



VERMONT PRODUCE SAFETY IMPROVEMENT GRANTS

FISCAL YEAR 2020 REQUEST FOR APPLICATIONS

The Vermont Agency of Agriculture, Food & Markets is pleased to announce this grant opportunity to help Vermont produce growers implement on-farm food safety practices, transition to compliance with the Food Safety Modernization Act (FSMA) Produce Safety Rule, and meet market demands for on-farm food safety.

Applicants must grow, harvest, pack, or hold “covered produce” as defined by the U.S. Food & Drug Administration’s (FDA) Food Safety Modernization Act (FSMA) Produce Safety Rule and have average annual produce sales of greater than \$27,528 over the past three years.

KEY DATES

Release Date: November 1, 2019

Application Deadline: December 9, 2019 at 11:59 PM

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SECTION I: PROGRAM OVERVIEW

CONTACT

PROGRAMMATIC QUESTIONS

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Agency of Agriculture staff are available to assist you during State of Vermont business hours, Monday–Friday, 7:45 AM to 4:30 PM. Assistance may not be available shortly before deadlines.

SUBMISSION POLICY

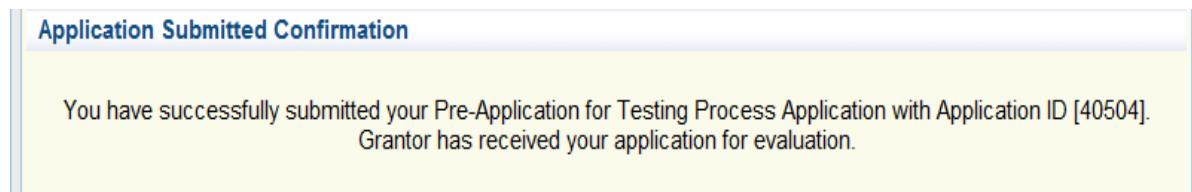
It is the applicant's responsibility to adhere to all application instructions including all deadlines included in this request for applications (RFA). The Vermont Agency of Agriculture, Food & Markets (VAAFM) will accept the last validated electronic submission through the grants management system, [WebGrants](#), prior to the posted deadline as the final and sole acceptable submission of an application.

VAAFM will not accept submission or re-submission of incomplete or delayed applications after the posted deadline, barring exceptional circumstances.

WebGrants will prevent applications from being submitted after the cut-off time.

SUBMISSION CONFIRMATION

When an application has successfully been submitted, the applicant will be redirected to an **Application Submitted Confirmation** page with an Application ID number (see example below) and receive a confirmation email.



SECTION I: PROGRAM OVERVIEW

I. PROGRAM OVERVIEW

QUICK FACTS

PROGRAM PURPOSE

The purpose of the Vermont Produce Safety Improvement Grant (PSIG) Program is to help produce growers implement on-farm food safety practices, transition to compliance with the Food Safety Modernization Act (FSMA) Produce Safety Rule, and meet market demands for on-farm food safety.

ELIGIBILITY

To be eligible for funding, applications must be for Vermont farms engaged in production agriculture for commercial purposes that—

1. Grow, harvest, pack or hold “covered produce” as defined by the FSMA Produce Safety Rule;¹
2. Have annual produce sales, averaged over the past three years, of greater than \$27,528;²
3. Have enrolled their farm information in the **Vermont Produce Portal** at cloud.agriculture.vermont.gov/FSMA/Pages/Login.aspx.³

PREVIOUS GRANTEES

Farms that were previously awarded a Produce Safety Improvement Grant are ineligible to apply for a grant in this round.

AVAILABLE FUNDS

The Vermont Agency of Agriculture will award up to \$51,786 in this grant round, Round 4.

MINIMUM & MAXIMUM AWARD

Farms can apply for a minimum of \$2,000 and a maximum of \$7,000 in grant funds.

PROJECT LENGTH

Grant will be awarded for up to 12 months.

FUNDING SOURCE

Round 4 of the PSIG program is funded by the State of Vermont, the United States Department of Agriculture (USDA) Agricultural Marketing Service through the [Specialty Crop Block Grant Program](#), and by [Castanea Foundation, Inc.](#).

¹ To determine whether your farm grows “covered produce,” refer to [Appendix: Definitions](#).

² For details on how to calculate your average annual produce sales, refer to [Appendix: Definitions](#).

³ For instructions on how to enroll in the Vermont Produce Portal, see [Section II: Application](#).

SECTION I: PROGRAM OVERVIEW

FUNDING OPPORTUNITY DESCRIPTION

PROGRAM PURPOSE

The purpose of this grant is to help produce growers implement on-farm food safety practices, transition to compliance with the Food Safety Modernization Act (FSMA) Produce Safety Rule, and meet market demands for on-farm food safety.

FUTURE GRANT ROUNDS

The Vermont Agency of Agriculture is currently seeking funding for future grant rounds. A funding source for the proceeding grant round, Round 5, has been established. Beyond Round 5, the future funding of this grant program is uncertain.

HOW TO APPLY

All applications must be submitted via the [WebGrants](#) system at agriculturegrants.vermont.gov.

Applications will be accepted from **November 1, 2019 – December 9, 2019** at 11:59 PM.

Be advised that technical assistance with WebGrants may not be available shortly before deadlines; please plan accordingly.

TECHNICAL ASSISTANCE

We encourage applicants to contact the University of Vermont Extension Produce Safety Team for technical assistance while developing applications and during implementation of projects:

Hans Estrin (Brattleboro)

802-257-7967 ext. 312

producesafety@uvm.edu

Chris Callahan (Bennington)

802-447-7582 ext. 256

producesafety@uvm.edu

Andy Chamberlin (South Burlington)

802-651-8343 ext. 512

producesafety@uvm.edu

For additional produce safety resources, visit the Vermont Agency of Agriculture's Produce Program webpage at agriculture.vermont.gov/produceprogram.

SECTION I: PROGRAM OVERVIEW

ELIGIBILITY

ELIGIBLE APPLICANTS

To be eligible for funding, applications must be for Vermont farms engaged in production agriculture for commercial purposes that—

1. Grow, harvest, pack or hold “covered produce” as defined by the FSMA Produce Safety Rule (PSR);¹
2. Have annual produce sales, averaged over the past three years, of greater than \$27,528;² and
3. Have enrolled their farm information in the **Vermont Produce Portal** at cloud.agriculture.vermont.gov/FSMA/Pages/Login.aspx³

Farms that were previously awarded a Produce Safety Improvement Grant are ineligible to apply for a grant in this round.

ELIGIBLE PROJECTS

This grant can partially defray the costs of implementing on-farm food safety practices in order to help growers transition to compliance with the Food Safety Modernization Act (FSMA) Produce Safety Rule and/or meet market demands for on-farm food safety.

Applicants should be prepared to explain how their project will—

1. Reduce or prevent on-farm food safety risks; and
2. Help their farm transition to compliance with the Food Safety Modernization Act (FSMA) Produce Safety Rule and/or meet market demands for on-farm food safety.

See **Section II: Application** for details.

INELIGIBLE PROJECTS

- Applications that fail to demonstrate how produce safety risks will be prevented or reduced
- Applications for completed projects for which the applicant seeks reimbursement
- Applicants out of compliance with any federal, state or local laws or regulations
- Applicants not engaged in commercial agriculture
- Applicants who failed to meet requirements for previous Agency grants and/or assistance programs, or from individuals or groups unable to perform or currently experiencing performance issues with previous Agency grant obligations
- Applicants that were previously awarded a Produce Safety Improvement Grant

¹ To determine whether your farm grows “covered produce,” refer to **Appendix: Definitions**.

² For details on how to calculate your average annual produce sales, refer to **Appendix: Definitions**.

³ For instructions on how to enroll in the Vermont Produce Portal, see **Section II: Application**.

SECTION I: PROGRAM OVERVIEW

RELATIONSHIP TO PSR, GAP & CAPS

How does this grant relate to the FSMA Produce Safety Rule (PSR) or produce safety accreditations/certifications such as Good Agricultural Practices (GAP)?

This grant is intended to assist Vermont growers with produce safety risk prevention and reduction. It may be a useful resource to help meet certain requirements under the PSR, or for produce safety certification or accreditation programs such as USDA's Good Agricultural Practices (GAP), the Vermont Vegetable and Berry Growers Association's (VVBGA) Community Accreditation for Produce Safety (CAPS), or other programs. However, grant approval in no way guarantees compliance under the PSR or certification/accreditation under GAP, CAPS, or other produce safety programs.

- For assistance in determining whether your farm is covered by the FSMA Produce Safety Rule, contact the Vermont Produce Program at AGR.FSMA@vermont.gov or (802) 585-6225.
- To learn more about the PSR, visit www.fda.gov/fsma.
- Learn more about USDA GAP at www.ams.usda.gov/services/auditing/gap-ghp.
- Learn more about the VVBGA CAPS program at practicalproducesafetyvt.wordpress.com.

MATCHING FUNDS

Matching funds are not required for this grant program.

APPLICATION REVIEW

Grants will be awarded through a competitive review process. Applying earlier during the open application period will not provide any advantage in this process. See **Section III: Evaluation Criteria** for more information.

DEADLINES

All applications must be submitted through WebGrants by **December 9, 2019 at 11:59 PM**. The WebGrants system will not accept applications submitted after this time.

Applicants can expect to hear back regarding award decisions in mid-January 2020.

KEY DATES

DATES MAY BE SUBJECT TO CHANGE

NOVEMBER 1, 2019	Request for Applications (RFA) released
DECEMBER 9, 2019 at 11:59 PM	Application Deadline
JANUARY 2020	Award Decisions Announced
MARCH 2020	Grant Agreement Execution
FEBRUARY 28, 2021	Grant End Date
MARCH 30, 2021	Final Report Due

SECTION I: PROGRAM OVERVIEW

RELATED FUNDED OPPORTUNITIES

FARM SERVICE AGENCY FOOD STORAGE FACILITY LOAN PROGRAM

The Farm Service Agency Food Storage Facility Loan Program provides low-interest financing, so producers can build or upgrade facilities to store eligible commodities, including fruits and vegetables. Eligible facility types include facilities for cold storage. Drying and handling and storage equipment is also eligible, including storage and handling trucks.

www.fsa.usda.gov/programs-and-services/price-support/facility-loans/farm-storage

VERMONT FARM FUND

The Vermont Farm Fund offers no-hassle, low-interest loans to Vermont farmers and value-added food producers to invest and innovate for growth.

www.vermontfarmfund.org

WORKING LANDS ENTERPRISE INITIATIVE

The Vermont Agency of Agriculture's Working Lands program offers grants and loans to fund agriculture and forestry projects that enhance Vermont's communities, economy, and culture.

workinglands.vermont.gov

WATER QUALITY FARMER ASSISTANCE PROGRAMS

The Vermont Agency of Agriculture's Water Quality division offers assistance and resources to farmers to improve agricultural practices that increase farm viability and protect water quality. Programs include Best Management Practices (BMP); Conservation Reserve Enhancement Program (CREP); Farm Agronomic Practices (FAPs); Nutrient Management Planning & Land Treatment Planning; and Capital Equipment Assistance Program (CEAP).

agriculture.vermont.gov/water-quality/assistance-programs

NATURAL RESOURCES CONSERVATION SERVICE

Natural Resources Conservation Service (NRCS) financial assistance programs (EQIP, CSP, and AMA) offer financial and technical assistance to help agricultural producers make and maintain conservation improvements on their land.

www.nrcs.usda.gov/wps/portal/nrcs/main/vt/programs/financial

RMA-AMS HARMONIZED GAP ASSISTANCE

RMA-AMS Harmonized GAP Assistance is a joint effort by USDA Risk Management Agency (RMA) and USDA Agricultural Marketing Service (AMS) to increase market access for fruit and vegetable producers by helping them pay for buyer-required food safety certifications. Under the program, USDA will cover the costs of voluntary USDA Harmonized GAP and Harmonized GAP Plus+ audits.

www.ams.usda.gov/publications/content/rma-ams-harmonized-gap-assistance-qa

ADDITIONAL FUNDING OPPORTUNITIES & RESOURCES FOR BUSINESSES

VAAFM offers a menu of [funding opportunities](#) as well as [business planning and assistance](#) resources available to the Vermont agricultural community:

- Funding Opportunities: agriculture.vermont.gov/grants
- Business Planning & Assistance: agriculture.vermont.gov/businessdevelopment/planning

SECTION II: APPLICATION

II. APPLICATION INSTRUCTIONS

Applications must be submitted through the Agency's grant management system, WebGrants, at agriculturegrants.vermont.gov. Below is a guide to the information requested in the online application. You may find it helpful to draft your answers in a Word document first, and then copy and paste into the WebGrants forms.

We encourage you to register as a new user in WebGrants in advance of applying to gain familiarity with the system. After registering, add agriculturegrants.vermont@webgrantsmail.com to your email contacts or "safe senders" list to ensure you receive messages and alerts from the system.

APPLICANT INFORMATION

The application will require the following information about the applicant and farm.

- First Name
- Last Name
- Title
- Email
- Physical Address
- Mailing Address
- Phone Number
- Farm Name
- Is the farm registered as a business with the State of Vermont?
- Farm Physical Address
- DUNS Number*

*A DUNS number may be obtained from Dun & Bradstreet at 866-705-5711 or fedgov.dnb.com/webform. There is no fee to obtain a DUNS number, but you must have a DUNS number to submit an application.

You will be asked to self-certify that you are in compliance with State regulations and in good standing with the State of Vermont.

FARM DESCRIPTION

To begin your application, click the Farm Description form and answer the following questions.

- Does your farm grow, harvest, pack, or hold "covered produce" as defined by FDA's FSMA Produce Safety Rule?
- Does your farm have average annual produce sales of greater than \$27,528 over the past three years (2016 – 2018)?
- Total acres in produce production
- Total number of employees
- Full-time employees
- Part-time or seasonal employees
- Number of years in business

SECTION II: APPLICATION

PROJECT DESCRIPTION

Answer the following questions about your project and the on-farm produce safety improvements you will complete.

1. Briefly describe your improvement project.
2. Identify the produce safety risk(s) your project will prevent or reduce.
3. Explain how the risks you have identified will be prevented or reduced through the on-farm produce safety improvements proposed.
We encourage you to explain why the risk(s) are significant, for example due to severity or likelihood of occurrence, and how your project will prevent or reduce the risk(s) using a realistic or proven technique, equipment, or method.
4. Describe how this project will help your farm achieve compliance with the Food Safety Modernization Act (FSMA) Produce Safety Rule (PSR) and/or meet market demands for on-farm food safety.
5. Describe any steps you have already taken to move toward compliance with the Food Safety Modernization Act (FSMA) Produce Safety Rule (PSR) and/or meet market demands for on-farm food safety.
6. Provide a realistic timeline for completing your project from March 1, 2020–February 28, 2021.
7. Are there any required permits, or contingencies that must be fulfilled in order for this improvement to be successfully completed?

If yes, list all permits and/or contingencies and the anticipated dates they will be obtained.

BUDGET

BUDGET DETAILS

MATERIALS AND SUPPLIES: List the names, quantities, and estimated cost of any materials, supplies, and fabricated parts required for this project. *Examples: bins, harvest totes, construction materials.*

EQUIPMENT: List the names, quantities, and estimated cost of each piece of equipment to be purchased. *Examples: handwashing stations, rinse conveyor, etc.*

SALARY/WAGES/CONTRACTUAL: Estimate the labor costs associated with construction or equipment installation, including an estimated hourly wage and hours worked. This category includes any costs to be paid to a contractor or consultant to procure specialized services. *Examples: Bill for Service from construction company or a well-drilling company.*

OTHER: Include any expenses not covered in any of the previous budget categories. Be sure to break down costs into cost/unit. Describe the purpose of each item listed and how it is necessary for completion of your project.

SECTION II: APPLICATION

MATCHING FUNDS

Matching funds are not required. However, if your project will cost more to complete than the amount requested, you must show that you have sufficient match (cash and/or in-kind) to complete the project.

1. Enter the total estimated costs of your project.
2. Enter the grant funds requested for your project.
3. If the total costs are greater than the funds requested, describe other funding sources that will be used to cover the remaining costs (e.g., bank funds, cash flow, another grant or loan, etc.).

BUDGET SUMMARY

Budget Summary				
Expense Category	Funds Requested	Match – If Applicable	Match Source	Total Project Cost
Materials and Supplies	\$	\$		\$
Equipment	\$	\$		\$
Salary/Wages/Contractual	\$	\$		\$
Other	\$	\$		\$
Subtotal	\$	\$		\$

Total Request \$

Total request cannot exceed \$7,000.

FINAL APPLICATION CHECKLIST

- Have you enrolled your farm information on the **Vermont Produce Portal** website at cloud.agriculture.vermont.gov/FSMA/Pages/Login.aspx?
- Indicate whether you have discussed your project and planned improvements with the University of Vermont Extension Produce Safety Team. (Encouraged but not required.) If yes, whom did you speak with?
- Have you checked whether your project requires any permits or has any contingencies that may affect your ability to complete it?
- How did you learn about this grant opportunity?

HOW TO ENROLL IN THE VERMONT PRODUCE PORTAL

Farms must complete the following steps in order to enroll their farm in the Vermont Produce Portal:

1. Visit cloud.agriculture.vermont.gov/FSMA/Pages/Login.aspx to access the Vermont Produce Portal login page.
2. Click Register and set a username and password.
3. Verify your email to create an account.
4. After logging in for the first time, select the Manage Farms link.

SECTION II: APPLICATION

5. At the top of the page, click New Farm and enter the required information about your farm (location, sales, produce varieties cultivated, contact information, etc.)
6. When you are finished, click Submit.

WEBGRANTS APPLICATION GUIDE

Visit the Agency of Agriculture website through the URL below to see a step-by-step guide to submitting a grant application.

agriculture.vermont.gov/grants/howtoapply

SECTION III: EVALUATION CRITERIA

III. EVALUATION CRITERIA

Grants will be awarded through an internal review process with Vermont Agency of Agriculture, Food and Markets and University of Vermont Extension staff.

SCREENING CRITERIA

Applications will be screened based upon the following criteria:

- The application meets all eligibility and submission requirements.
- The application adequately identifies all contingencies or permits that may be required.
- The applicant's farm information is enrolled on the Vermont Produce Portal website at cloud.agriculture.vermont.gov/FSMA/Pages/Login.aspx
- The applicant has a DUNS number.

A DUNS number may be obtained at no cost from Dun & Bradstreet at 866-705-5711 or fedgov.dnb.com/webform.

SCORING CRITERIA

Eligible applications will be scored according to the following criteria:

PRODUCE SAFETY RISKS

Proposal identifies a significant produce safety risk that the improvement project will address and explains how the improvement will help prevent or reduce that risk. Proposals that explain why a risk is significant, for example due to severity or likelihood of occurrence, and explain how the produce safety improvement project will prevent or reduce that risk using a realistic or proven technique, equipment, or method will receive the highest scores. We strongly encourage applicants to consult with the UVM Extension Produce Safety Team to aid in project design and implementation.

Up to 40 points

PROJECT NEED

Applicant effectively describes the farm's need for these funds to help achieve compliance with the Food Safety Modernization Act (FSMA) Produce Safety Rule (PSR) and/or meet market demands for on-farm food safety.

Up to 40 points

REALISTIC TIMELINE

Project timeline is reasonable for the term of the grant period.

Up to 10 points

REALISTIC BUDGET

Budget summary is realistic and sufficient to accomplish the work proposed. If the total costs are greater than the funds requested, the applicant provides a clear and sound explanation of other funding sources that will be used to cover the remaining costs.

Up to 10 points

IV. GRANT MANAGEMENT & REPORTING

GRANT AGREEMENT & PAYMENT

Prior to receiving funding, successful applicants must sign a grant agreement with the Vermont Agency of Agriculture, Food & Markets (VAAFM) indicating their intent to complete the proposed project and authorizing VAAFM to monitor the project's progress. The grant agreement will include provisions (terms and conditions) set by the State of Vermont as well as any program-specific requirements.

Review *Attachment C - Standard State Provisions and Contracts and Grants (12/15/2017 Revised)* at bgs.vermont.gov/purchasing-contracting/forms for the most recent State of Vermont provisions.

Prior to commencement of work and release of any payments, grantee must submit:

- A. A certificate of insurance consistent with the requirements set forth in Attachment C of the grant agreement [Not required if grantee has a current certificate of insurance on file with the Agency of Agriculture.]
- B. A current [IRS Form W-9](#) (Request for Taxpayer Identification Number and Certification), signed within the past six months [Not required if grantee is already a state vendor.]
- C. If grant is state-funded, completed [Act 154 Good Standing Certification](#). Find this form at finance.vermont.gov/vendors-and-grantees.
- D. If grant is federally-funded, confirmation of an active registration in the Federal System for Award Management (SAM) at <https://www.sam.gov>.
- E. Documentation verifying pledged matching funds, as applicable.

GRANTEE PAYMENT SCHEDULE

The Agency will provide 50% of funds upon the receipt of 1) a signed grant agreement and related documents; 2) the submission and approval of a claim with associated invoice in the WebGrants system; and 3) proof that the applicant has obtained any permits that may be required for their project, if applicable. The final 50% of funds will be provided after completion of the project, and when a final report, claim, and invoice have been submitted and approved in the WebGrants system.

Permits that are necessary for the successful completion of your project, such as a building permit, wastewater permit, etc. must be obtained prior to the disbursement of grant funds. The Agency reserves the right to deny your application if you fail to obtain the necessary permits within 90 days.

Only expenses incurred during the grant period are eligible for reimbursement. Project costs occurring prior to or after the end date of an executed grant are not eligible for reimbursement.

CERTIFICATE OF INSURANCE

A certificate of insurance (COI) is a common requirement for businesses and organizations; most agents are familiar with it. The State of Vermont must be listed as an additional insured on the grantee's policy. We recommend forwarding the insurance requirements below to prospective insurers for accuracy:

SECTION IV: GRANT MANAGEMENT & REPORTING

Insurance: Before commencing work on this Agreement the Party must provide certificates of insurance to show that the following minimum coverages are in effect. It is the responsibility of the Party to maintain current certificates of insurance on file with the State through the term of this Agreement. No warranty is made that the coverages and limits listed herein are adequate to cover and protect the interests of the Party for the Party's operations. These are solely minimums that have been established to protect the interests of the State.

Workers Compensation: With respect to all operations performed, the Party shall carry workers' compensation insurance in accordance with the laws of the State of Vermont. Vermont will accept an out-of-state employer's workers' compensation coverage while operating in Vermont provided that the insurance carrier is licensed to write insurance in Vermont and an amendatory endorsement is added to the policy adding Vermont for coverage purposes. Otherwise, the party shall secure a Vermont workers' compensation policy, if necessary, to comply with Vermont law.

General Liability and Property Damage: With respect to all operations performed under this Agreement, the Party shall carry general liability insurance having all major divisions of coverage including, but not limited to:

Premises - Operations

Products and Completed Operations

Personal Injury Liability

Contractual Liability

The policy shall be on an occurrence form and limits shall not be less than:

\$1,000,000 Each Occurrence

\$2,000,000 General Aggregate

\$1,000,000 Products/Completed Operations Aggregate

\$1,000,000 Personal & Advertising Injury

Automotive Liability: The Party shall carry automotive liability insurance covering all motor vehicles, including hired and non-owned coverage, used in connection with the Agreement. Limits of coverage shall not be less than \$500,000 combined single limit. If performance of this Agreement involves construction, or the transport of persons or hazardous materials, limits of coverage shall not be less than \$1,000,000 combined single limit.

Additional Insured. The General Liability and Property Damage coverages required for performance of this Agreement shall include the State of Vermont and its agencies, departments, officers and employees as Additional Insureds. If performance of this Agreement involves construction, or the transport of persons or hazardous materials, then the required Automotive Liability coverage shall include the State of Vermont and its agencies, departments, officers and employees as Additional Insureds. Coverage shall be primary and non-contributory with any other insurance and self-insurance.

Notice of Cancellation or Change. There shall be no cancellation, change, potential exhaustion of aggregate limits or non-renewal of insurance coverage(s) without thirty (30) days written prior written notice to the State.

PERMITS

Applicants who are awarded a grant must apply for and receive all required permits, licenses, and any other federal, state, or local approvals necessary for the project prior to any reimbursement from the Agency.

SECTION IV: GRANT MANAGEMENT & REPORTING

SITE VISITS

VAAFM staff and/or UVM Extension partners may contact successful applicants to arrange a site visit for their project during or proceeding the grant agreement period.

PUBLIC INFORMATION

Except for grantee proprietary and personal identifying data, as provided under 1 V.S.A. § 317(c), grantee names, projects, the amount of grant awards, and all other information regarding Produce Safety Improvement Grant projects are considered public information and may be subject to disclosure.

DURATION

All projects funded in this round must be completed no later than **February 28, 2021**. Final reports must be submitted no later than **March 30, 2021**.

REPORTING

Grantees should submit a final report as soon as their project is complete but no later than March 30, 2021. Final reports should be submitted online in the WebGrants system and must include verification that the project has been completed, photo and/or video documentation of the completed project, and a description of how the grant has improved produce safety on the farm. The Agency of Agriculture may request receipts, proof of purchases, or other documents showing that grant funds have been used to complete the project.

Information submitted in any report to the Agency will be a public record.

APPENDIX: DEFINITIONS

AVERAGE ANNUAL PRODUCE SALES

To be eligible for this funding opportunity, applicants must have an average annual monetary value of produce sold during the previous 3-year period of greater than \$25,000 (on a rolling basis), adjusted for inflation using 2011 as the baseline year for calculating the adjustment (21 C.F.R. § 112.4). The 3-year value for 2016–2018 is \$27,528. For more FSMA Inflation Adjusted Cut Offs, visit www.fda.gov/food/guidanceregulation/fsma/ucm554484.htm. If the applicant has less than three years of sales, take the average of annual produce sales, adjusted for inflation as stated above, for the years that the farm has been in operation.

PRODUCE

Produce means any fruit or vegetable (including mixes of intact fruits and vegetables) and includes mushrooms, sprouts (irrespective of seed source), peanuts, tree nuts, and herbs.

Produce does not include food grains—meaning the small, hard fruits or seeds of arable crops, or the crops bearing these fruits or seeds, that are primarily grown and processed for use as meal, flour, baked goods, cereals and oils rather than for direct consumption as small, hard fruits or seeds (including cereal grains, pseudo cereals, oilseeds and other plants used in the same fashion). Examples of food grains include barley, dent- or flint-corn, sorghum, oats, rice, rye, wheat, amaranth, quinoa, buckwheat, and oilseeds (e.g., cotton seed, flax seed, rapeseed, soybean, and sunflower seed) (21 C.F.R. § 112.3).

COVERED PRODUCE

Covered produce includes any raw fruit or vegetable commonly consumed raw, including, but not limited to, the following: fruits and vegetables such as almonds, apples, apricots, apriums, Artichokes-globetyp, Asian pears, avocados, babacos, bananas, Belgian endive, blackberries, blueberries, boysenberries, brazil nuts, broad beans, broccoli, Brussels sprouts, burdock, cabbages, Chinese cabbages (Bok Choy, mustard, and Napa), cantaloupes, carambolas, carrots, cauliflower, celeriac, celery, chayote fruit, cherries (sweet), chestnuts, chicory (roots and tops), citrus (such as clementine, grapefruit, lemons, limes, mandarin, oranges, tangerines, tangors, and unqi fruit), cowpea beans, cress-garden, cucumbers, curly endive, currants, dandelion leaves, fennel-Florence, garlic, genip, gooseberries, grapes, green beans, guavas, herbs (such as basil, chives, cilantro, oregano, and parsley), honeydew, huckleberries, Jerusalem artichokes, kale, kiwifruit, kohlrabi, kumquats, leek, lettuce, lychees, macadamia nuts, mangos, other melons (such as Canary, Crenshaw and Persian), mulberries, mushrooms, mustard greens, nectarines, onions, papayas, parsnips, passion fruit, peaches, pears, peas, peas-pigeon, peppers (such as bell and hot), pine nuts, pineapples, plantains, plums, plumcots, quince, radishes, raspberries, rhubarb, rutabagas, scallions, shallots, snow peas, soursop, spinach, sprouts (such as alfalfa and mung bean), strawberries, summer squash (such as patty pan, yellow and zucchini), sweetsop, Swiss chard, taro, tomatoes, turmeric, turnips (roots and tops), walnuts, watercress, watermelons, and yams (21 C.F.R. § 112.1(b)(1)).

RARELY CONSUMED RAW

The following produce is considered “rarely consumed raw” and is not covered by the Produce Safety Rule: asparagus; beans, black; beans, great Northern; beans, kidney; beans, lima; beans, navy; beans, pinto; beets, garden (roots and tops); beets, sugar; cashews; cherries, sour; chickpeas; cocoa beans; coffee beans; collards; corn, sweet; cranberries; dates; dill (seeds and weed); eggplants; figs; ginger; hazelnuts; horseradish; lentils; okra; peanuts; pecans; peppermint; potatoes; pumpkins; squash, winter; sweet potatoes; and water chestnuts (21 C.F.R. §112.2(a)(1)