

Economic Strategies in the New World of Food Safety

Meta Dunn, The FruitGuys
Greg House, Coco Ranch
Ben Lewis, Simple Organic Solutions





Background



Wearing 2 hats both within the company and at this conference:

1. Head of food safety/compliance for The FruitGuys
 - It's my job to make sure we comply with law as written
2. Member of The FruitGuys
 - As an individual and a member of the company, I stand behind our “do no harm” perspective on sustainable ag and support finding ways to ensure that regulations do not hinder farmers from being sustainable economically, ecologically and ethically/socially

Discussing what FSMA is and isn't to remove some misconceptions, but not color the fact that we also aren't 100% in agreement with FSMA and are here to be a part of the solution of ensuring that it doesn't put small farms in positions where they are no longer sustainable (in any of the 3 pillars)



Icebreaker

Let's look at FSMA through the lens of “Facts, Feelings, & Assumptions”

Facts: What is true (can it be proven?)

Feelings: How we feel about the topic (which often influences our behaviors)

Assumptions: What we think is true or motivators behind the “issue”




What Does FSMA Require

- The Food Safety Modernization Act requires that food businesses & growers (farms, processors, packing houses, etc) have a food safety plan and follow guidelines dependent on the type of operation
 - Depending on the type of activity you do, you may have to follow more than 1 subsection of FSMA.
 - At minimum, most farms must adhere to the [Produce Safety Rule](#) (21 CFR 112)
 - Packinghouses and secondary farm activities may also require a farm to be compliant to the [Preventive Controls Rule](#) (21 CFR 117)





Compliance Requirements

Business Size	 Compliance Dates for Sprouts	 Compliance Dates For Most Produce	 Water Related Compliance Dates ¹	Compliance Date for Qualified Exemption Labeling Requirement ²	Compliance Date for Retention of Records Supporting a Qualified Exemption
All other businesses (>\$500K)	1/26/17	1/26/18	1/26/22	1/1/2020	1/26/16
Small businesses (>\$250K-500K) ³	1/26/18	1/28/19	1/26/23		
Very small businesses (>\$25K-250K) ⁴	1/28/19	1/27/20	1/26/24		

Before the compliance date, every covered farm that does not qualify for an exemption must have a supervisor (such as a farm owner/operator) complete a standardized food safety training program.

Proving eligibility for the **qualified exemption** requires three years of sales records to support the exemption. If you plan to use the **qualified exemption** when your compliance date arrives, you may need to collect sales records beginning 2016 depending on your business size

Compliance a bit more complicated

FSMA stipulates that the receiving facility (i.e. **customer**) needs to verify the safety of all products coming from suppliers. ([21 CFR 117.405 & 117.410](#))

- This gives customers control over how suppliers comply with FSMA
 - Example at FruitGuys
 - Three layers of influence:
 - FSMA--must meet these standards
 - Our third party audit scheme--ideal standards but if don't meet, no regulatory penalty
 - Our customers--if we want to partner, we need to comply
 - Can give pushback, but pushback not always possible



Figure 1. Food Supply Chain



What Are Possible Requirements from Customers?



- **Auditing**
 - 3rd party audit
 - On site auditing from customer
- **Additional documentation**
 - Review of the supplier's relevant food safety records
 - Insurance & licenses
 - Letters of Guarantee
 - HACCP
- **Testing**
 - Results from required testing
 - Additional testing (based on product and risk)
- **Other appropriate supplier verification activities based on supplier performance and the risk associated with the raw material or other ingredient (including transportation and storage activities)**

When FSMA Gives You Lemons...Make Lemonade!

1. Find a way to follow the rules and stay true to your mission
2. Many of the food safety policies give space for you to design your program as long as you can justify it's keeping food safe
 - a. Plenty of data to show benefits and safety, use that to your benefit
 - b. Even new FDA draft guidance documents speak to differentiating practices by levels of risk
3. Work with your customers & networks as allies and advocates
 - a. Educate them on the benefits
 - b. For those customers who are requesting something beyond what you currently offer (such as a third party audit), ask more question, seek to understand, see if there are ways they can work with you to meet their needs
 - c. Advocate for change: If you don't have the time/resources to advocate for change, partner with those who do





Speak Up



Just as the organics movement required advocacy in order to change the agricultural system (return it back to where it was) and create standards that have become the National Organics Program, advocacy is needed to ensure that these principles are embedded within FSMA.

- Your voice is needed
- Remember, you are not alone....there are others (not just The FruitGuys) who want to ensure that our food systems are safe--environmentally, economically and ethically.



Don't judge each day
by the harvest you reap
but by the seeds that
you plant.

Robert Louis Stevenson / @InspiringThinkr



Questions

Questions?

Are you interested in receiving this presentation?

Email me at

meta@fruitguys.com



Resources

- [FDA Guide for Who's Covered](#)
- [FDA Food Safety Plan Builder](#)
 - On the right hand side of the webpage click on “Download the Food Safety Plan Builder Tool”, then fill out the info and hit “Proceed to Download”
- The FDA established 4 regional training centers (see [map](#))
 - [Southern Center--FL](#)
 - [Western Center--OR](#)
 - [North Central--IA](#)
 - [North East--VT](#)
- [Produce Safety Alliance \(out of Cornell University\)](#)
 - [GAPs Cornell Weblinks](#)
- [Sustainable Agriculture's Produce Safety Rule Overview](#)
- [National Farmers Collaborative \(have partnership with FDA for below collaborative\)](#)
- [Local Food Safety Collaborative](#)
- [National Farmers Union](#)



Resources

- [United Fresh-FSMA Resources](#)-has food safety templates
- [ALBA](#)-resources for food safety plans
- [USDA New Farmer's Food Safety Website](#)
- USDA GAP resources
 - [Users Guide](#)
 - [Audit Checklist-Pre Harvest](#)
 - [Audit Checklist-Post Harvest](#)
 - [Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables](#)
- [Farm Answers](#)
- [On Farm Food Safety](#)--gives resources and tools for creating a food safety plan and getting certified; templates for creating your food safety plan
- [Greenhorns](#)-check out their resource page-it's filled with info on land issues, funding, education and more
- [Women Food & Agriculture Network](#)
- [Amagansett Food Institute](#)-focuses in NE Long Island, but resource page is useful



Resources

- [National Sustainable Agriculture Coalition \(NSAC\)](#)
 - In FY 2016, three NSAC member organizations were awarded Food Safety Outreach Program (FSOP) grants, each in a different category.
 - [Carolina Farm Stewardship Association \(CFSA\)](#) program to provide Current Good Manufacturing Practices training to small-scale producers.
 - [Community Alliance with Family Farmers \(CAFF\)](#) community outreach program that gives food safety support to small, minority, disadvantaged, immigrant, and organic farmers in California.
 - The [Northeast Organic Farm Association \(NOFA-NY\)](#) multi-state project in partnership with the [Vermont NOFA chapter \(NOFA-VT\)](#), which will go towards funding targeted food safety education for organic producers.



Resources Cont

- [Community Alliance with Family Farmers](#)
- [UC Davis Resources](#)--Co-Management of Food Safety & Sustainability
- [King County \(Washington\) Dept of Ag Resources](#)-has multi-lingual trainings and guides
- [Agricultural Marketing Resource Center](#) (not food safety specific, but can be a source for training, grants and other resources for your farm)
- [Illinois Stewardship Alliance](#)
- [Midwest Organic and Sustainable Education Service](#)
- [FamilyFarmed](#)
- [Michigan Food and Farming Systems](#)
- [Great Lakes Fruit, Vegetable, and Farm Market Expo](#)



End Of Presentation

...additional slides to provide info if questions are asked on general PS rule or Water rule



What Does FSMA's PS Rule Require

- FSMA farm requirements are found in [21 CFR part 112](#) and consist of 7 sections:
 - Employee qualifications and training
 - Worker health and hygiene
 - Water used during growing, harvesting, packing, and holding
 - Biological soil amendments of animal origin (manure and compost)
 - Wild and domesticated animals
 - Equipment and buildings
 - Post-harvest activities, like packing and holding

FDA Water Compliance Date Extension: What Growers Should Do in the Meantime

Continue water testing

- To better understand water quality

- To meet buyer and audit requirements

Develop water management strategies to identify and reduce risks such as conducting surveys of water sources

If growers have never tested their water, they should start testing or at least consider the benefits

- Test for quantified generic *E. coli*

- Test before using the water

- Test during frequent use periods

FDA Fact Sheet:

Equivalent Water Testing Methodologies

Equivalent methods to EPA Method 1603 (membrane filtration with modified mTEC), include:

- Membrane filtration methods (colony forming units, or CFU)
- mTEC agar (EPA 2010, APHA 2012, ASTM 2000)
- mColiBlue ampules (Hach method 10029)
- mEndo followed by NA-MUG agar (APHA 1997)
- MI agar (EPA 2012)
- Most Probable Number (MPN) methods
- Colilert (using Quantitray 2000 tray)
- Colilert 18 (using Quantitray 2000 tray)