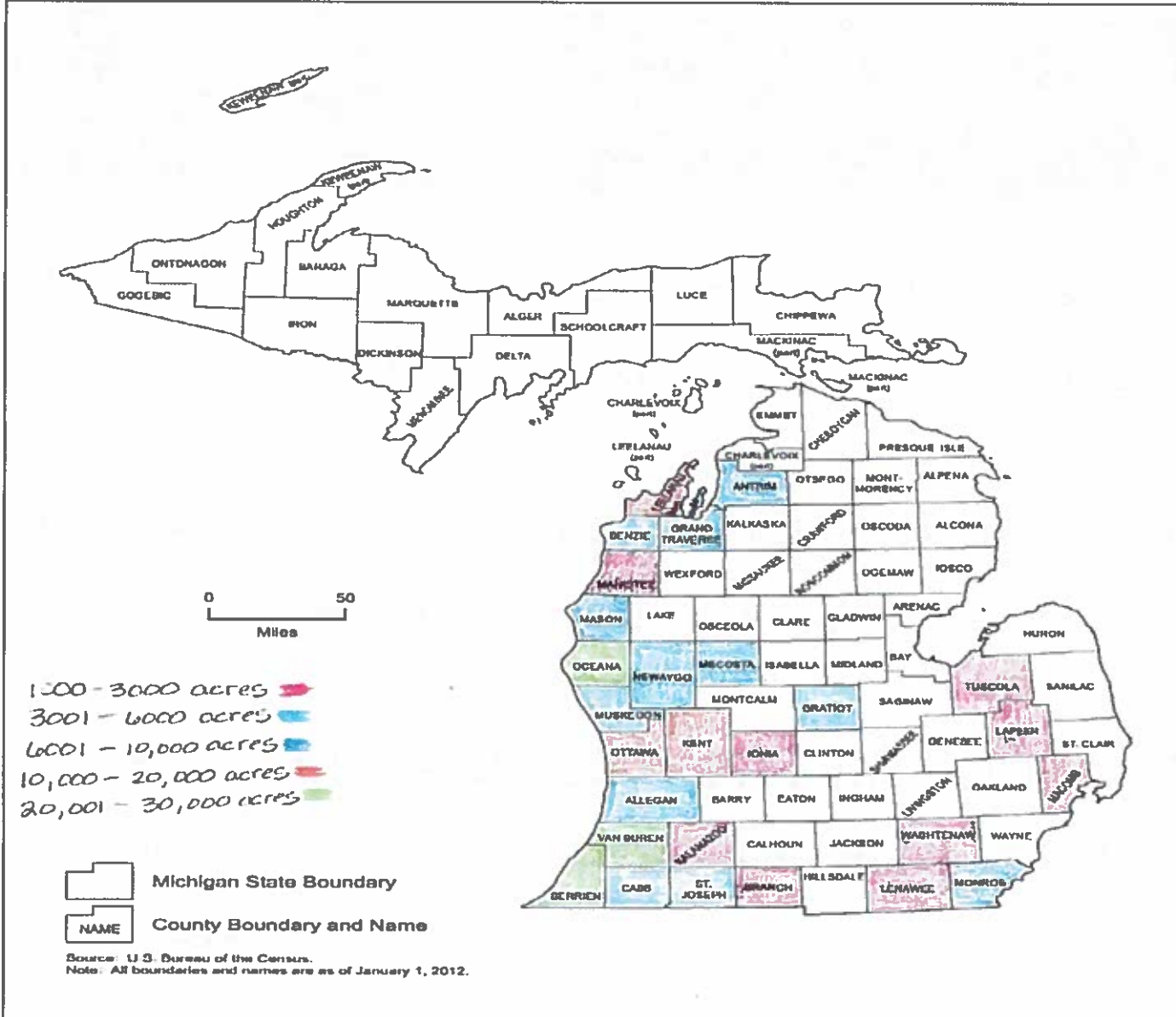


## Michigan Farm Estimates

- 6,000 Estimated Produce Farms
- 1,273 Directly Covered by the FSMA Rule
  - 271 Farms with >\$500K in annual sales
  - 148 Small Farms (\$250K – 500K annual sales)
  - 854 Very Small Farms (<\$250 – \$25K annual sales)
- 4,727 Exempt from Regulations:
  - 3,482 Due to size
  - 948 Due to further processing
  - 294 Due to produce not typically eaten raw

\* Breakdowns based on estimates from the FDA Regulatory Impact Analysis

**Michigan - County**





## Compliance Dates

- “Other” Businesses (>\$500K Annual Sales):
  - 2018 Growing Season (2020 for Water Testing)
- Small Businesses (\$500K-\$250K Annual Sales):
  - 2019 Growing Season (2021 for Water Testing)
- Very Small Business (<250K Annual Sales):
  - 2020 Growing Season (2022 for Water Testing)



# Proposal

- 2 - MDARD staff:
  - Administer Grants
  - Align efforts (Farmer Education, Fruit and Veg grading, GAP)
  - Develop and Implement Training
- 4 - Michigan State University Extension staff:
  - Develop and Provide Training
  - Provide Technical Assistance
  - Coordinate with Researchers
- 6 - Conservation District staff:
  - Local Technicians providing on-farm assistance



## Progressive Plan

- Develop Network
- Perform Continued Outreach
- Target Farms Nearing Compliance Dates
  - General Rules and Water Requirements
- Provide Assistance (trouble shooting)
  - Need will increase as increased monitoring occurs
- Make Adjustment Based on Experience