

Food Safety Modernization Act (FSMA) Produce Safety Rule (PSR) Proposed Updates

Update from the Agricultural Water Reuse Committee

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Food Safety Modernization Act (FSMA) Produce Safety Rule (PSR)

- ▶ 2011 - FSMA signed into law
- ▶ 2016 - PSR first finalized
 - On-farm food safety
 - Agricultural Water (pre- and post-harvest)
 - Soil Amendments (e.g. compost)
- ▶ Covers growing, harvesting, packing, and holding covered produce
- ▶ Covers specific categories of produce generally, produce that is normally consumed raw and is a raw agricultural commodity (e.g., strawberries, apples, carrots, celery, and leafy greens).

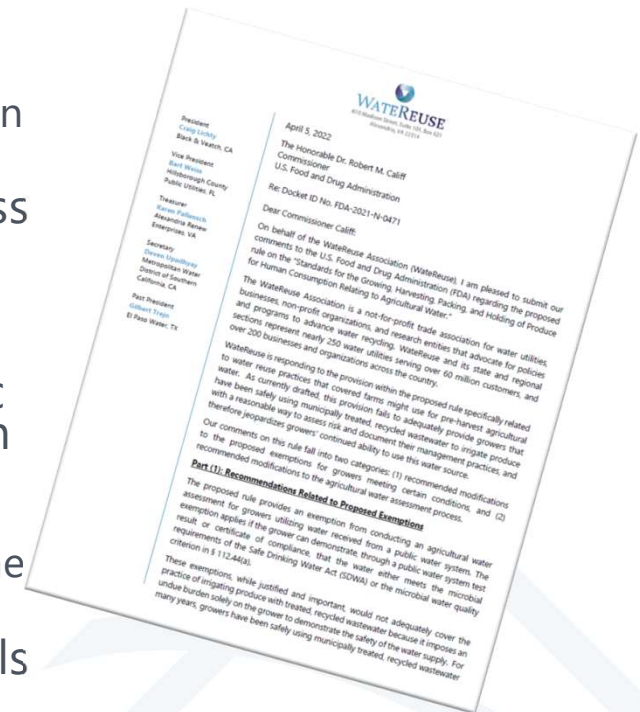


BUT the 2016 ag water rule was too confusing!

Strawberries have been grown in Watsonville with recycled water since 2009

Produce Safety Rule (PSR) Proposed Updates 2022

- ▶ New rule is meant to be more flexible and easier for farmers
 - Set up to account for differences due to water source, irrigation method, crop type, regional climate
- ▶ **Global Comment:** New rule neglects to include or address recycled water at all so many comments from Watereuse focused on how to integrate in recycled water to the text of the rule
- ▶ **Key Comment #1:** Farms that receive water from a public water system or that are otherwise already compliant with the PSR's requirements would be exempt from the assessment.
 - Watereuse commented to include recycled water systems in the definition of public water systems
- ▶ **Key Comment #2:** Allow 2015 rule for generic E Coli levels to stay and remove 'non-detect threshold for generic E Coli'
 - Watereuse commented to keep the older part of the rule because the public water system would perform (rather than the farmer who this part of the rule was confusing for)



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- ▶ **Key Comment #3:** FDA built a tool (Agricultural Water Assessment Builder) to aid farmers in preparing their assessments
 - ▶ Watereuse commented to include recycled water from a publicly owned treatment works to the tool (only groundwater or surface water can be selected currently)
- ▶ **Key Comment #4:** Propose rule contains the term “untreated or improperly treated human waste” but lacks a clear definition of what that is supposed to mean
 - ▶ Watereuse commented to clarify that “untreated or improperly treated human waste” is not present in treated, recycled wastewater.



Thanks and links for more information

Thanks to:

- ▶ Aliza Furneaux (Technical and Regulatory Programs Director for Watereuse),
- ▶ Agricultural Watereuse Committee
- ▶ Various resources for background information (see below)

References and Sources for More Information:

- ▶ FDA fact sheet on proposed changes to PSR
 - <https://www.fda.gov/media/154334/download>
- ▶ Information on exclusions from PSR
 - <https://www.fda.gov/media/94332/download>
- ▶ YouTube – Utah State University Extension – “Produce Safety FDA Ag Water Rule” uploaded March 22, 2022
 - <https://youtu.be/BGfsXZsL9OQ>



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