



On September 12, 2017, the Food and Drug Administration (FDA) announced a postponement of the implementation of routine inspections of farms subject to the Produce Safety Rule until spring 2019. The announcement also addressed the extension of the compliance date for agricultural water standards and described how FDA will work with stakeholders to modify agricultural water standards in the future.

In light of this announcement, we are modifying the approach outlined in the cooperative agreements so that routine inspections will begin in spring 2019. This will allow states and FDA an opportunity to focus on issuing guidance and training plans, along with conducting On-Farm Advisory (Readiness) Reviews (OFRRs) in 2018. "For-cause" inspections (such as those related to outbreak investigations) will still occur, as needed, and will not change in light of this announcement. The new routine inspection timeline is as follows:

- Large Farms
 - Compliance Date - 1/26/2018; Inspection Start Date – March - June 2019
- Small Farms
 - Compliance Date - 1/28/2019; Inspection Start Date – March - June 2020
- Very Small Farms
 - Compliance Date - 1/27/2020; Inspection Start Date – March - June 2021

We ask that all State Produce Implementation Cooperative Agreement Program (CAP) grantees adjust their inspection implementation timelines according to the above schedule and reassess their strategic plans and budgets to determine the impact of these decisions, if any. We encourage states to consider reprogramming resources planned for inspections in 2018 to conducting OFRRs.

FDA, working closely with our association partners, is scoping out all activities that can be performed in lieu of routine inspections in Year 2. We will also be finalizing CAP-related information and decisions necessary to implement inspections in 2019. We will share this information with you no later than November 1, 2017, so you will have time to revise your strategic plans and budgets, if necessary, and submit them, along with your mid-year progress reports, by December 1, 2017.



While reassessing your program's strategic plan and budget please be mindful that all other planned activities under your existing cooperative agreement will continue including:

- Developing and continually updating your strategic plan for produce safety (continuation from Year 1)
 - Developing, documenting, and tracking performance measures
- Conducting a jurisdictional self-assessment (continuation from Year 1)
- Establishing and verifying a farm inventory (continuation from Year 1)
- Conducting legislative research and continuing any efforts to obtain regulatory authority (continuation from Year 1)
- Developing program and program infrastructure (continuation from Year 1 and/or new)
 - Developing and implementing a continuing education program to ensure regulatory jurisdiction personnel are trained
 - Establishing ties with FDA's Produce Safety Network and FDA's Technical Assistance Network to ensure that any questions or issues are raised and state/territory regulators receive necessary technical assistance
 - Researching, designing, and implementing a compliance program for applicable produce safety regulations at the jurisdictional level, which includes:
 - Continuing program development work, but adjusting for the new targeted start date; and
 - Delaying implementation of the inspection program and redirecting those resources to OFRRs and other education and outreach programs
 - Continuing communication and collaboration amongst CAP stakeholders
- Performing education and outreach (continuation from Year 1 and/or new)
 - Evaluating educational needs and implementing an educational system to provide for an informed farming community
 - Participating in and providing opportunities for OFRRs

The implementation of the Food Safety Modernization Act (FSMA) and the Produce Safety Rule has been and continues to be a top priority for FDA. As you know, states have a long history of effectively working with and understanding your farming communities. Successful implementation of the Produce Safety Rule cannot happen without the support of our state partners who are helping food producers and growers understand and achieve the new requirements.

FDA is committed to ensuring our regulatory partners and industry have the tools needed to implement the new standards. As we continue to work together with FSMA implementation, we recognize that achieving our shared food safety goals is a continuous effort from all of us.

Thanks for your commitment to integration and food safety. We look forward to our continued partnership.

