

# Food Safety Modernization Act Produce Safety Rule

## Fact Sheet for Produce Growers

The Food Safety Modernization Act (FSMA) Produce Safety Rule establishes, for the first time, science-based minimum standards for the safe growing, harvesting, packing, and holding of fruits and vegetables grown for human consumption.

### What are the primary aspects and requirements<sup>1</sup> of the Produce Safety Rule?

There are six key areas for growers to examine with specific requirements outlined in the Produce Safety Rule:

- Agricultural Water
- Biological Soil Amendments
- Sprouts
- Domesticated and Wild Animals
- Worker Training and Health and Hygiene
- Equipment, Tools, and Buildings

### Are there exemptions<sup>2</sup> to being covered under the rule?

The following are exempt:

1. produce that is rarely consumed raw;
2. produce used for personal consumption;
3. food grains;
4. produce intended for commercial processing; and
5. farms that have an average annual value of produce sold during the previous three-year period of \$25,000 or less.

To be eligible for a qualified exemption, your farm must meet two requirements:

1. total food and animal feed sales averaging less than \$500,000 per year during the previous three years, and
2. sales to qualified end-users<sup>3</sup> must exceed sales to all others combined during the previous three years.

### Is there any assistance available to help my farm with compliance?

K-State Research and Extension and the Kansas Department of Agriculture have teamed up to offer On-Farm Readiness Reviews (OFRR). This review will walk through your operation, step-by-step, and see what you're doing right and any potential areas of concern. This is a confidential service and there is no cost to growers. How do I schedule an On-Farm Readiness Review?

A key starting point to doing the OFRR is attending an FSMA Produce Safety Alliance grower training. This is a one-day course offered by K-State Research and Extension throughout the state. This course introduces the key concepts about food safety that are covered by the FSMA Produce Safety rule. Farmers interested in an OFRR must also register<sup>4</sup> with the Kansas Department of Agriculture as a produce farm. Once you have attended an FSMA PSA training and registered as a produce farm with KDA, contact Cal Jamerson ([agri@ksu.edu](mailto:agri@ksu.edu) or 913-307-7394) about scheduling an OFRR.

### Where do I go for more information<sup>5</sup> on produce safety and upcoming trainings?

[ksre.ksu.edu/producesafety](http://ksre.ksu.edu/producesafety)

<sup>1</sup> FDA Produce Safety Rule Fact Sheet: [www.fda.gov/Food/GuidanceRegulation/FSMA/ucm334114.htm](http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm334114.htm)

<sup>2</sup> Coverage and Exemptions/Exclusions: [www.fda.gov/downloads/food/guidanceregulation/fsma/ucm472499.pdf](http://www.fda.gov/downloads/food/guidanceregulation/fsma/ucm472499.pdf)

<sup>3</sup> Qualified end-user is either (a) the consumer of the food or (b) a restaurant or retail food establishment that is located in the same state or the same Indian reservation as the farm or not more than 275 miles away.

<sup>4</sup> <https://fs22.forms.site.com/KansasDeptAg/form64/index.html>

<sup>5</sup> [www.ksre.k-state.edu/foodsafety/produce/index.html](http://www.ksre.k-state.edu/foodsafety/produce/index.html)

*Prepared by Cal Jamerson, K-State Research and Extension.*

*Reviewed by Londa Nwadike, PhD, Kansas State University, University of Missouri Extension,  
and Don Stoeckel, PhD, Cornell University Produce Safety Alliance.*

*Funding for this project is made possible in part by grant 1U18FD005895-02 (KS5895) from the FDA. Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the FDA.*

Publications from Kansas State University are available at:  
[www.bookstore.ksre.ksu.edu](http://www.bookstore.ksre.ksu.edu)

Brand names appearing in this publication are for product identification purposes only. No endorsement is intended, nor is criticism implied of similar products not mentioned.

Contents of this publication may be freely reproduced for educational purposes. All other rights reserved. In each case, credit Cal Jamerson, *Food Safety Modernization Act Produce Safety Rule, Fact Sheet for Produce Growers*, Kansas State University, November 2018.

**Kansas State University Agricultural Experiment Station and  
Cooperative Extension Service**

K-State Research and Extension is an equal opportunity provider and employer. Issued in furtherance of Cooperative Extension Work, Acts of May 8 and June 30, 1914, as amended. Kansas State University, County Extension Councils, Extension Districts, and United States Department of Agriculture Cooperating, J. Ernest Minton, Interim Director.

MF3437 November 2018