



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Karen Ross, Secretary

July 22, 2019

Dear Sir or Madam,

The U.S. Food and Drug Administration (FDA), pursuant to the Food Safety Modernization Act (FSMA), developed the Produce Safety Rule (PSR) to regulate the production of nearly all fruits, nuts, and vegetables. The PSR establishes a set of practices that farmers must follow that are designed to minimize the potential of foodborne illnesses. Resulting from a very collaborative process, the California Department of Food and Agriculture (CDFA) has partnered with the FDA to conduct the on-farm inspections required by the PSR. Thus, CDFA launched the Produce Safety Program (PSP) in 2016. The PSP has funded grower trainings and collaborated with County Agricultural Commissioners, state and local industry associations, and many commodity specific industry groups to inform and educate.

We began inspections this spring, and as farmers, like you, prepare for the possibility of a regulatory food safety inspection for the first time, it is important to understand the goals and objectives of the PSP and the resource capacities of the program. Our role is to educate California produce farmers on how to comply with the requirements of the PSR and then regulate farms to ensure that they are compliant. Our vision is safe produce through 100% compliance with the law. With over 25,000 farms producing crops that are covered by the PSR, actual on-farm inspections will be conducted on a very small percentage of farms in any given year.

To identify farms that are most likely required to comply with the PSR, we obtained limited public information from the CalAg Permits system used by each county to collect Pesticide Use Reports and issue application permits. This information is limited to a business name and address and commodity categories grown. Therefore, we need more specific information regarding your farm.

We have included a questionnaire for you to complete to confirm your farm information and to provide more detailed information on sales and specific commodities your farm grows. While we have information regarding the types of products you grow, in many cases that information is broadly categorized (i.e., "Fruiting Vegetable" which may be summer squash to tomato, or "Leaf/Stem Vegetable" which could be broccoli to kale). To assist us in narrowing those categories, please indicate the commodities grown on your farm.

Farm size categories are identified according to the average annual gross produce sales within the last three years as: large (over \$500,000), small (\$250,000-\$500,000), and very small (\$25,000-\$250,000). In some cases, you may qualify as exempt or not covered by the Produce Safety Rule. Therefore, we want to make you aware of potential exemptions. Be advised that your farm may be subject to a regulatory inspection, and you will be required to validate your exemption status through a records review.



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Exempt or Not Covered by the Produce Safety Rule:

1. **Not Subject to the Produce Safety Rule:** produce sales are less than \$25,000 averaged during the previous three-year period preceding the calendar year.
2. **Qualified Exemption:** more than 50% of the annual value of food sold was to qualified end users and the total value of food sold was less than \$500,000. A qualified end user is a consumer, restaurant, or retail food establishment in the same state or Indian reservation, or not more than 275 miles from farm.
3. **Processing Exemption:** food produced on farm receives commercial processing that adequately reduces presence of microorganisms of public health significance.
4. **Produce Not Covered by the Produce Safety Rule:** farm grows only produce that is rarely consumed raw or farm grows produce for personal consumption. To view the complete list of produce that is exempt from the Produce Safety Rule, please check our website at <https://www.cdfa.ca.gov/producesafety/regulate.html>.

We strongly encourage you to visit our website <https://www.cdfa.ca.gov/producesafety>. We also encourage you to sign up for the electronic newsletter where we issue updates directly to subscribers. You may access the link for the farm questionnaire through the website. Questionnaires may be returned by email at producesafety@cdfa.ca.gov, or mailed to CDFA, Produce Safety Program, 1220 N Street, Sacramento, CA 95814.

On-farm readiness reviews (OFRR) are available for small farms through January 2020. OFRRs are designed to give farmers a better understanding of what they can expect from a routine Produce Safety Inspection. If you would like an OFRR, please contact our office at 916-900-5275 or by email at producesafety@cdfa.ca.gov.

Thank you for your time in reading this letter and returning your completed questionnaire by August 31, 2019. It is very important that you complete the questionnaire as completely and accurately as possible. Please note, unknown information regarding your farm may increase the need for inspection of your farm.

Sincerely,



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