

This will be the first in a series of informative articles on the Food Safety Modernization Act (FSMA) Produce Safety Rule and the New York State Department of Agriculture and Markets (Department) implementation strategy.

FSMA was signed into law in 2011 and represents the most sweeping reform of our food safety regulations in more than 70 years. This legislation aims to improve the safety of the U.S. food supply by shifting the focus from responding to foodborne contamination to preventing it. FSMA consists of several rules that address various components of food safety, including: Intentional Adulteration of Food, Sanitary Transportation of Food, Third Party Certification, Foreign Supplier Verification, Preventive Controls for Human Food, Preventive Controls for Animal Food and Produce Safety. This series will focus on the Produce Safety Rule, which became effective January 26, 2016. The official title of this rule is CFR Title 21, Part 112, Standards for the Growing, Harvesting, Packing, and Holding of Produce.

The Produce Safety Rule is the first mandatory federal food safety standard for the production of fruits and vegetables in the United States. In July 2017, New York State adopted the Produce Safety Rule. Across the country, 43 states are adopting and implementing the Produce Safety Rule under a grant-funded cooperative agreement with the U.S. Food and Drug Association (FDA). The adoption of the Produce Safety Rule by New York State will result in state inspectors visiting New York farms to help them implement the new requirements rather than FDA staff. Organizations such as the NYS Vegetable Growers Association, NY Farm Bureau, Cornell University and the Produce Safety Alliance (PSA) support this plan.

The Produce Safety Rule will affect many of New York's growers, harvesters, packers and holders of produce. The rule addresses the areas of: personnel health, hygiene and training; agricultural water, including for irrigation and washing; biological soil amendments of animal origin and human waste; domesticated and wild animals; equipment, tools, buildings and sanitation; and sprouts.

The implementation of the rule is supported by Department staff that are both former Farm Products Grading Inspectors and United States Department of Agriculture (USDA) Good Agricultural Practices (GAP) auditors. Aaron Finley is the Department's Produce Safety Program Office Administrator based in Albany. Aaron is responsible for administrative functions of the NYS Produce Safety Program. He has worked for the Department for 29 years and has experience as an unrestricted federal-state collaborator grading fresh fruits and vegetables under USDA authority. Aaron also has experience as a USDA GAP and Harmonized GAP auditor. Based in Syracuse, Steve Schirmer is the Department's Produce Safety Program Field Administrator. Steve will supervise the field inspection staff and oversee all training and inspection activities. Steve has been with the Department for 19 years and has additional experience as an unrestricted federal-state collaborator and a lead auditor conducting USDA GAP and Harmonized audits.

The Produce Safety Rule will be introduced by the Department in the following four phases: data collection, outreach, training and on-farm readiness reviews. The Department is currently conducting data collection and outreach. To see updates on the latest outreach and education offered relating to the Produce Safety Rule, please visit the Department's website at:

<https://www.agriculture.ny.gov/FS/general/fsma.html>. We also encourage producers to [complete an informational survey, which will help determine coverage rates and compliance dates](#). The survey can be found at: <https://www.surveymonkey.com/r/9HM3NTP>.

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