Ensuring a safe food supply is a top priority for the National Association of State Departments of Agriculture (NASDA). The Food Safety Modernization Act (FSMA) fundamentally shifts the country’s system from reactive (recalls and trace back) to preventive (education and evaluation). Following a spate of major food-borne illness events, Public Law 111-353 was signed into law in early 2011, charging the Food and Drug Administration (FDA) with remaking our food safety system.

States have a substantial role in implementing FSMA.

State Departments of Agriculture and other state agencies are charged with implementing significant portions of FSMA, notably:

- Produce Safety Rule (including special provisions for sprout production)
- Preventive Controls for Human Food
- Preventive Controls for Animal Food

Other rules that implement key portions of FSMA include Foreign Supplier Verification Program (FSVP), Intentional Adulteration, and Sanitary Transportation of Food.

Currently, 46 states and one territory have entered into cooperative agreements with FDA to educate and/or regulate farms subject to the rule based on a Model Framework NASDA developed through our FDA agreement. A joint NASDA-FDA Implementation Group adds appendices to help guide states in program best practices. A similar framework for Animal Food Safety is available.

Key Issues for Successfully Implementing FSMA:

- **Resources for states to implement FSMA are vital:** NASDA estimates that the states will need at least $100M total per year for the states’ efforts to implement the three major rules.

- **Reconsidering Portions of the Produce Safety Rule:** FDA has announced the agency is reconsidering options to modify the current agricultural water standard, definition of “farm” and way it regulates packing houses. Making changes to these requirements is supported by NASDA as necessary adjustments to the rule.

- **Parity between domestic and foreign produced foods:** Congress achieved bipartisan support for FSMA by requiring that all fruits and vegetables must meet the same standards – regardless of where they are grown – foreign or domestic. FDA will have to assure domestic producers – and consumers – that the agency is accomplishing this goal.

- Other key issues include regulator training, duplicative inspections, and the guidance issued by FDA to implement its rules.

Learn more at www.nasda.org/fsma.
Working Together to Improve Food Safety

As part of NASDA’s guiding principle towards farm’s FSMA compliance, “educate before you regulate,” a team comprised of NASDA, State, FDA, and Cooperative Extension food safety leaders developed the On Farm Readiness Review (OFRR). Designed to move farmers away from the audit checklist scheme, the OFRR is meant to foster a dialogue between the farmer and the regulator and/or educator about the requirements of the Produce Safety Rule. Learn more and find out how to sign-up for an OFRR at www.nasda.org/ofrr.

Benefits of OFRR:

1. **Voluntary:** Farmers request an OFRR from their state department of agriculture and/or extension agent.

2. **Conversation:** Over the course of a couple hours, scheduled at the convenience of the farmer, the reviewer observes growing conditions, harvesting practices, packinghouse operations, water sources, and discusses common food safety touch-points specific to the farm.

3. **Useful Assessment:** At the end of the review, the assessor provides their top three suggestions for the farm to improve its food safety practices. Afterwards, the farmer is connected with educational materials and resources to assist with solutions to achieve compliance with FSMA.

4. **Peace of Mind for the Grower:** This program has been designed to also educate the farmer on the inspection process and provide a level of comfort with the new requirements imposed by FSMA.

5. **Public Health Assurance:** Regulators and educators are on farms advancing food safety within our food system using the On Farm Readiness Review model.

6. **Confidential:** Careful consideration has been given to protecting farm information from prying eyes unless an immediate threat to public health is detected.

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