I am the vegetable and berry specialist with University of Vermont Extension and the coordinator of the USDA’s Northeast Sustainable Agriculture Research and Education program. I have been working with diversified horticulture farms on a wide range of production and marketing issues for over 30 years. I support the goal of reducing food safety risks on such farms but I believe that the following changes are needed to the draft Preventative Controls Rule to avoid harming the continued development of local and regional food markets.

**Clarify the qualified exemption threshold for produce sales through food hubs, cooperatives and other shared marketing efforts.** The $1 million threshold for qualified exemption from the Preventative Controls Rule should be clarified to state that it is based on the annual gross sales of the individual farms selling through a food hub, cooperative or other collaborative marketing structure, not on the aggregate gross sales of food that is sold through the collaborative business entity.

**Untransformed raw agricultural commodities that are simply mixed together after normal harvesting procedure should be considered under the Produce Rule, not under the Preventative Controls Rule.** Mixes of different varieties of leafy greens, beets, carrots, potatoes and tomatoes are commonly sold by farms in the Northeast. This practice should not put a farm in the category of a mixed-type facility.

**Farms that are also retail food establishments should only be considered ‘facilities’ if they do not sell at least 51% of their manufactured/processed food directly to consumers.** In the Northeast many farms that grow and sell raw products also sell value-added and prepared foods to qualified end users. This diversification is a critical part of farm economic viability and the FSMA should not create an obstacle to its success.

**The Supplier Verification provision should be deleted, or at least it should not apply to farms that are otherwise exempt from FSMA.** This provision should be deleted because facilities can already require farms they buy from to pass a GAPs audit; requiring additional verification is unnecessary and burdensome. If the provision does remain then wording should make clear that receiving facilities should not require supplying produce farms to conduct annual on-site audits if a farm is either not covered by FSMA (because the produce is not ‘covered,’ because gross annual sales exclude it, or because the farm is already regulated by FSMA (not exempt under Tester-Hagen) OR has passed a GAPS audit. To do otherwise would make farms go through a duplicative process.