

State Department of Agriculture Updates

Alabama

State Department of Agriculture Updates

Program Structure

- Education and Outreach – Auburn University
 - Lead on all PSA Grower Trainings
- Compliance and Enforcement
 - ADAI lead role on inspections
 - ADAI lead on OFRR with Extension personnel as assistants on farms

Rule Making/ Adoption of Law

- ADAI had existing authority to be present on farms for inspections
- ADAI adopted the PSR by reference into our food safety laws

Success Stories

- Word of mouth – Farmers talk
- Post card mail out that included farm inventory questions
- Sweet Grown Alabama website/ Farmers market websites across state
- New County Extension Agent Coordinators

Challenges

- Continuing to reach new farmers

Unique Opportunity

- Split responsibilities of ADAI and Public Health
 - Training inspectors on Preventive Controls
 - Warehouses/ Processing facility

Training Beyond PSA Grower Training

- Auburn leading Preventive Controls for Human Food

OFRR/ Remote Trainings

- Remote Trainings – Unfavorable

Not a large request for OFRR

- Farmers ready for inspection and prefer not to do OFRR due to busy schedule

Arkansas

State Department of Agriculture Updates

**ARKANSAS
DEPARTMENT OF
AGRICULTURE**



Program Structure



**ARKANSAS
DEPARTMENT OF
AGRICULTURE**

- Staff:
 - 1 Program Manager, 2 Inspectors, & 1 Administrative assistant.
 - PI, SO, & Grants
- Regulatory- Tier 4, competition A/B. Under State Authority.
- Farm Inventory
- Farm Visits
- Inspections



Cooperative Extension Service

- Staff:
 - 1 Assistant Professor, 1 Post Doctoral Fellow, 2 Program Associates, & 1 Program Assistant
- Outreach and Education
- PSA Grower Trainings
- OFRR's



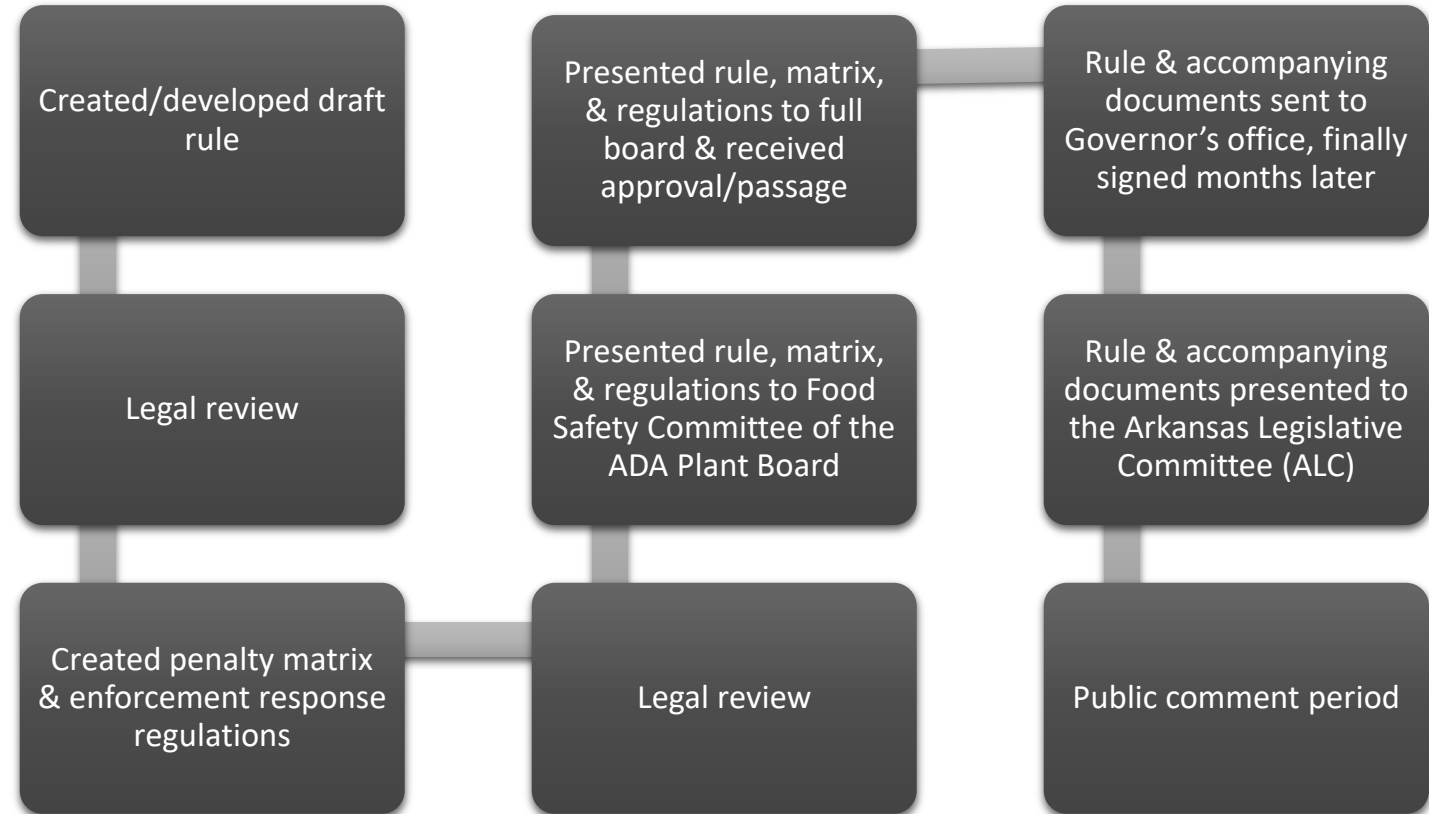
Unique challenge

- Covid-19
 - ❖ labor
 - ❖ inspections
 - ❖ reluctance from grower
- Tropical storm
 - ❖ crop damage
 - ❖ power outage
 - ❖ feral hogs



State Authority

- Rule-making Process
- Arkansas Produce Safety Rule



PRODUCE SAFETY RULE

Incorporation by reference of federal produce safety regulations

The Department hereby incorporates by reference Title 21 of the Code of Federal Regulations, Part 112 (most current revision) regarding standards for the growing, harvesting, packing, and holding of produce for human consumption as provisions of this rule as though set forth herein line for line and word for word, except that unless the context otherwise dictates, references to “We”, “the United States Food and Drug Administration”, and “FDA” shall refer to the “Arkansas Department of Agriculture” or “Department”, and all words or terms defined or used in the federal regulations incorporated by reference shall mean the state equivalent or counterpart to those words or terms.

Definitions

The following words or terms, when used in this rule, shall have the following meaning, unless the context clearly indicates otherwise:

“Covered farm” means a farm or farm mixed-type facility with an average annual monetary value of produce sold during the previous 3-year period of more than \$25,000 (on a rolling basis), adjusted for inflation using 2011 as the baseline year for calculating the adjustment. Covered farms subject to this part must comply with all applicable requirements of this part when conducting a covered activity on covered produce.

A farm is not a covered farm if it satisfies the requirements in 21 C.F.R. § 112.5 and the Department has not withdrawn the farm's exemption in accordance with the requirements of Part 112, Subpart R.

“Department” means the Arkansas Department of Agriculture.

“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. A fruit is the edible reproductive body of a seed plant or tree nut (such as apple, orange, and almond) such that fruit means the harvestable or harvested part of a plant developed from a flower. A vegetable is the edible part of an herbaceous plant (such as cabbage or potato) or fleshy fruiting body of a fungus (such as white button or shiitake) grown for an edible part such that vegetable means the harvestable or harvested part of any plant or fungus whose fruit, fleshy fruiting bodies, seeds, roots, tubers, bulbs, stems, leaves, or flower parts are used as food and includes mushrooms, sprouts, and herbs (such as basil or cilantro). 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).

Farm Registration

- (a) All covered farms shall register with the Department and provide a business name, mailing address, physical address, and telephone number.
- (b) Registered covered farms shall notify the Department of any change in the information provided at registration within ninety (90) days of the change.
- (c) Covered farms shall register with the Department no later than July 1 of each year.
- (d) The Department may post the inflation-adjusted annual threshold on its website.

Penalties

Any person who violates a provision of this rule may be subject to one or more of the following:

- (a) Actions detailed in the Compliance and Enforcement Penalty Matrix;
- (b) A stop sale order;
- (c) Civil penalties under the authority of the Arkansas Plant Act of 1917, A.C. A. Section 2-16-203.



Approaching farmers about OFRRs

❖ Farm visits

Florida

State Department of Agriculture Updates



FLORIDA FSMA PSR UPDATE

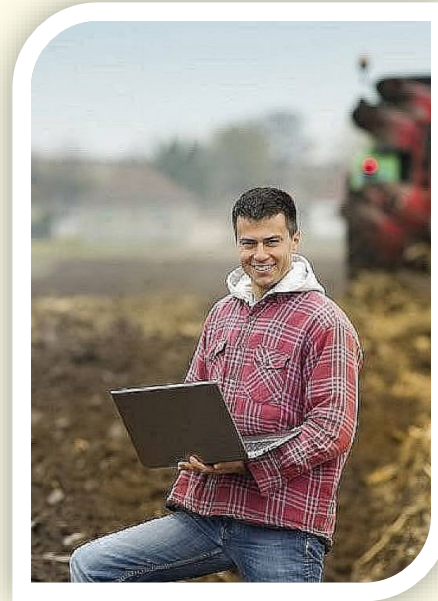
September 2020



Florida Department of Agriculture & Consumer Services
Nicole "Nikki" Fried, Commissioner

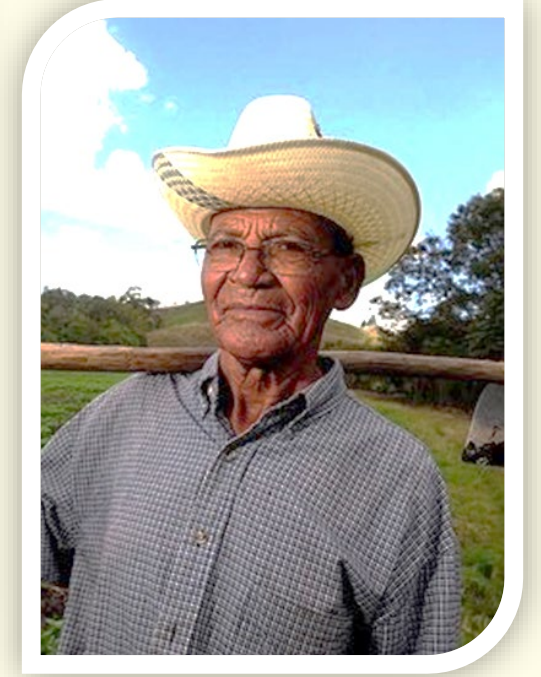
OUTREACH

- BSAAO Workgroup (FDA, UF IFAS, FDACS et al.) developing a workshop to assist all growers wanting to use BSAAO's.
- Should roll out in December.
- Pilot was a success in Louisiana.



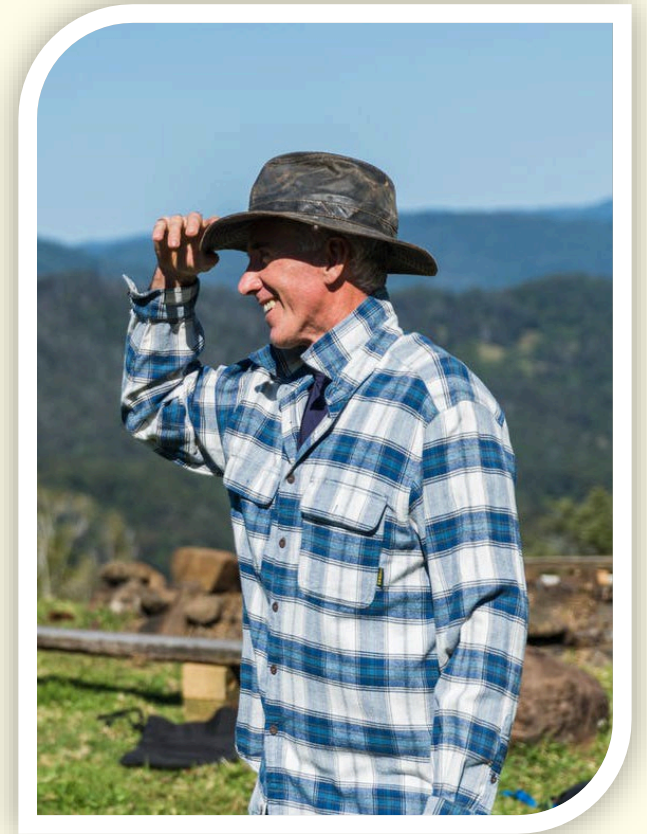
ON-FARM READINESS REVIEWS

- Conducted 67 OFRR's with 42 requested as of 09/21/2020.
- Continuing to promote OFRRs at PSA Grower Trainings, industry meetings, Farm Bureau meetings, and written communication.
- **Challenges:**
 1. Reaching desired audience.
 2. Personnel turnover.
 3. Seasonality issues.



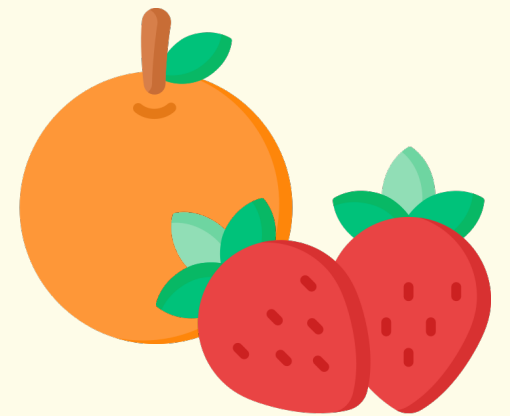
PSA GROWER TRAININGS

- Continuing to promote Grower Trainings
- 54 PSA Grower Trainings as of 09/21/2020.
- 2 have been held virtually with 3 more through December.
- Virtual trainings have been received well, however look forward to live in person classes.



FARM INVENTORY

- Rough start initially.
- Farms not required to register in Florida, which makes it harder to locate covered farms.
- New Farm Inventory Specialist has improved means to locate farms.
- 641 plus verified farms in Florida out of an estimated average of 2700 covered farms.



OVERALL CHALLENGES

- Training of personnel can be challenging because of course availability (COVID not helping matters).
- Credentialing process is slow.
- Turnover in personnel.



CONTACT INFORMATION

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PSR Inspection Supervisor

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Kentucky

State Department of Agriculture Updates

Kentucky Department of Agriculture Produce Safety Program

SRIPS Conference 2020



Program Structure



- Mark Reed – Program Manager
- Melissa Rutledge – Education & Outreach Coordinator
- Dain Satterwhite – Grant & Compliance Coordinator
- Ryan Mairs & Tyler Goodlett – Field Representatives

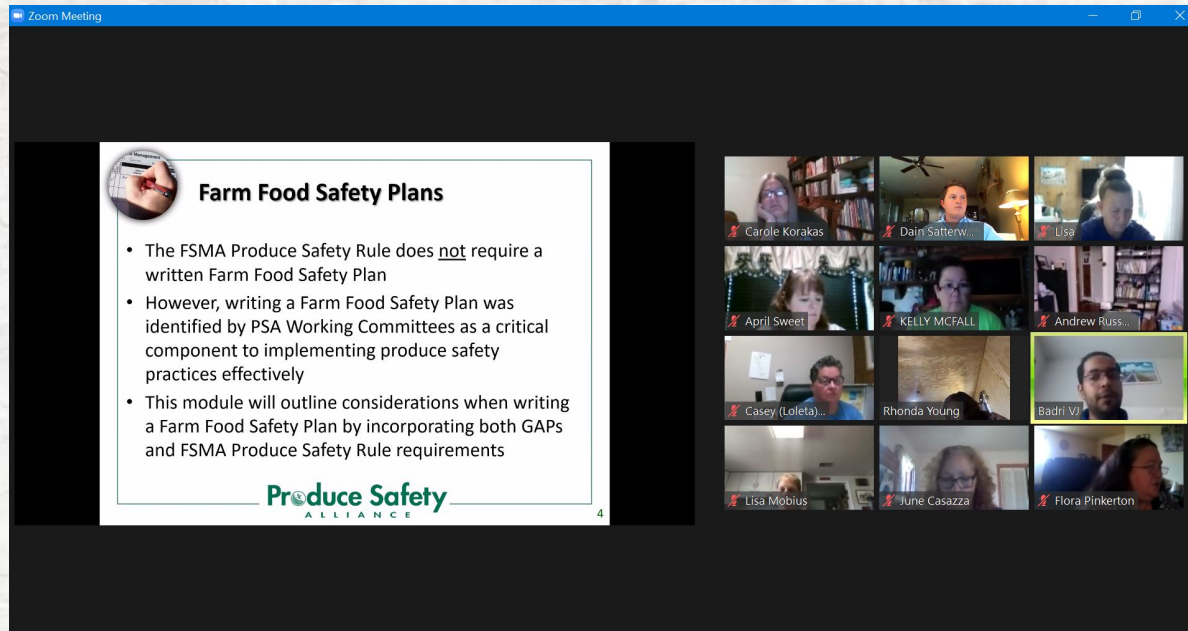


KDA Partners in Produce Safety

- University of Kentucky Cooperative Extension Service
- Kentucky Department for Public Health-Food Safety Branch



Challenges and Opportunities



The screenshot shows a Zoom meeting window. On the left, a presentation slide titled "Farm Food Safety Plans" is displayed. The slide contains three bullet points: "The FSMA Produce Safety Rule does not require a written Farm Food Safety Plan", "However, writing a Farm Food Safety Plan was identified by PSA Working Committees as a critical component to implementing produce safety practices effectively", and "This module will outline considerations when writing a Farm Food Safety Plan by incorporating both GAPs and FSMA Produce Safety Rule requirements". The slide also features the "Produce Safety ALLIANCE" logo and the number "4" in the bottom right corner. On the right side of the Zoom window, a grid of 12 participant video feeds is visible, each with a name label below it: Carole Korakas, Dain Satterw..., Lisa, April Sweet, KELLY MCFALL, Andrew Russ..., Casey (Loleta)..., Rhonda Young, Badri V..., Lisa Mobius, June Casazza, and Flora Pinkerton.

Farm Food Safety Plans

- The FSMA Produce Safety Rule does not require a written Farm Food Safety Plan
- However, writing a Farm Food Safety Plan was identified by PSA Working Committees as a critical component to implementing produce safety practices effectively
- This module will outline considerations when writing a Farm Food Safety Plan by incorporating both GAPs and FSMA Produce Safety Rule requirements

Produce Safety ALLIANCE

4

Participants: Carole Korakas, Dain Satterw..., Lisa, April Sweet, KELLY MCFALL, Andrew Russ..., Casey (Loleta)..., Rhonda Young, Badri V..., Lisa Mobius, June Casazza, Flora Pinkerton

- Reaching plain clothes communities during COVID-19
- Mentorship pilot program with Oklahoma (SOPs)
- 7 Remote PSA Trainings in collaboration with University of Kentucky
- Good reception from growers on remote trainings

State Legislation & Regulation



Commissioner Quarles ✓ @... · 22h ✓

Thanks to [@KimberlyKingGOP](#) for sponsoring and leading the charge to pass [#HB420](#), one of [@kentuckyag](#)'s top legislative priorities! It will allow KDA to implement new produce safety rules, instead of inspectors from Washington. Another bipartisan win for ag. [#KyAg365](#) [#FSMA](#)



- Produce Safety Bill passed in April, adopted PSR by reference
- Regulation going into effect 2021
- Gives KDA authority to:
 - Enter/inspect farms
 - Require grower training for QE farms
 - Require farm registration with KDA
 - Enforce Stop Use/Stop Movement Orders

State Regulation

Food Safety

- .765 Definitions for KRS 260.765 to 260.772. (Effective July 15, 2020)
- .766 Department to implement federal Produce Safety Rule – Conditions for discontinuation of implementation. (Effective July 15, 2020)
- .767 Department guaranteed access to certain farms -- Required inspections -- Interference with performance of duty prohibited. (Effective July 15, 2020)
- .768 Eligibility for exemption from requirements of KRS 260.765 to 260.772 and some federal regulations. (Effective July 15, 2020)
- .769 Powers of department in carrying out duties set forth in KRS 260.765 to 260.772. (Effective July 15, 2020)
- .770 Stop movement order or order of destruction for violations of KRS 260.765 to 260.772 or federal or state regulations. (Effective July 15, 2020)
- .771 Circuit Court order of forfeiture and destruction or sale for other than food of produce found to be in violation of KRS 260.765 to 260.772 or federal or state regulations. (Effective July 15, 2020)
- .772 Penalties for violation of KRS 260.765 to 260.772 or federal or state regulations. (Effective July 15, 2020)

Education & Outreach



- New position - Melissa Rutledge
- Posters developed with UK
- Videos on hold, working on scripts
- OAK, KY F&V Conference, EKY F&V Conference, KEHA Conference



On-Farm Readiness Reviews

OFRR



- Growers indicate interest via survey
- Prioritized by farm size & inspection date
- Used as a preparation tool for inspections

Louisiana

State Department of Agriculture Updates

State Department of Ag Updates

Allison M. Dumas, LA Department of Agriculture & Forestry
adumas@ldaf.state.la.us



Louisiana At A Glance

- LA Department of Agriculture & Forestry (LDAF) is the CAP grantee
 - Louisiana is a Tier 4
 - Primary responsibility – Competition B Activities
 - Program staff includes Program Manager, Two Inspectors and an Administrative Assistant
- LSU Ag Center & Southern University Ag Center have subawards with LDAF
 - Responsible for education & outreach
- Two PSA lead trainers and approximately 30 trainers between the three organizations
 - Two additional lead trainers associated with NGOs in the state



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Important Partnerships



State Department of Ag Updates

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Education & Outreach

- To date, we've hosted
 - 30 PSA Grower Trainings
 - 3 PSA Train the Trainer Courses
 - 1 OFRR Training
 - BSAAO Training
 - Food safety training for farmers market vendors
 - On-farm employee training



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Education & Outreach

- LA Ag Expo
- LA Farm Bureau Annual Convention
- LA Restaurant Association Expo
- LA Farm to School Conference
- LA Small Farmers Conference
- LA Fruit & Vegetable Growers Association Field Days
- Morehouse Parish Black Farmers Association Field Day
- Grow Louisiana Farmer Training
- LA SARE Practical Farm Certifications Training
- Farmers Market Vendor Meetings



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FOOD SAFETY AT THE FARMERS MARKET



TIPS TO KEEP YOUR PRODUCE AND YOUR CONSUMERS' HEALTH SAFE AT THE FARMERS MARKET

- Maintain potable water, hand soap, sanitizing gel and paper towels at the stand.
- Keep food samples covered and protected. Store food items and containers at least 6 inches off the ground. Set up overhead protection.
- No pets. In many cases pets are carriers of microorganisms that can be transmitted to food through urine, feces or saliva.

- Use sanitized equipment for food. Keep bags or containers to pack the products after sale.
- Wash your hands regularly. Do not smoke, drink or eat in the stand or around food. Keep display areas clean and sanitized.



Authors: Allison Dumas and Sandra Torres-Gomez
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FOOD SAFETY FOR FOOD CROP PRODUCERS AFTER FLOODING

State Department of Ag Updates

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adumas@ldaf.state.la.us



Future Plans

- Conduct at minimum of two remote PSA Grower Trainings before the end of 2020
- Continue partnering with LA Department of Health to provide resources on water quality to growers
- Continue developing and verifying farm inventory
- Conduct additional biological soil amendment training for growers, educators and regulators
- Continue developing resources for growers based on findings from grower trainings, educational visits and inspections
- LSU Ag Center will begin training related to mobile water treatment unit developed to assist produce growers

North
Carolina

State Department of Agriculture Updates

Sarah Cope
Outreach Coordinator
Produce Safety Program
North Carolina Department of Agriculture and Consumer Services
Food and Drug Protection Division
Office: (919) 612-7049
Email: Sarah.Cope@ncagr.gov

North Carolina Produce Safety Program's Outreach and Education Initiatives

Sarah Cope

Outreach Coordinator

Produce Safety Program

North Carolina Department of Agriculture and Consumer Services



The North Carolina Department of Agriculture and Consumer Services Produce Safety Program

- Adopted the Produce Safety Rule May 1, 2018
- All regulatory responsibilities are within the Department of Agriculture alongside outreach and education efforts
 - Fully staffed
 - Up to date with regulatory trainings
- MOU with NC State University Extension
 - Outreach and education



Unique Outreach Opportunities in NC



Trams with
Audio and
Visual
Connections



Mobile Packing Line Trailer

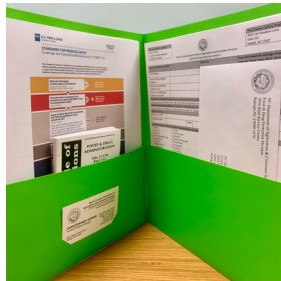


Piedmont Research Station Produce Packinghouse
Salisbury, NC

Outreach and Education Challenges and Successes in NC



Presentations at Stakeholder Meetings





Educational Farm Verification Visits



Exhibit Tables at Commodity Group Meetings



Virtual Commodity Field Day Videos

 Hello Produce Safety Program, 

☐ My farm is covered under the Produce Safety Rule

☐ My farm is qualified exempt under the Produce Safety Rule

☐ My farm is processing exempt under the Produce Safety Rule



☐ My farm is not covered under the Produce Safety Rule

☐ Please call or email me to help me determine if my farm is covered under the Produce Safety Rule or provide me with more information about the Produce Safety Rule

Email address: _____

Phone number: (____) _____ - _____

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THE PRODUCE SAFETY PROGRAM

4505 Fair Meadow Lane
Suite 215
Raleigh, NC 27607



Mass Mailing

Ongoing and Upcoming Outreach and Education Initiatives in NC



Farmer's Market Baskets

Produce Safety Sunday News weekly Social Media posts on Facebook, Twitter, and Instagram

AUGUST 2, 2020 VOL. 1

PRODUCE SAFETY SUNDAY NEWS

The latest news and updates from the NCDA&CS Produce Safety Program

What is The Produce Safety Program?

by Sarah Cope, Produce Outreach Coordinator

Our mission within the North Carolina Department of Agriculture and Consumer Services's Produce Safety Program is to ensure North Carolina produce farms are in compliance with the FDA's Produce Safety Rule for the health of consumers through continuous outreach and education before and while we regulate. The Produce Safety Rule is in place to keep the growing, harvesting, packing, and holding of fruits and vegetables free of foodborne illness causing pathogens. We have some educational resources for North Carolina produce growers located at our website and we're always happy to chat with consumers about what we're doing and about what they can do to keep the local produce that they buy safe to eat.

Team Member Spotlight

by Allison Pitts, Produce Compliance Officer

Sarah is the Outreach Coordinator for the Produce Safety Program. She has a passion for educating everyone that she can about all things food safety. It brings her great joy when growers call her to ask her produce safety questions and she is always quick to reply to emails. She is also planning some great workshops and has a variety of produce related resources to share. Before working for the Produce Safety Program her efforts emphasized teaching consumers about food safety, so, consumers are encouraged to reach out with questions as well. Office Phone: 919-612-7049 Work Cell: 919-219-4706 Email: sarah.cope@ncagr.gov



WWW.NCAGR.GOV/FOODDRUG/FOOD/PRODUCESAFETYPROGRAM.HTM

AUGUST 16, 2020 VOL. 3

PRODUCE SAFETY SUNDAY NEWS

The latest news and updates from the NCDA&CS Produce Safety Program

All About On-Farm Readiness Reviews

by Sarah Cope, Outreach Coordinator

An On-Farm Readiness Review (OFRR) is a voluntary, educational, non-regulatory, and confidential review of a farm's readiness for compliance with the FDA's Produce Safety Rule. Prior to requesting an OFRR, a grower should attend a Produce Safety Alliance Grower Training Course and review the recommended produce safety practices on their farm. OFRR's are conducted jointly by a member of the NCDA&CS Produce Safety Program and a member of NC State Extension, along with the grower and anyone else they would like to join. The OFRR will begin with a discussion of what commodities are grown, produce safety practices, and farm procedures. Then, the team will view growing, harvesting, washing, packing, storing, and holding practices. It will conclude with feedback and the opportunity for the grower to request technical assistance related to produce safety practices on their farm. Request an OFRR by filling out the form on the website today!

How Does The Produce Safety Rule Affect Consumers?

by Sarah Cope, Outreach Coordinator

The implementation of the Produce Safety Rule should provide consumers with the confidence that the produce they purchase has been grown in a way to reduce the presence of foodborne illness causing pathogens.





What is your favorite local produce to purchase? Tell us in the comments!

WWW.NCAGR.GOV/FOODDRUG/FOOD/PRODUCESAFETYPROGRAM.HTM

AUGUST 23, 2020 VOL. 4

PRODUCE SAFETY SUNDAY NEWS

The latest news and updates from the NCDA&CS Produce Safety Program

The NCDA&CS Piedmont Research Station Produce Packinghouse

by Sarah Cope, Outreach Coordinator

The NCDA&CS Piedmont Research Station located in Rowan County is home to a wide variety of crop and livestock research on over 1,000 acres of land and now houses a fully furnished produce packinghouse. The produce packinghouse will be utilized for research opportunities as well as trainings and workshops geared towards local produce growers to educate them about the Produce Safety Rule. Not only does the packinghouse hold a wet/dry pack line that will be used to wash, sort, and pack produce grown at the research station, but it also includes three sinks and storage areas for equipment. The pack line highlights produce safety during post-harvest product handling and the trainings held will be based on findings from past On-Farm Readiness Reviews and regulatory produce farm inspections. This packinghouse is a major asset to the research station, the Produce Safety Program, and is a priceless resource to produce growers around the state of North Carolina.

Team Member Spotlight

by Sarah Cope, Outreach Coordinator

Stan Biconish is a native of Southeastern NC, growing up on a small farm in Bladen County where, through his grandfather and community, his love of NC agriculture grew. Stan started with the NCDA&CS in 2014 as an Ag Programs Specialist, working with the Research Stations Division where he assisted all 18 research stations across the state with station needs and improvements. In 2017, Stan began as the liaison between the Research Stations Division and the Produce Safety Program. His role is to assist in acquiring improvements that enhance our research stations for both research and educational needs as related to produce safety, including playing a vital role in the development of the Piedmont Research Station produce packinghouse. Between enjoying working with his coworkers and the positive outcomes for our local farmers, it is easy for Stan to say "I love my job!"



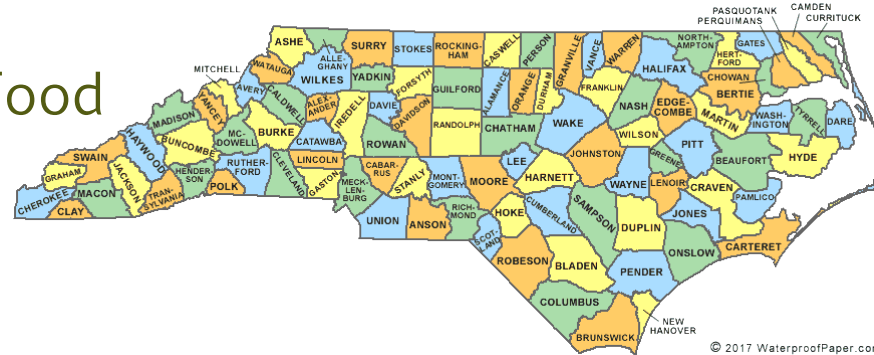
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Produce Safety Alliance Grower Training Courses in NC

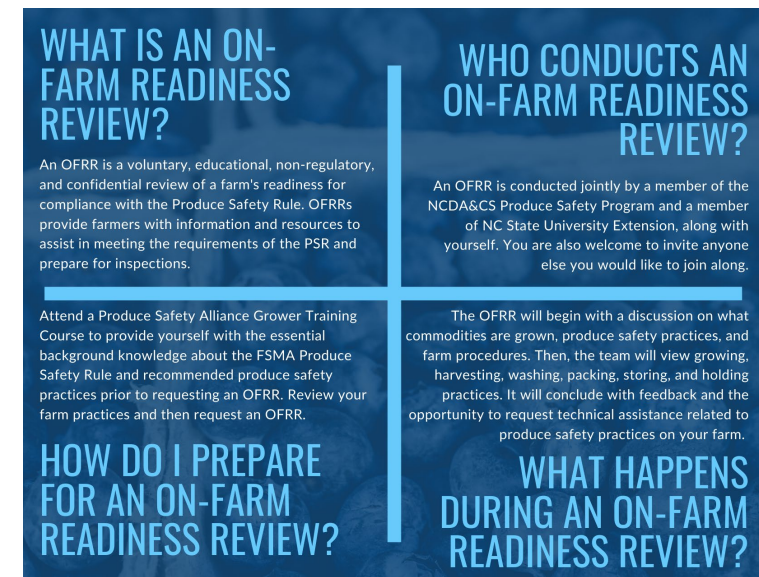
- We support NC State Extension with PSA Grower Training Courses
 - Three Area Specialized Agents in Food Safety
 - Eastern, NC vs. Western, NC
- Expanding from the standard curriculum:
 - Interactive and hands-on color coded cleaning and sanitation tool demonstration
- Not offering virtual PSA Grower Training Courses at this time

Produce Safety
ALLIANCE



On-Farm Readiness Reviews in NC

- Promoting OFRRs:
 - Phone, email, website, and in person
 - In person is most successful
 - Hand out flyers
 - Hand out OFRR request form alongside self-addressed return envelope
- Scheduling OFRRs:
 - Flexible
 - Reschedule
 - Illness, weather, pandemic
 - Time selection



Additional Produce Safety Collaborations in NC

- NC Fresh Produce Safety Task Force
 - 2020 Produce Safety Professionals Virtual Conference
- Packinghouse Sanitation Workshop
- Bridging the GAPS: Approaches for Treating On-Farm Water
 - Mobile Unit for Disinfection
- Always Be Cleaning & Sanitizing Understanding Disinfection




**NC PRODUCE PROFESSIONALS VIRTUAL CONFERENCE:
SANITATION IN THE NEW NORMAL**
September 16, 2020 | Wednesday
9:30 AM - 5:00 PM Eastern Time
[Click HERE to Register Today!](#)

9:30 AM: Sanitation: Beyond Soap and Water
Dr. Lynette Johnston, NC State University, Area Specialized Agent, Food Safety

9:50 AM: What Do You Do With Your Waste Water?
Keith Larick, NC Farm Bureau Federation, Natural Resources Director

10:20 AM: Bridging the GAPS: Approaches for Treating Preharvest Agricultural Water On-Farm
Dr. Faith Critzer, Washington State University, Associate Professor & Produce Safety Extension Specialist

10:50 AM: Harvest Equipment Cleaning and Sanitation Practices
Dr. Chip Simmons, NC State University, Area Specialized Agent, Food Safety

11:30 AM: Q&A Session with the Morning Presenters

12:00 PM: Lunch Break

1:00 PM: Who's On First? Health & PPE Resource Lessons Learned From COVID-19
Dr. Robin Tutor Marcom, East Carolina University, NC Agromedicine Institute Director

1:30 PM: COVID-19: Safety and Sanitation Recommendations Throughout the Industry
Dr. Ben Chapman, NC State University, Professor & Food Safety Extension Specialist

2:00 PM: A Glimpse Into What It's Like Container Farming
Trevor Spear, Nanue's Farm, Owner


2:30 PM: Q&A Session with the Afternoon Presenters



Provided By The North Carolina Fresh Produce Safety Task Force


NC STATE UNIVERSITY


**A Always
B Be
C Cleaning
D + Understand & Sanitizing
Disinfection**


**Lynette Johnston, Chip Simmons,
Elena Rogers, and Chris Gunter**
Horticultural Science, NCSU


**North Carolina
Produce Safety
Team**


**NORTH CAROLINA
FRESH PRODUCE SAFETY
TASK FORCE**
www.ncfreshproduce.org


**NC COOPERATIVE
EXTENSION**


NC A&T


NC STATE



South
Carolina

State Department of Agriculture Updates

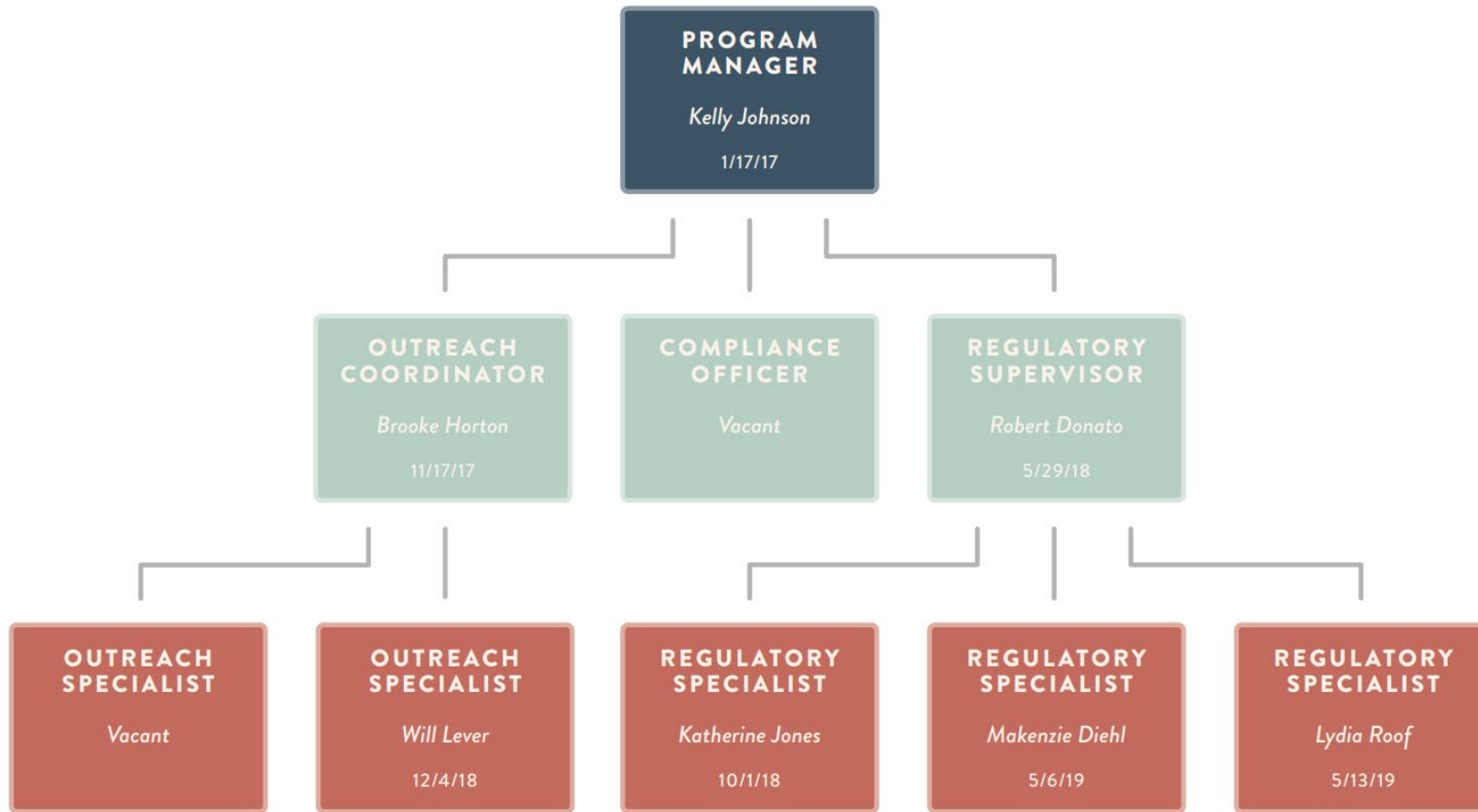
SCDA Program Structure



PRODUCE SAFETY

SCPRODUCESAFETY.COM

- Started in September 2016
- Competition A & B
- State Authority
- Tier 4
- 9 positions
- 2 Subawards



SCDA Produce Safety Department Org Chart

Online Exemption Application Program

- Home page that the grower sees
- They can apply online or by mail
- Learn if they qualify for exemption

The screenshot shows a web application titled "PRODUCE SAFETY EXEMPTION". At the top left is a "Home" link, and at the top right is an email address "kjohnson@scda.sc.gov". Below the title bar, there is a "Back" button on the left and a "My Account" button with a user icon "K" on the right. The main content area has three sections: 1. "What is the FSMA Produce Safety Rule?" with a paragraph explaining the rule's origin and purpose. 2. "What does the FSMA Produce Safety Rule cover?" with a paragraph and a bulleted list of covered areas: Worker health, hygiene, and training; Agricultural water; Biological soil amendments; Domesticated and wild animals; Equipment, tools, buildings, and sanitation; and Production of sprouts. 3. "If my farm is excluded or exempt from the PSR, how do I apply?" with a paragraph and a link "Learn if you qualify for an exemption". At the bottom, there are two buttons: "Apply for an Exemption" and "Apply by Mail".

Home

kjohnson@scda.sc.gov

Back

PRODUCE SAFETY EXEMPTION

My Account K

What is the FSMA Produce Safety Rule?

The Produce Safety Rule is part of the FDA Food Safety Modernization Act (FSMA) that was passed by President Obama on January 4, 2011. This regulation focuses on setting the first-ever federal regulatory standards for the production, harvest, and handling of fruits and vegetables, in an effort to prevent microbial contamination and reduce foodborne illnesses associated with fresh produce. The Produce Safety Rule was made available publicly on November 13, 2015 and was published in the Federal Register on November 27, 2015.

What does the FSMA Produce Safety Rule cover?

The Produce Safety Rule, outlined in Section 105 of FSMA, establishes science-based minimum standards for safe production and harvesting of fresh fruits and vegetables. The rule is divided into several parts, including standards for:

- Worker health, hygiene, and training
- Agricultural water, both for production and post-harvest uses
- Biological soil amendments (e.g., compost, manure)
- Domesticated and wild animals
- Equipment, tools, buildings, and sanitation
- Production of sprouts*

If my farm is excluded or exempt from the PSR, how do I apply?

Some growers may be excluded based upon commodities grown, average annual produce sales, and/or personal / on-farm consumption. Some growers may be exempt based upon processing activities that include a "kill step", or average annual food sales to "qualified end users."

[Learn if you qualify for an exemption](#)

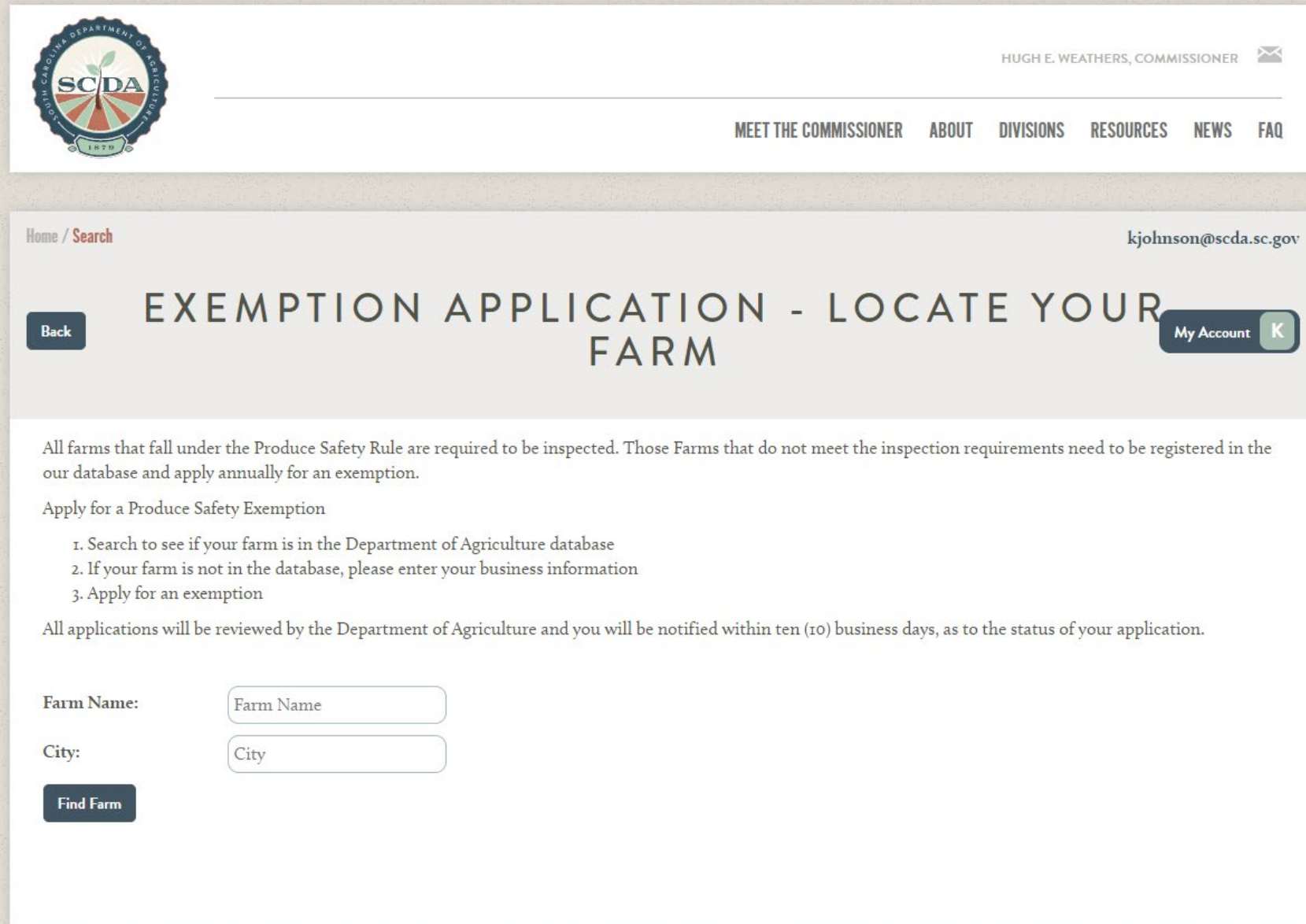
Regardless all growers should act to reduce food safety risks on the farm. The first step is to register your business and if applicable apply annually for an exemption.

Apply for an Exemption

Apply by Mail

Online Exemption Application- Farm Search

- Growers can search for their farm name to see if they are in the inventory already and then connect their application to that account
- If a grower is not in the inventory, they can add their info. Which will then be added to our inventory once we approve the submission



The screenshot shows the SCDA website header with the logo, Commissioner's name (HUGH E. WEATHERS), and navigation links (MEET THE COMMISSIONER, ABOUT, DIVISIONS, RESOURCES, NEWS, FAQ). The main content area is titled 'EXEMPTION APPLICATION - LOCATE YOUR FARM' and includes a 'Back' button and a 'My Account' button with the letter 'K'. The text explains that all farms under the Produce Safety Rule must be inspected and registered in the database. It provides a list of steps to apply for an exemption: 1. Search to see if your farm is in the Department of Agriculture database, 2. If your farm is not in the database, please enter your business information, and 3. Apply for an exemption. It also states that all applications will be reviewed within ten (10) business days. At the bottom, there are input fields for 'Farm Name' and 'City', and a 'Find Farm' button.

SCDA
SOUTH CAROLINA DEPARTMENT OF AGRICULTURE
1879

HUGH E. WEATHERS, COMMISSIONER

MEET THE COMMISSIONER ABOUT DIVISIONS RESOURCES NEWS FAQ

Home / Search kjohnson@scda.sc.gov

EXEMPTION APPLICATION - LOCATE YOUR FARM

Back My Account K

All farms that fall under the Produce Safety Rule are required to be inspected. Those Farms that do not meet the inspection requirements need to be registered in the our database and apply annually for an exemption.

Apply for a Produce Safety Exemption

1. Search to see if your farm is in the Department of Agriculture database
2. If your farm is not in the database, please enter your business information
3. Apply for an exemption

All applications will be reviewed by the Department of Agriculture and you will be notified within ten (10) business days, as to the status of your application.

Farm Name:

City:

Find Farm

Online Exemption Application

[Back](#)

Application for Produce Safety Rule Exemption

My Account

K

TEST ID: TEMP_667CCF92
6218 Mt. Bethel Garmany Rd ; Newberry, SC 29108


QstVer: 09/12/2020 8:36 am

Requirements for Basic Exemption

If applying for a Basic Exemption, select which one of the following requirements you meet:


☐ A.

Only grow produce that is rarely consumed raw, specifically the produce on the following exhaustive list: asparagus, black beans, great Northern beans, kidney beans, lima beans, navy beans, pinto beans, beets, garden (roots and tops) beets, sugar beets, cashews, sour cherries, chickpeas, cocoa beans, coffee beans, collards, sweet corn, cranberries, dates, dill (seeds and weed), eggplants, figs, ginger, hazelnuts, horseradish, lentils, okra, peanuts, pecans, peppermint, potatoes, pumpkins, mature southern field peas (such as black-eyed peas, cowpeas, crowder peas, purple hull peas, sea island peas, silver peas, and speckled peas), winter squash, sweet potatoes, and water chestnuts.




☐ B.

Produce grown is used only for personal consumption or produced for consumption on the farm or another farm under the same management.



☐ C.

During the previous 3-year period your average of all produce sales was less than \$25,000 (on a rolling basis) adjusted for inflation using 2011 as the baseline year for calculating the adjustment.




Requirements for Processing Exemption

As required in the rule, other requirements must be met to justify this exemption.

☐

Produce grown receives commercial processing that adequately reduces the presence of microorganisms of public health significance.



Requirements for Qualified Exemption


If applying for a Qualified Exemption, both of the following requirements must be met:

A. During the previous 3-year period, annual food⁴ sales are less than \$500,000 adjusted for inflation, and the amount of sales sold to qualified end-users exceeded the amount sold to all other buyers.
⁴The term "food" means (1) articles used for food or drink for man or other animals, (2) chewing gum, and (3) articles used for components of any such article.

AND

B. You sell more than 50% of your annual food sales to qualified end-users (consumer of the food and/or a restaurant or retail food establishment) located in South Carolina or within the same Indian Reservation or within 175 miles of your farm.

☐ I meet both requirements for a Qualified Exemption.



Regulations

Pursuant to Section 39-26-30 and 39-26-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, Amended May 19, 2017, above named Applicant certifies compliance with requirements for exemption of inspections and regulations required under the Produce Safety Rule. Details of such exemptions are listed on above on this application. Farms must apply annually to qualify for exemption.

Applicants Signature * Title * Date * 9/18/2020

Electronic Signature

You have entered a part of our website that asks you to provide an electronic signature before we can process your request.

Providing information to SCDA is your choice. By clicking "I agree", you acknowledge that you have read and understand the warning statement. This also creates an electronic signature. An electronic signature is like your handwritten signature, stating the information you provide is accurate and complete to the best of your knowledge.

1. About Information provided to SCDA
When you submit sensitive information over the website, that information is encrypted and protected by a secured socket layer (SSL). You can identify secured areas by the checkbox or icon that is displayed on the page.

2. About Information that you receive from SCDA
It is your responsibility to use the information provided to you on this website for its intended purpose and protect any password(s) issued to you.

3. Fraud Warning
Any person or entity, who with purpose to defraud or knowing that a person is facilitating a fraud, obtains or attempts to (1) misrepresent or conceal a fact, (2) make a false statement may be subject to civil remedies and/or felony criminal prosecution by fraud or other offenses.

4. Identity Fraud
If you are not the person you indicated on this form, you are attempting to create an e-account or access an existing e-account, you may be in violation of SC Code 16-13-310. Such Identity fraud perpetrated through the unauthorized use of the SCDA System shall be prosecuted under the full extent of the law.

If you do not want to provide the requested information over this website, please click "I disagree".

If you are willing to provide the requested information over this website, please enter your initials in the box and click "I agree" to submit application.


Enter your initials: *

I agree

I disagree

Farmer Account Dashboard

- Farmer can view status of application
- Download extra copies of certificate
- Check the date of submission
- Apply or re-apply for exemption



HUGH E. WEATHERS, COMMISSIONER

MEET THE COMMISSIONERABOUTDIVISIONSRESOURCESNEWSFAQ

Home / Forms / Dashboard

ktjohnson1018@gmail.com

Back

DASHBOARD

Mt. Bethel Farms ID: zz000002
6218 Mt. Bethel Garmany Rd ; Newberry, SC 29108

My Account K

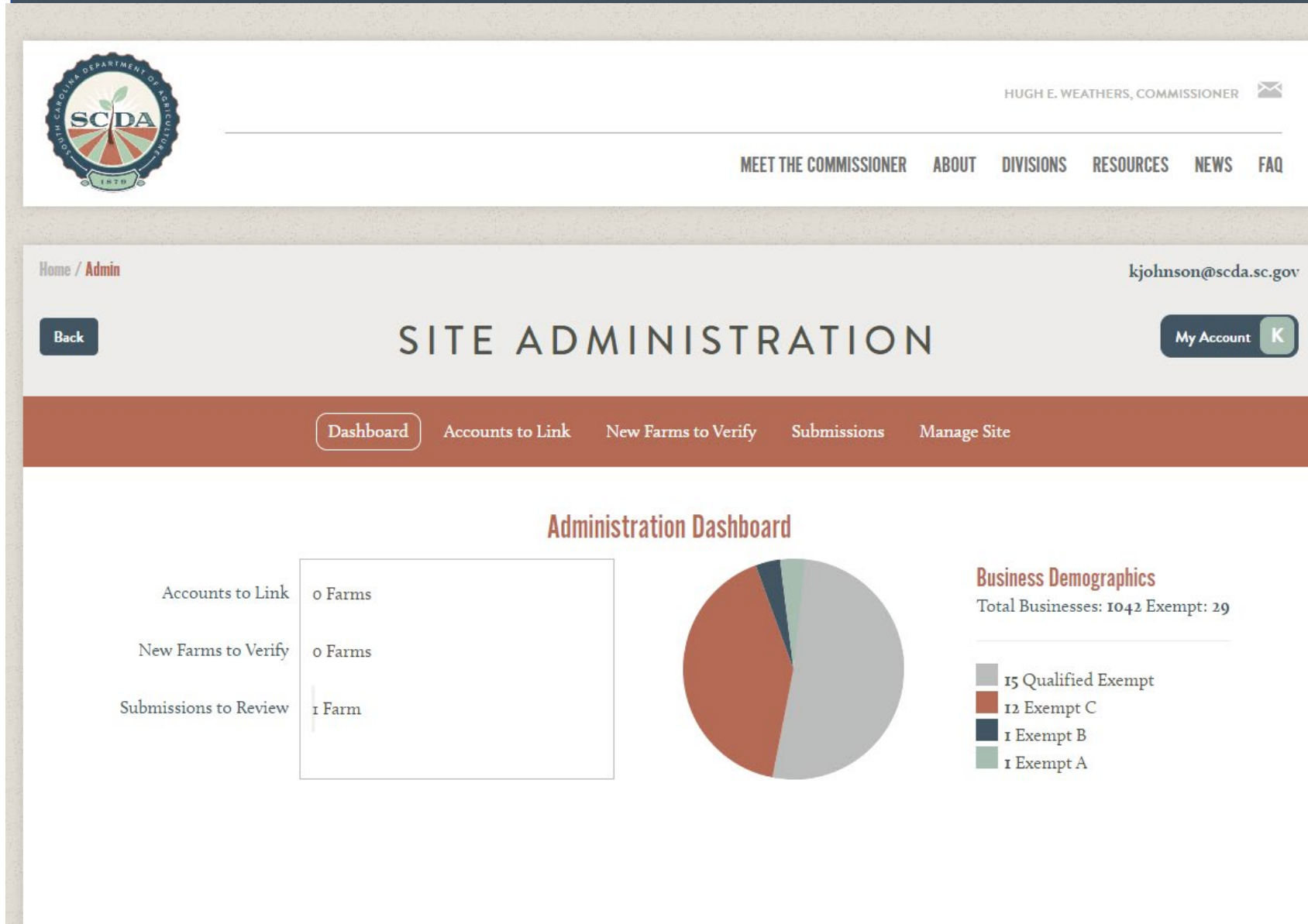
Application for Produce Safety Rule Exemption

Apply for Exemption

| Date Submitted | Status Date | Status | Valid Until | Certificate |
|----------------|-------------|---------------------|-------------|-------------|
| 08/28/2020 | 08/28/2020 | Approved - Exempt C | 08/28/2021 | Download |

Online Exemption Application Dashboard

- Administrative side of the program
- Shows overview of farms in que and overall
- Manage farms, application submissions, and user accounts



Site Administration

- All farms from WINWAM are connected and incorporated into the site
- The site will automatically send reminder emails to farms whose applications are about to expire
- If a farm application does expire the system will automatically set the farm status as active (non-exempt)

[Home](#) / [Admin](#) / [SiteManagement](#)kjohnson@scda.sc.gov

[Back](#)

SITE ADMINISTRATION

[My Account](#) K

[Dashboard](#) [Accounts to Link](#) [New Farms to Verify](#) [Submissions](#) [Manage Site](#)

Site Management

[Users](#)[Businesses](#)[Account](#)

Business Administration

All

| Business | Owner | Exemption | Expires |
|--|-------|-----------|---------|
| Yorshyre Farms (id: P5000024) SC york.glover31@gmail.com | | NonExempt | |
| Yonce Tree Ripe Peaches, LLC (id: P4000002) 1679 Highway 23 Johnston SC waltersyonce45@gmail.com | | NonExempt | |
| Yenome Farms (id: P6000071) 2823 Highway 300 Barnwell SC 29812 johnsorrell5404@yahoo.com | | NonExempt | |
| Yaupon Farms, LLC (id: P2000064) 2124 Allandale Plantation Road Wadmalaw SC 29487 yauponfarms@gmail.com | | NonExempt | |
| Wyeth Farms (id: P2000063) 806 Flicker Place Murrells Inlet SC 29576 wyethfarms@yahoo.com | | Exempt | |

[Previous](#) [Next](#) Total 1047 businesses

Tennessee

State Department of Agriculture Updates

Tennessee's Produce Safety Overview

Viktoria Einecker
Produce Safety Coordinator
Tennessee's Dept. of Agriculture

Overview of Program

- ▶ Recent Change in Program Management
- ▶ Goals for 2020 - 2021
 - ▶ On Farm Readiness Reviews
 - ▶ Keep offering OFRR's to TN's \$25,000+ farms
 - ▶ Inspections
 - ▶ Except for a few Strawberry farms, we've completed all but one of our immediate inspection farms (inspection scheduled Oct. 2020)
 - ▶ Ready for more guidance from FDA Spring 2021
 - ▶ Produce Safety Alliance Goals
 - ▶ Attain Lead Trainer status for at least one (if not two) of our team members
 - ▶ Inspectors will apply to participate in Train-the-Trainer courses as they become available

TDA and UT Cooperative Agreement

- ▶ Traditional education role
- ▶ Assisting farmers who must be compliant as well as those that are exempt
- ▶ Produce Safety Alliance Grower Training
 - ▶ Conducted 12 in TN to date reaching ~300 growers
- ▶ Produce Safety Alliance Train-the-Trainers
 - ▶ Conducted 1 to date training 25 trainers, 6 agents
- ▶ Produce Safety Videos
 - ▶ Facebook Live Sessions reaching over 2,500 viewers
- ▶ Conducting On-Farm Readiness Reviews with TDA

Contact:

Dr. Annette Wszelaki, UT Vegetable Extension Specialist
annettew@utk.edu



TENNESSEE PRODUCE SAFETY

UT EXTENSION
INSTITUTE OF AGRICULTURE
THE UNIVERSITY OF TENNESSEE

TDA - Produce Safety Staff



Viktoria Einecker
Produce Coordinator
Viktoria.Einecker@tn.gov



Baylee Burk - East TN
Produce Inspector
Baylee.burk@tn.gov



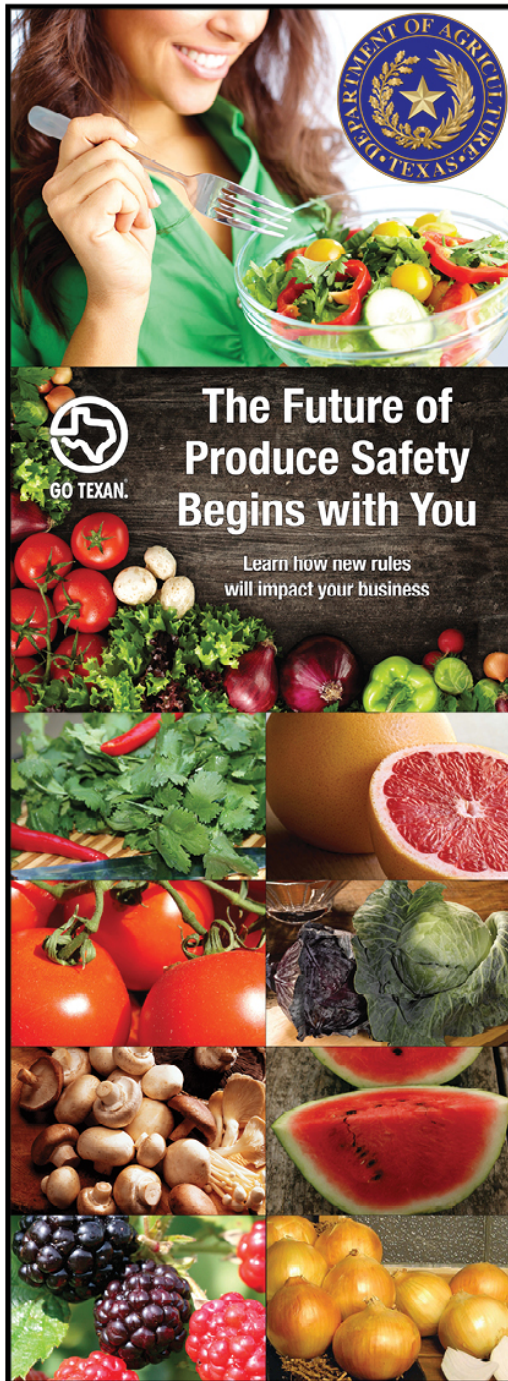
David Clark - West TN
Produce Inspector
David.clark@tn.gov



VJ DeSantis - Middle TN
Produce Inspector
Valeria.DeSantis@tn.gov

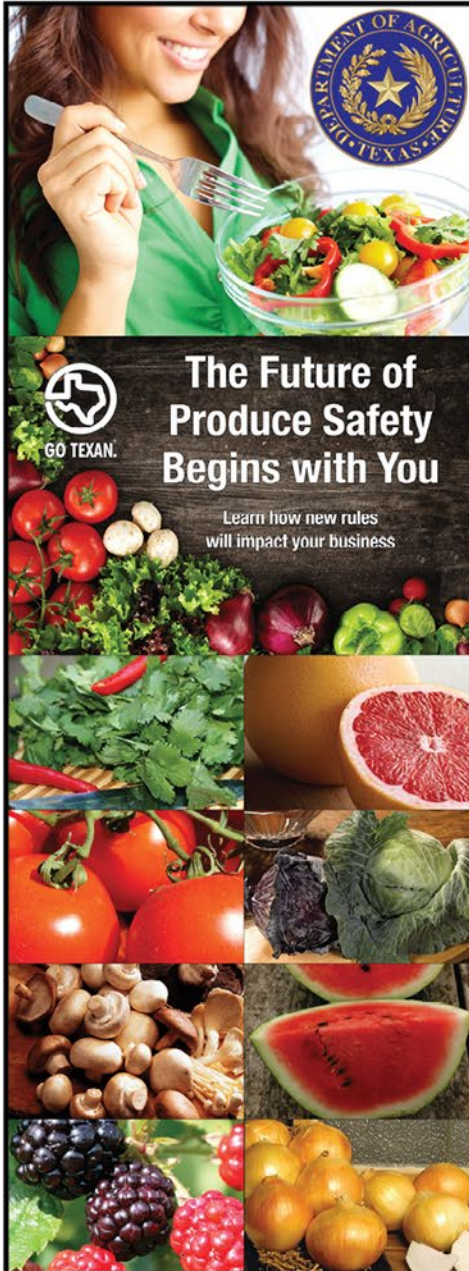
Texas

State Department of Agriculture Updates



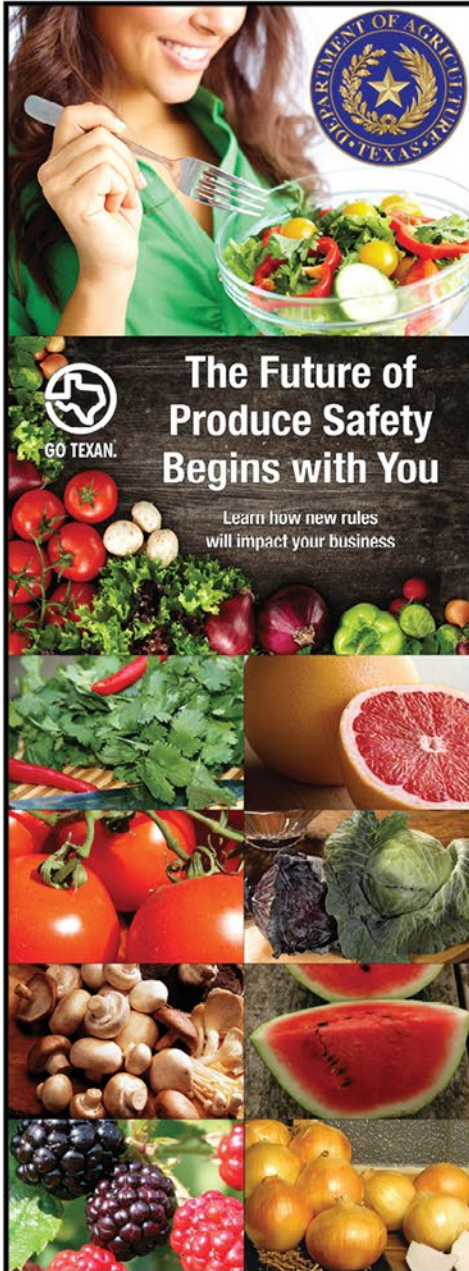
Southern Region Integrated Produce Safety Conference 2020

Structure of the Program



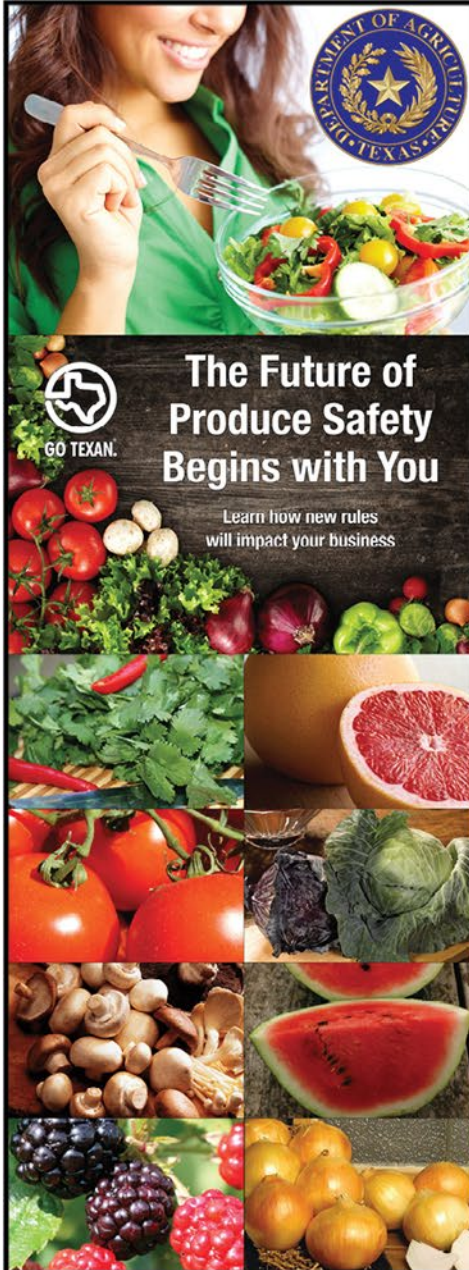
Responsible

- Outreach
- Verification
- Trainings
- On Farm Consultations
- Inspections



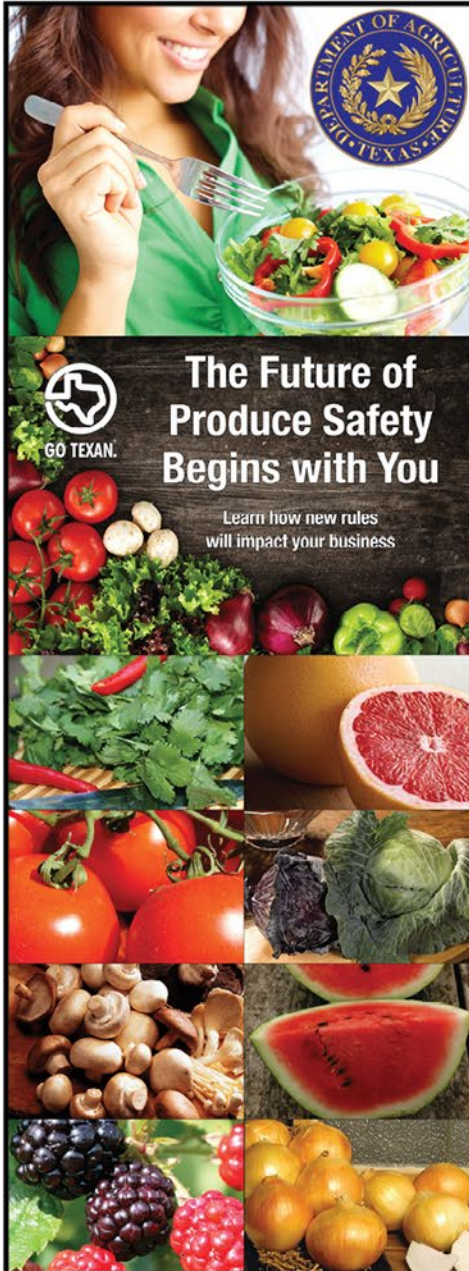
Outreach

- Face to Face
- Industry Events
- Outreach Partners
- TDA Programs



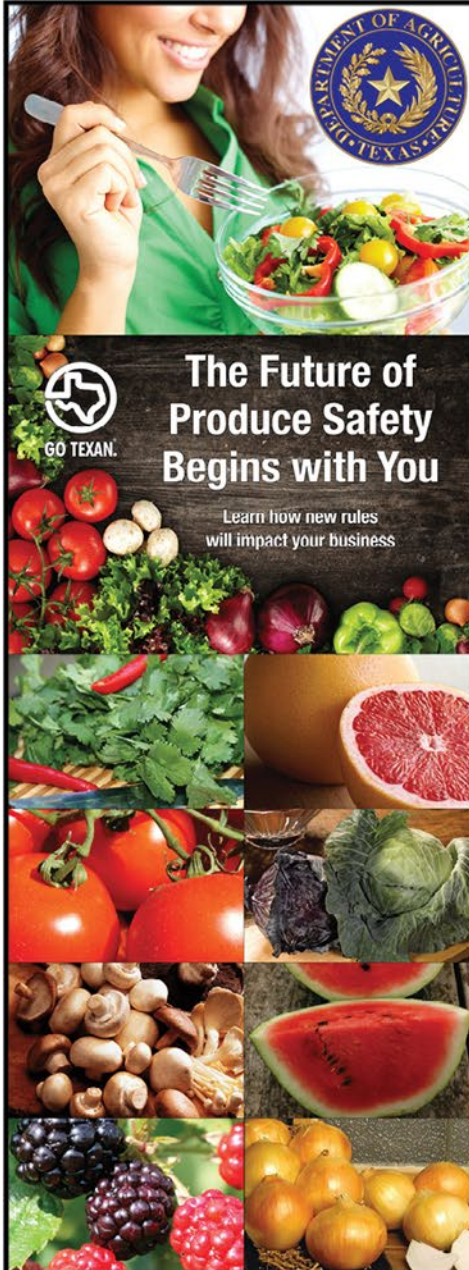
Verification Process

- Only TDA can determine grower Qualified Exemption
- Only TDA can determine grower Exemption “Not covered”
- Face to face on the farm



Inspections

- Priorities
- Scheduling
- What we are seeing



What is on the Horizon

- Improvements to software
- Continued outreach
- Complete round of inspections

Virginia

State Department of Agriculture Updates

VIRGINIA



*VIRGINIA DEPARTMENT
OF AGRICULTURE AND
CONSUMER SERVICES*

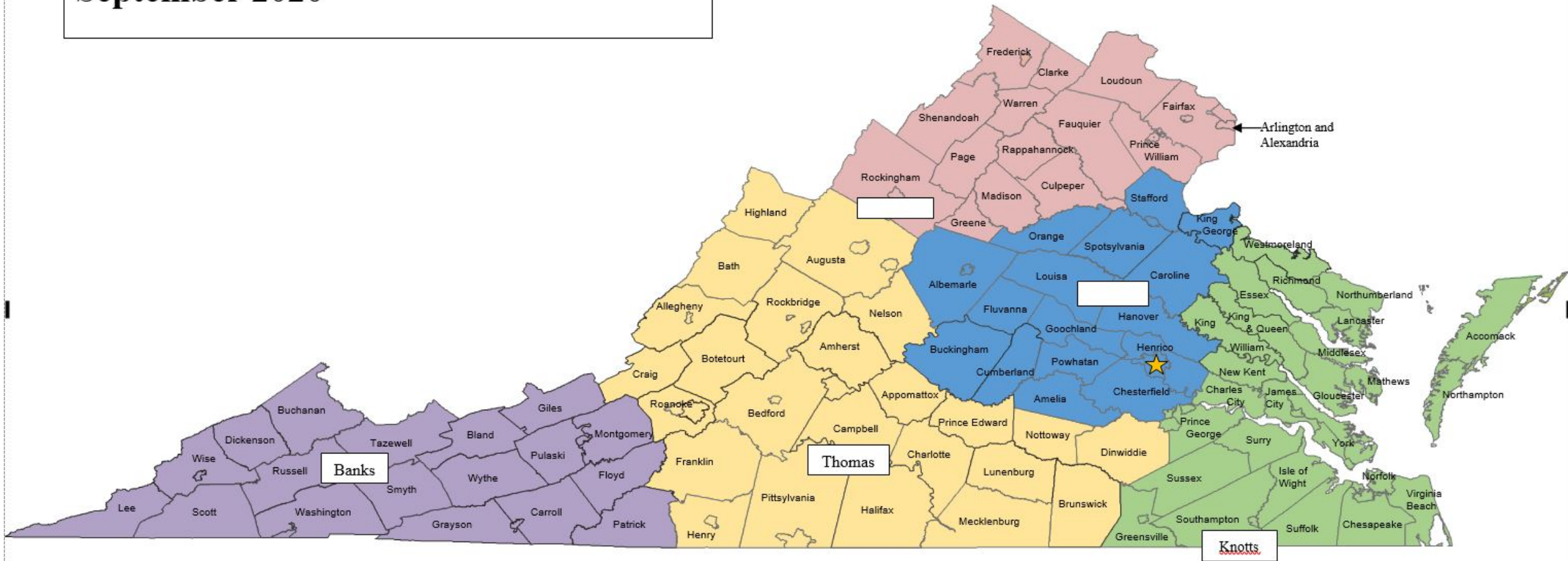
FDA Produce Safety Grant



- Virginia is a Tier 4 state in Competition A and B.
 - Conducting both education & outreach and traditional regulatory activities.
- During the 2017 legislative session a bill was passed to provide VDACS clear regulatory authority necessary to enforce the Produce Safety Rule on farms.
 - Code of Virginia, Title 3.2, Chapter 51.1 Produce Safety §3.2-5146 through §3.2-5156 became effective July 1, 2017.
- Current staff of 8 employees (100% funded by FDA):
 - Program Supervisor (grant PI) - hired January 2017
 - Assistant Program Supervisor- hired May 2017
 - Produce Safety Inspector (Eastern)- hired July 2017
 - Produce Safety Inspector (Central)- now vacant and in the recruitment process
 - Produce Safety Inspector (Mid-Western)- hired November 2017
 - Produce Safety Inspector (Southwest) – hired May 2020
 - Produce Safety Inspector (Northern) – in the recruitment process
 - Produce Safety Program Support Technician - now vacant and in the recruitment process

VDACS Produce Safety Territory Map

September 2020



Current Produce Safety Program Activities

- Entered into 5 year partnership with Virginia Tech to help ensure a robust level of training and education for the farming community.
- Developing an inventory of covered farms.
 - USDA NASS data from 2012 assumes 426 farms in VA will be covered.
 - USDA NASS data from 2017 assumes 503 farms in VA will be covered.
 - Currently have identified 745 farms that may be covered. A total of 309 have been verified as covered and 436 exempt (QE, <\$25k).
- Conducting on-farm readiness reviews (48 to date).
- VCE is providing Produce Safety Alliance courses (25 completed, 685 attendees).
 - 29 trainers (23 from VCE and 6 from VDACS).
- Presentations and marketing materials have been developed to ensure that farmers, farm workers and related organizations are familiar with the VDACS Produce Safety Program and the Produce Safety Rule.
- Main goal is to help make small and very small farmers aware of the new law, what to expect from VDACS and how to comply with the Produce Safety Rule.
- VDACS and Virginia Cooperative Extension (VCE) continue to offer OFRRs for very small farms.
- Once regulatory inspections begin for the very small farms (expected May 1, 2021), VDACS will no longer be involved with OFRRs as we will be in full regulatory mode.
- Next year, our plan is to turn the entire OFRR program over to VCE and the trained Extension Agents will take over the OFRR program and activities.

Program helping produce growers prepare for federal compliance

Dana Boyle welcomed the group of visitors to her family's farm, adding, "I'm not nervous about this. I don't know whether I should be."

Boyle, whose family operates Garner's Produce in Westmoreland County, took part in an On-Farm Readiness Review, offered by the Virginia Department of Agriculture and Consumer Services and Virginia Cooperative Extension, this past April. The review program was developed by the National Association of State Departments of Agriculture to help produce growers comply with the Food and Drug Administration Food Safety Modernization Act's Produce Safety Rule.

Adopted in 2017, the rule establishes science-based minimum standards for safe growing, harvesting, packing and holding of fresh fruits and vegetables grown for human consumption. As of May 1, it applies to Garner's and other U.S. farms with annual sales of \$500,000 or greater. Compliance dates for smaller-scale produce farms are staggered based on business size.

Bird-proofing buildings, washing fresh greens

Boyle said Garner's includes about 100 acres of fruits and vegetables that are sold at the farm's retail stand and at farmers markets in Washington and Northern Virginia. As VDACS and Extension staff referred to specific sections of an On-Farm Readiness Review manual, she shared details about her employee training procedures; sanitation practices; water sources; and on-farm restrooms, hand-washing stations and other areas accessible to customers.

She also talked about steps taken to keep wildlife away from food packing and sale surfaces. The retail stand has



Producers Dana Boyle (center) outlined her employee training procedures, sanitation practices and other details about Garner's Produce. Producer Anne Geyer (right) of Agriberry Farm in Hanover County observed the review process.

a ceiling to prevent birds from nesting under the roof, she explained, and she'd made arrangements with an animal rescue organization to re-locate stray cats that are drawn to the farm. "The cats are getting taken care of," she emphasized, adding that cat-proofing a specific storage area had proved challenging.

"You want to try to figure out how to mitigate that," said Alex Goodman, a VDACS produce safety specialist.

Boyle also took the opportunity to ask about approved procedures for washing greens after they are harvested. "I want to add that value for my customers," she explained. Extension staff made plans to help her develop a standard washing procedure.

"What can we fix?"

While the federal produce safety rule is overseen by the FDA, it will be administered in Virginia by VDACS, an arrangement approved by the General Assembly with encouragement from organizations like Virginia Farm Bureau Federation. Extension staff will serve as a resource for growers

who have questions or concerns about compliance issues.

"Virginia farmers prefer having the state oversee produce safety regulations here," explained Tony Banks, VFBF senior assistant director of agriculture, development and innovation. "Having local state enforcement staff makes it convenient for growers and Extension staff who may have regulatory questions or need help resolving an issue. Many growers feel like state staff are more accessible."

Goodman said farmers for whom he has conducted reviews are taking a proactive approach to the rule. "They want to know, 'What can we work on before this takes effect? What can we fix?'" he said.

Want to know more?

More information about the federal Produce Safety Rule and the On-Farm Readiness Review program is available at vaproducesafety.com.

Growers not yet subject to the rule can schedule a review by calling 804-786-4003.



Alex Goodman, a produce safety specialist with the Virginia Department of Agriculture and Consumer Services, reviewed specifics of an On-Farm Readiness Review manual with Boyle. The review included a tour of key sites on her farm.



Regulatory Inspections



- Inspections of large covered farms began on May 1, 2019.
- Inspections of small covered farms were expected to begin May 1, 2020 (delayed until June 2020 because of FDA stop work order under revised NOA - 3/23 through 6/5).
 - A total of 83 inspections have been completed as of September 17, 2020 since the Program was created.
- VDACS will not be issuing permits or licenses to covered produce farms.
- Utilizing WinWam software for farm inventory and inspection reporting.

Top 3 observations from 2019:

- **Record keeping (not being done, not being reviewed by supervisor, not in proper format § 112.161)**
- **Pest control in buildings (not being done or not adequate § 112.128)**
- **Instruments and controls used to measure, regulate, or record (not accurate, maintained or adequate § 112.124)**

Other Regulatory Aspects

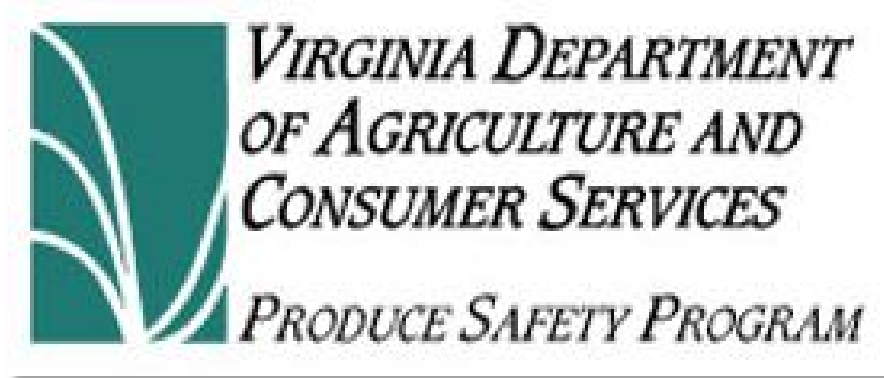


- Some farms will be exempt from the Produce Safety Rule and exempt from inspection.
 - These farms could still be subject to the FD&C Act and VA Food Laws if an outbreak occurs relating to a commodity produced by their farm.
- Withdrawal of qualified exemption.
 - Active investigation of a foodborne illness outbreak that is linked to a farm.
 - Is the QE withdrawn by FDA and what if a state has their own regulatory authority?
- VA RRT will assist with outbreak, recall, traceback and sampling activities.
 - Produce Safety Specialists will not be required to complete the associated training and will act as a resource under the leadership of the RRT.
- Some businesses will be considered farm mixed-type facilities with dual inspection from VDACS Produce Safety and VDACS Food Safety (**need for a SOP or MOU w/ Food Safety Program**).
 - Farm Mixed-Type Facility
 - An establishment that is a farm, but also conducts activities outside the farm definition that require the establishment to comply with the Preventive Controls for Human Food Rule also
 - Processing Activities (FDA definition)
 - Manufacturing/processing means making food from one or more ingredients, or synthesizing, preparing, treating, modifying or manipulating food, including food crops or ingredients.

Unique challenges for further discussion

- **Cultivated and/or Foraged wild mushrooms** (health department and retail Food Code challenge of approved source)
 - Cultivated and farm raised mushrooms are a covered produce commodity.
 - Farms will typically control the growing environment, temperature, humidity, mycelium origin, etc.
 - These farms could either be covered, exempt or qualified exempt.
 - Wild foraged mushrooms are not exempt from the requirements of the PSR (harvesting).
 - Labeling of the product and an invoice to retailers is encouraged to aid in determination of approved source and traceback.
 - The sale of wild foraged mushrooms is covered by the Food Safety Program under separate guidelines and NOT the Produce Safety Program (although gross sales could be a determining factor of PSR coverage).
 - <http://www.vdacs.virginia.gov/pdf/mushroom-harvester-application.pdf>
 - <http://www.vdacs.virginia.gov/pdf/mushroom-retail-application.pdf>
- **Hemp and Hemp Microgreens in relation to PSR**
 - The current and historical agency interpretation is that all hemp needs to be processed and therefore none of the leaves, flowers, or microgreens should ever be in commerce.
 - That would mean the Produce Safety Rule would not even come into play because the hemp farmer cannot lawfully sell the leaves as a microgreen in VA.
 - This is a hemp registration/possession issue.
 - It could change in the coming months as the agency is re-evaluating their stance.
 - Some parts of the hemp plant have been deemed GRAS by the FDA (hemp seed oil, hemp seeds, hemp seed protein).
 - These plant parts may be able to comply with the FD&C Act.
 - Guidance from VDACS is to consult an attorney for legality of possession of hemp products.
 - <http://www.vdacs.virginia.gov/dairy-industrial-hemp-derived-extract.shtml>

Questions?



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erik.bungo@vdacs.virginia.gov

www.VaProduceSafety.com