



# OREGON

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DEPARTMENT OF AGRICULTURE

## PRODUCE SAFETY PROGRAM UPDATE

BOARD OF AGRICULTURE  
*FEBRUARY 13, 2020*



# PRODUCE SAFETY PROGRAM

**Susanna Pearlstein: Program Manager**

**Education &  
Outreach**

**Technical  
Assistance**

**Farm  
Inventory**

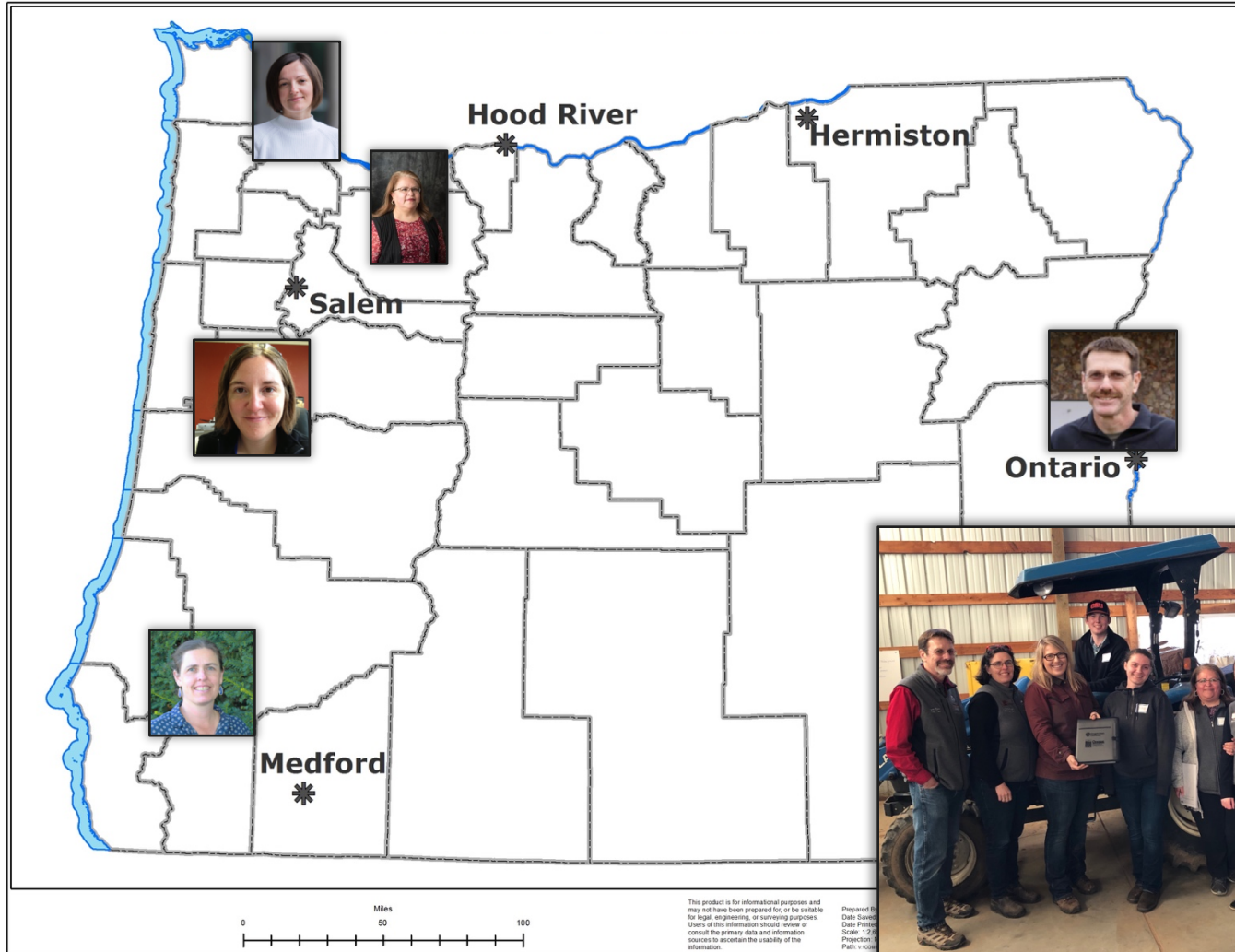


**2 full-time, permanent staff**  
**2 full-time, limited duration staff**





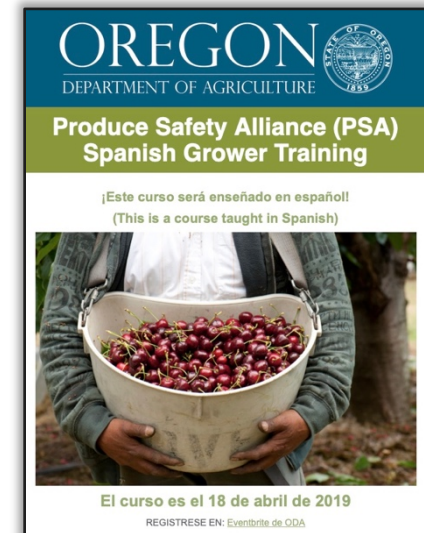
# OREGON STATE UNIVERSITY PARTNERSHIP



## PRODUCE SAFETY ALLIANCE GROWER TRAININGS

- Attendance at accredited training is a requirement for covered farms
- Only have to attend once
- Pesticide recertification credits offered
- Spanish and English classes
- One and two day classes

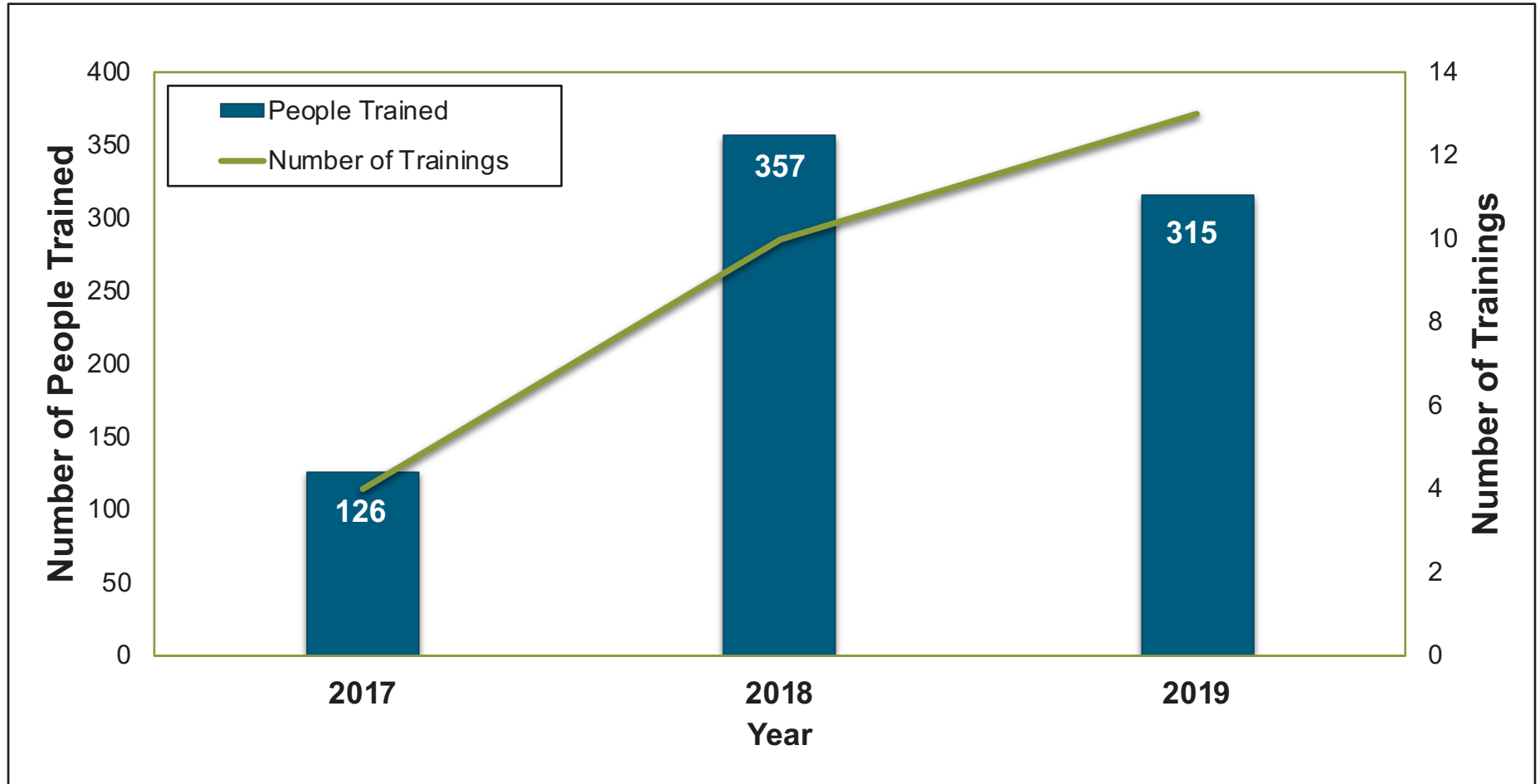
**Produce  
Safety**  
ALLIANCE







# PRODUCE SAFETY ALLIANCE TRAININGS



## ON-FARM READINESS REVIEW

- **Non-regulatory**
- **Standardized process developed by National Association of State Departments of Agriculture (NASDA)**
- **Discuss specifics of your farm through the lens of the Produce Safety Rule**
- **Not a mock inspection**



## FARM INVENTORY

### Why

- Identify and inform covered farms

### How

- Cold Calling
- Mailers



### SURVEY FOR OREGON PRODUCE FARMS

Produce farms in Oregon may be covered by the Food Safety Modernization Act (FSMA) Produce Safety Rule. This rule ultimately helps Oregon farmers reduce the risk of food contamination – helping protect their business and customers. Completing this survey will assist the Oregon Department of Agriculture (ODA) help you to determine if your farm is covered by the Produce Safety Rule and what requirements, if any, may apply.

#### INSTRUCTIONS:

- » Accurately complete the short survey.
- » Fold the card, tape it closed, and mail to ODA. If preferred, you may send this survey in an envelope.
- » If you have any questions regarding this program or about the Produce Safety Rule, please contact the ODA Produce Safety Program at 503-986-4620 or [producesafety@oda.state.or.us](mailto:producesafety@oda.state.or.us).



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SURVEY FOR OREGON PRODUCE FARMS

Farm Name: \_\_\_\_\_ Contact: \_\_\_\_\_

Farm Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_

- Do you grow, harvest, pack or hold produce? (check all that apply)  
 Grow  Harvest  Pack  Hold
- List all crops grown, harvested, packed or held on your farm.  
 \_\_\_\_\_
- What is your farm's 3-year average annual produce sales?  
 Less than \$27,528/yr  \$27,528/yr-\$250K/yr  \$250-\$500K/yr  More than \$500K/yr
- Where do you sell your produce? (check all that apply)  
 Direct to Consumer  Broker/Wholesaler  Directly to Restaurant  
 Retail Distribution Center  Directly to Grocery Store  Commercial Processor  
 Other: \_\_\_\_\_
- Agricultural water source:  Surface  Ground  Municipal
- Does your farm utilize any of the following? (check all that apply)  
 Compost/manure  Third party audits (e.g. GAP)
- Has someone on your farm completed Produce Safety Alliance (PSA) Training?  
 Yes  No  Not sure

## SINCE WE STARTED

- **28 Grower training classes statewide**
- **Almost 800 people trained**
- **Over 60 OFRR's in 2019**
- **Observed FDA-led Produce Safety inspections**
- **Outreach material development**

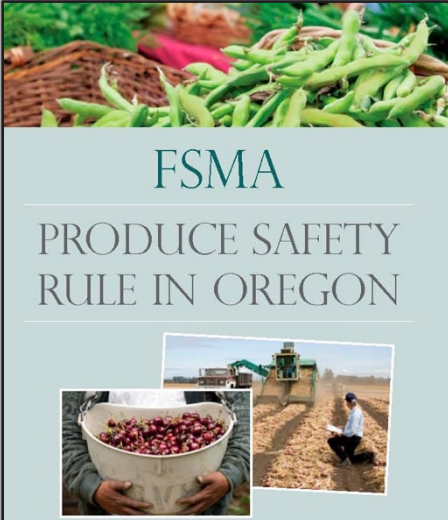






## WHY IS OREGON NOT DOING INSPECTIONS?

- **Unclear at the time who the monetary burden would fall to if FDA funding went away**
- **Parts of the rule put on hold soon after it came out**
- **Cooperative Agreement with FDA is for five years (2016 – 2021)**



**FSMA**  
PRODUCE SAFETY  
RULE IN OREGON

Oregon Department of Agriculture's (ODA) produce safety program is funded through a food and drug administration grant.

ODA provides education, outreach and technical assistance for the federal Food Safety Modernization Act's (FSMA) produce safety rule.

## LEGISLATIVE AUTHORITY

- Passed in 2017
- ODA has legislative ability to do Produce Safety Rule inspections under FDA authority
- ODA has not adopted this ability into reference

79th OREGON LEGISLATIVE ASSEMBLY--2017 Regular Session

**Enrolled**

### **Senate Bill 18**

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Kate Brown for State Department of Agriculture)

CHAPTER .....

AN ACT

Relating to State Department of Agriculture regulation of the food supply chain; creating new provisions; and amending ORS 633.006.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** (1) Consistent with the terms of the federal FDA Food Safety Modernization Act (P.L. 111-353) or interstate food safety systems authorized under the federal Act, the State Department of Agriculture may administer and enforce duties, functions and powers that include, but are not limited to:

## BUDGET

- **Current Year Budget: \$786,038**
- **4 staff**
- **Intergovernmental Agreement with OSU**
- **Activities worked on:**
  - Administration
  - Farm Inventory
  - Training
  - Travel
  - On-Farm Readiness Reviews





## FARM SIZE CATEGORIES

**Other** > \$500,000 *gross produce sales averaged over the last three years*



**Small** \$250,000 – \$500,000 *gross produce sales averaged over the last three years*

**Very Small** \$250,000 - \$25,000\* *gross produce sales averaged over the last three years*

*\*adjusted for inflation*

## 2019 INSPECTIONS

State	Produce Safety Rule Inspections	Number of Inspectors
Oregon*	115	14
Idaho	45	3
Washington	52	3
California	~90	6

*\*Oregon does not have a regulatory program. FDA does inspections in this state*

- **April 2019 FDA-led inspections began in Oregon**
- **Common minor issues nationwide**
  - Recordkeeping
  - Training on health & hygiene



## FDA-LED INSPECTIONS - 2020

- Inspections continue for large farms not visited in 2020
- Small farm inspections will begin April 2020 but large farms will be the priority
- ODA can attend as observers



OREGON

DEPARTMENT OF AGRICULTURE



### FDA-led FSMA Produce Safety Rule Inspections

**Inspections continue spring 2020**

The largest U.S. produce farms, and large foreign farms that export to the U.S., were subject to routine produce farm inspections associated with the Produce Safety Rule starting in spring 2019. Beginning in spring 2020, both large and small produce farms will be subject to routine produce farm inspections.

FDA will continue to prioritize and inspect large farms that were not inspected in 2019. Large farms are those that, on a rolling basis, have sold an average of more than \$500,000 over the last three years.

In spring of 2020 routine inspections will also cover small farms (those that, on a rolling basis, have sold an average of more than \$250,000 and less than \$500,000 in produce over the last three years).

**FDA Fact Sheet**

["What to Expect of a Regulatory Inspection"](#)

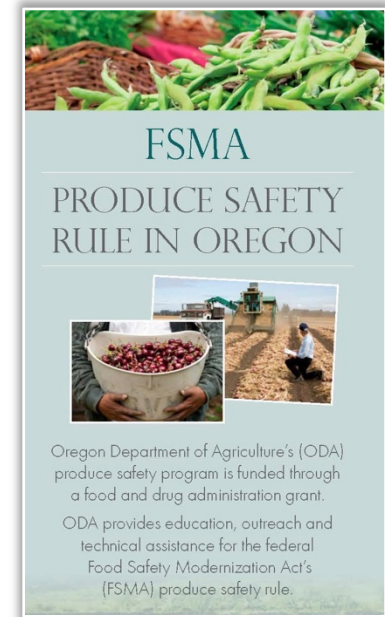
Summary of FDA's process, including:

- Scheduling the Inspection
- Announced Inspections
- Unannounced Inspections
- Day of the Inspection
- Initial Interview
- Walk-Through of the Farm



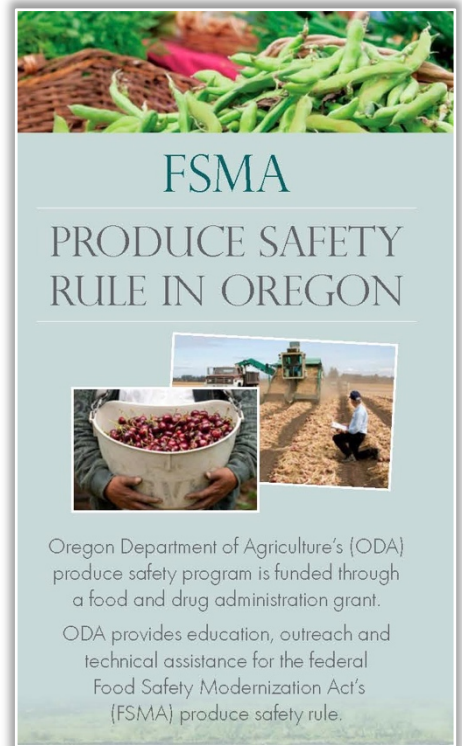
## FEEDBACK FROM INDUSTRY

- **Listening Session held in January 2019**
- **Feedback**
  - OFRR's
    - **OFRR's are helpful**
    - **OFRR's don't prepare you for an inspection**
  - **Want ODA to take on inspections**
  - **Want the Produce Safety Inspection combined with a third party audit to reduce burden of time**



## IF ODA TOOK ON A REGULATORY PROGRAM

- **Inspection program would not be functional until 2021**
- **Operating under FDA authority**
- **Hire new staff**



**FSMA**

**PRODUCE SAFETY  
RULE IN OREGON**

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## IF ODA TOOK ON A REGULATORY PROGRAM

*33.3% of covered farms, in one size class reached in one year. Based off FDA 2019 inspection numbers compared with NASS covered farm numbers.*

***Scenario: 3 ODA inspectors***

### **EXAMPLE: IF ODA INSPECTED IN 2019**

- 115 inspections done out of 345 large covered farms
- 38 inspections / person
- 33.3% of covered large farms in OR

### **FOLLOWING YEAR**

- Remaining 66.6% Large inspected as priority
- 33.3% Small inspected
- Numbers of covered farms are provided by National Agricultural Statistics Service (NASS) 2017 Census of Agriculture



## INSPECTION PROJECTIONS

	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b># Large</b>	230		115
<b># Small</b>	81	161	
<b># V. Small</b>		322	645
<b>Inspections / inspector</b>	104	161	253
<b>Time required / person</b>	5 months	8 months	12.6 months

**Scenario: 3 ODA inspectors, 8 hours per inspection**

## **NEXT LISTENING SESSION**

- **Thursday, March 26<sup>th</sup> (8 – 10 am), The Dalles  
Columbia Gorge Community College**
- **Currently planning one in Ontario, OR**
- **For more information: 971-283-4749**





# OREGON

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THANK YOU

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