

5 things you should know

and 3 things growers can do now

The LGMA has worked closely with the FDA since the advent of the Food Safety Modernization Act (FSMA), focusing primarily on the standards and regulations covering on-farm food safety known as the Produce Rule. The other FSMA rules (facilities, imports, animal food, etc.) are also very important, but it is the Produce Rule that most closely aligns with the LGMA's on-farm food safety program. With that in mind, here are five things that you and your growers need to know about the Produce Rule, and three things you and your growers should be doing now to prepare:

1 You have until at least January of 2018 to be in compliance

Large farms (with production over \$500,000 in produce per year) must be in compliance with the Produce Rule by January 26, 2018. Smaller farms have additional years to comply. All companies also have two years beyond their compliance date to meet the Rule's water testing requirements. *We agree that everyone - LGMA Members and their growers – should start preparing now, even though you are not legally required to be in compliance until January of 2018.*

2 Followers of the LGMA Metrics are well positioned

The LGMA Metrics meet or exceed most of the Produce Rule's standards. This is particularly true in the areas of worker hygiene, environmental assessment, sanitation and soil amendments. So if you are already growing leafy greens (and other products) according to the LGMA's required food safety practices, you are very well positioned to be in compliance with most of the Produce Rule's standards. There are some areas where the LGMA Metrics may need to be adjusted (see points 3 and 4 below), but most growers and handlers should already be well prepared for FDA compliance.

3 The LGMA will work to make sure the Metrics align with the federal rules

The LGMA Metrics meet or exceed most of what is in the Produce Rule; but some differences have been identified. The LGMA programs in California and Arizona plan to work with Western Growers Association to update the Metrics in order to fully align with the Rule. We do not, however, intend to lower any LGMA standards if they currently exceed the Produce Rule standards.

4 Water Testing Requirements may be in for some changes

Water is perhaps the one area in the Produce Rule that differs the most from the current LGMA Metrics. The Rule requires growers to create a Microbial Water Quality Profile (MWQP) for all water sources, and the regulation stipulates that water testing be done via a methodology (membrane filtration to a CFU standard) that may not be the industry standard. FDA has promised to provide clarification on these issues through industry guidance documents that will be issued soon. We are working closely with the agency to monitor this situation. We will only make adjustments to the Metrics once we have seen and reviewed the FDA guidance on these issues.

5 Produce Rule compliance will be verified by state and federal agencies

The FDA has signed an agreement with the State Departments of Agriculture to create and implement compliance programs under FSMA, but it is not yet clear exactly how this will be done. It is also not yet known if specific inspections or audits will be required by FDA. However, we do believe that the fact that the Departments of Agriculture in California and Arizona will take a lead role in FSMA compliance will be beneficial to leafy greens growers in both states. Since the LGMAs are part of these Departments of Agriculture, we hope to work closely with our regulatory partners to verify that California leafy greens handlers are in compliance with the new rules using the existing LGMA audit program. The LGMA's goal is to ensure that growers are not subjected to additional layers of burdensome audits and/or inspections because of FSMA.

While compliance with the Produce Rule will not be mandatory until at least January of 2018, many growers and handlers are understandably eager to know what they must do within their organizations to prepare for that day. Here are three suggestions:

1 Start looking at what the rules require

The LGMA has done an analysis of the differences between the requirements of the produce rule and the LGMA Metrics. You can review the comparison document at our website: www.lgma.ca.gov. We expect some changes to the LGMA Metrics will be necessary, so reviewing what is in the Produce Rule can help you start preparing for those changes.

2 Help your growers receive the required food safety training

The Produce Rule requires that one individual from **each farm** receive food safety training. The FDA, USDA and Cornell University have combined to create the Produce Safety Alliance (PSA), which has developed the specific curriculum for this mandatory training. The curriculum consists of seven modules, which are designed to be presented during a one-day workshop.

The LGMA has been involved with the PSA since its inception, and we will be offering the required training to the leafy greens industry over the next year. It is important to understand that the Produce Rule training is required by the federal government, and that at least one individual from *each* farm will have to attend. The first CA LGMA Produce Rule training workshops will be held in El Centro on December 8th, with others to follow in all growing regions in the state. You, your growers and other suppliers can sign up for LGMA training updates at LGMATech.com.

3 Help us get the word out to your growers!

Unlike the LGMA, which has regulatory authority over leafy greens handlers, the Produce Rule regulates farmers. Many growers are not yet aware of the training and other requirements that will be placed on them under the Rule. We will be providing ongoing updates and information, and we need your help in getting that information distributed to all affected parties in the industry.

There is still much uncertainty about how the world will look once the Produce Rule is fully implemented. The recent election results may muddy the waters even more. Luckily, leafy greens growers and handlers in California and Arizona are well positioned to comply with the new rules. And we are working to ensure that compliance with the federal rules is as easy and seamless as possible. Stay tuned for more information, and contact us at info@LGMA.ca.gov if you have questions.

