



Food Safety Modernization Act (FSMA) Produce Safety Rule

Produce Buyer and Distributor Factsheet

This factsheet provides information on what produce buyers and distributors should know about the Food Safety Modernization Act (FSMA) Produce Safety Rule and its implementation in Vermont.

What is the FSMA Produce Safety Rule?

The FSMA Produce Safety Rule (PSR) is a U.S. Food and Drug Administration (FDA) regulation that establishes minimum food safety standards for **farms that grow, harvest, pack, or hold fruits and vegetables** in order to reduce foodborne illness.

Which farms need to comply with the FSMA Produce Safety Rule?

Farms with greater than \$25,000 in average annual produce sales are subject to the PSR. However, farms that surpass this threshold may be eligible for a qualified exemption based on food sales and market outlets. Qualified exempt farms must meet modified minimum requirements. Farms with less than \$25,000 in average annual produce sales and qualified exempt farms will *not* undergo routine inspections. Again, **the PSR only applies to farms** that grow, harvest, pack or hold fruits and vegetables.

Who implements the Rule in Vermont?

The Vermont Agency of Agriculture, Food, & Markets (VAAFAM) Produce Program will conduct routine inspections of produce farms subject to the PSR. The inspection team is responsible for ensuring that farms meet produce safety standards to minimize the risk of contaminated produce entering the marketplace. **VAAFAM is committed to an educational approach to regulating**; produce farms can complete trainings and receive on-farm education and technical assistance to achieve compliance with the PSR.

What topics are addressed under the Produce Safety Rule?

The full text of the FSMA Produce Safety Rule can be found here: <https://go.usa.gov/xmpKH>. The PSR is divided into several sections, called subparts, and includes requirements related to:

- Agricultural Water
- Worker Training
- Health & Hygiene
- Soil Amendments
- Record-keeping
- Wild & Domestic Animals
- Growing, Harvesting, Packing & Holding Activities
- Equipment, Tools & Buildings

How is the FSMA Produce Safety Rule different than a third-party audit or certification?

The FSMA Produce Safety Rule is a mandatory, federal regulation. Farms that are covered under the rule must follow its requirements and will receive routine inspections to ensure compliance.

Third-party programs, such as USDA Good Agricultural Practices (GAP) or the Vermont Vegetable Berry Growers Association (VVBGA) Community Accreditation for Produce Safety (CAPS) program, are voluntary – although some produce buyers may require farms to complete a program. Third-party programs provide verification that the participant has taken proactive measures to reduce the risk of contamination by adhering to generally recognized industry best practices.

How can produce buyers and distributors engage with farms about produce safety?

Learn about produce safety practices on Vermont farms.

While the FSMA Produce Safety Rule does not apply to every farm, produce farms are actively engaged in food safety practices to help maintain a safe marketplace. Ask producers about their food safety practices to learn more about individual farm initiatives.

Encourage farms to connect with the Vermont Produce Program.

The VAAFAM Produce Program works with produce farms of all sizes and stages of development to meet food safety requirements, access markets, and promote public health. Direct Vermont farms with questions about the Produce Safety Rule or produce safety best practices to the Produce Program to receive direct assistance, resources, and next steps for their farms.





Will inspections be conducted on farms covered under the Produce Safety Rule?

Yes. The FSMA Produce Safety Rule includes **tiered inspection dates** based on a farm’s annual produce sales. The VAAFM Produce Program inspection team is responsible for carrying out Produce Safety Rule inspections in Vermont.

The chart below outlines when inspections begin. FDA has extended the compliance dates for certain agricultural water requirements of the Produce Safety Rule to address questions about water testing and the feasibility of compliance.

Produce Safety Rule Inspection Schedule	
Farm Size <i>(Based on average annual produce sales)</i>	Initial Inspections Begin <i>(On all subparts except agricultural water)</i>
Large (> \$500K)	2019
Small (\$250K – \$500K)	2020
Very Small (\$25K – \$250K)	2021
Excluded (less than \$25K) or Eligible for an Exemption	Not required

The Vermont Produce Program is available to answer questions about the FSMA Produce Safety Rule, produce farm inspections, and program services.

Contact AGR.FSMA@vermont.gov or (802) 522-3132.

Additional Resources

Vermont Agency of Agriculture, Food & Markets Produce Program
agriculture.vermont.gov/produceprogram

U.S. Food & Drug Administration: FSMA Final Rule on Produce Safety
go.usa.gov/xmmJ7

Produce Safety Alliance
producesafetyalliance.cornell.edu



If you are a Vermont farmer and have questions about the FSMA Produce Safety Rule, contact the Vermont Produce Program.