

UPDATES FROM THE PRODUCE SAFETY PROGRAM

FDA PRE-HARVEST WATER UPDATES



RECORD TEMPLATES FOR WATER & MORE



FDA WATER UPDATES

FDA published a revision to Subpart E – Agricultural Water (pre-harvest) on May 6, 2024. Final compliance dates are:

- April 7, 2025 for Large Farms
- April 6, 2026 for Small Farms
- April 5, 2027 for Very Small Farms.

*Large Farms will be given a grace period until April 7, 2026. It is also anticipated that other farms will be given a rolling grace period as well.

The revised Subpart E moves from reliance on testing pre-harvest water for decision making to assessing the whole agricultural water system. You can use the FDA tool linked below or the PSA logs provided in the QRL code.

<https://www.fda.gov/food/food-safety-modernization-act-fsma/agricultural-water-assessment-builder>

The expectation is that each grower understands their water usage and quality and how water management practices can minimize risks to crops. Farms should be prepared to explain their assessment and rationale during the inspection process.

Post-Harvest Water Requirements have not changed. All farm sizes will be under compliance apart from Very Small Farms having a grace period until January 26, 2026.

ADDITIONAL RESOURCES

The Produce Safety Alliance has created record templates that you can use for water system inspections and agricultural water assessments, along with other resources. <https://cals.cornell.edu/produce-safety-alliance/resources>

Take advantage of the resources that your extension office can provide.

<https://ext.vt.edu/agriculture/commercial-horticulture/on-farm-food-safety.html>

We offer an abundance of resources and a list of water testing labs on our Virginia Department of Agriculture and Consumer Services Produce Safety website. <https://www.vdacs.virginia.gov/food-produce-safety.shtml>

The Produce Safety Grower Training courses will no longer be offered at a reduced cost due to the unavailability of funding. The last class that will be offered at the reduced rate will be offered virtually, June 4 and 5 from 1-5pm.

<https://register.ext.vt.edu/search/publicCourseSearchDetails.do?method=load&courseId=1344657&selectedProgramAreaId=25579&selectedProgramStreamId=>

REGISTER YOUR PRODUCE FARM

The registration process is intended to verify who is and who is not covered under the Food Safety Modernization Act (FSMA): Produce Safety Rule (21 CFR 112). In addition, this process allows us to provide valuable education, technical assistance, and compliance information to regulated farms and businesses, exclude farms that are not required to comply with the rule, and prioritize inspections. After registering, businesses will need to reverify their information at least annually. <https://producesafety.vdacs.virginia.gov/Registration/>

Changes to Certificates - Effective for the 2025 Growing Season

CERTIFICATES FOR PRODUCE SAFETY INSPECTIONS

We are introducing a new certificate program for farms that are in compliance with the FSMA Produce Safety Rule. Beginning immediately, certificates will be issued at the time of inspection and should be displayed at the point of sale, if possible. This certificate is available to all farms that grow, harvest, pack and/or sell produce regardless of farm size or exemption eligibility. The program is designed to support compliance with the Produce Safety Rule and provide buyers, retailers and consumers with assurance that the farm has been recently inspected by the Produce Safety Program under Title 21 CFR Part 112. Certificates will be valid for a 15-month period or until the next inspection is conducted.

We are hopeful that this new certificate will eliminate confusion related to the other certificates and certificate types issued previously by our Program. In that regard, changes to those documents have also been made.

EXEMPTIONS (QE, MICRO, RCR, PERSONAL USE, CPEX)

We have modified the certificate that some farms receive after applying for an applicable exemption in the grower portal. The new document will be a Confirmation of Exemption for your records and the term “certificate” has been eliminated. The approval document will now include a disclaimer statement at the bottom as follows, “This record is not proof of compliance with the FDA’s FSMA Produce Safety Rule and in no way should imply that an official inspection has been conducted.”

The application process for exemptions within the portal will remain the same. Exemptions must be reapplied for on an annual basis. By self-certifying for an exemption, you are stating that you meet all eligible requirements for that specific type of exemption and that records are kept as required.

****If you are currently an exempt farm and are interested in receiving a produce safety inspection and certificate, please contact your respective Produce Safety Specialist as identified on the map in Page 3. There is no cost or fee associated with the inspection.*

REGISTRATIONS

We have modified the certificate that all farms receive for registering in the grower portal. The new document will be a Record of Registration and the term “certificate” has been eliminated. The Record of Registration will now include a disclaimer statement at the bottom as follows, “This record is not proof of compliance with the FDA’s FSMA Produce Safety Rule and in no way should imply that an official inspection has been conducted.”

The registration process within the portal will remain the same.

Kristina Banks (Territory 3)
Produce Safety Specialist Senior
804-486-0468
Kristina.Banks@vdacs.virginia.gov

