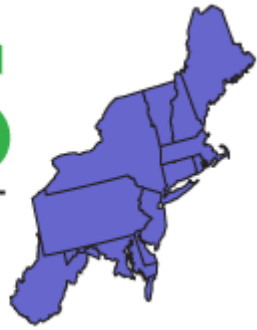


NECAFS

The Northeast Center to
Advance Food Safety



A View From the Regulators' Seat

Compiled Observations from Northeast Produce Safety State Regulators

February 16-18, 2021

12 State Regulators, 3 Questions:

▶ CT

▶ DE

▶ MA

▶ ME

▶ MD

▶ NH

▶ NJ

▶ NY

▶ PA

▶ RI

▶ VT

▶ WV

1. What common misunderstandings about food safety or the PSR did farms have in 2020?
2. What were the most common noncompliance issues you observed during inspections in 2020?
3. What types of technical assistance do you see a need for in your state?

| TOPIC | MISUNDERSTANDINGS | COMPLIANCE ISSUES | TA NEEDS |
|--|-------------------|-------------------|----------|
| Cleaning & Sanitizing / Cleanability | X | X | X |
| Record Keeping | X | X | X |
| Audits vs FSMA | X | | |
| Worker Training | | X | X |
| Handwashing | X | X | |
| Handwashing Stations | | X | |
| Water | X | X | X |
| Buildings & Facilities | | X | |
| Who the PSR Applies To | X | | X |
| Handling Covered Produce / Dropped Produce | X | X | |
| Ag Engineering | | | X |
| Scientific Research | | | X |

Common Misunderstandings:

TOP 5:

1. Cleaning, Sanitizing, Food Contact Surfaces
2. Audits vs FSMA Produce Safety Rule
3. Who the Produce Safety Rule Applies To
4. Record Keeping
5. Hand-Washing

RUNNER UPS:

- ▶ General Water Requirements
- ▶ Antimicrobial Washes
- ▶ Visitor Policies
- ▶ Covered/Non-Covered Produce
- ▶ Dropped Produce
- ▶ Dropped Produce
- ▶ Pest Control
- ▶ Food Safety Risks of Pets
- ▶ Contact With the Ground

Common Misunderstandings:

1. Cleaning, Sanitizing, Food Contact Surfaces

- ▶ What cleaning is adequate.
- ▶ Differences between & purposes of cleaning & sanitizing.
- ▶ Identifying which equipment and food contact surfaces need to be cleaned and/or sanitized.
- ▶ Identifying food contact surfaces vs. non-food contact surfaces.
- ▶ What equipment to include on sanitation logs.
- ▶ What frequency of cleaning and/or sanitizing is adequate.

Common Misunderstandings:

2. Audits vs FSMA Produce Safety Rule

- ▶ Farms assuming they will be PSR compliant if they pass their audits.
- ▶ Difference between selecting commodities to include in audit vs. commodity coverage under PSR.
- ▶ General misunderstanding of difference between audits and inspections.
- ▶ Maintaining compliant records for audit commodities, but not all covered commodities.
- ▶ Surprise when scope of inspection goes beyond scope of audit.
- ▶ Farms thinking other commodity or industry trainings will meet PSR training requirements.
- ▶ Conflating pre-harvest visual assessments with pre-harvest risk assessments required by GAP.
- ❖ (GAP audits were most commonly referenced in regulator feedback. State audits were also referenced.)

Common Misunderstandings:

3. Who The PSR Applies To

- ▶ Misunderstanding how sales in the PSR are calculated.
- ▶ Confusion around total food sales being used for QE.
- ▶ Thinking the PSR only applies to large farms.
- ▶ Thinking the PSR only applies to fresh market farms.
- ▶ Confusion about produce sales that include crops farm grow directly and crops they buy and resell.
- ▶ Confusion about farm size.
- ▶ Confusion about whether farm inventory verification is voluntary (may vary by state).

Common Misunderstandings:

4. Record Keeping

- ▶ Not understanding the purpose of the supervisor review.
- ▶ General lack of record-keeping & lack of knowledge of how to complete records.
- ▶ Lack of knowledge of what records are required.
- ▶ Wanting to show pesticide application records and dates, even though they're not required.
- ▶ Audit records not including everything covered by PSR.

Common Misunderstandings:

5. Hand-Washing

- ▶ When hand-washing should occur, and that those instances apply in the field too.
- ▶ Substituting sanitizer for hand-washing, particularly because of COVID-19 conditions.
- ▶ When hand-washing stations need to be supplied, and in what proximity.

Common Misunderstandings:

Education Takeaways:

- ▶ Biggest need is for sanitation TA.
- ▶ Training in sanitation fundamentals still a major need for produce sector.
- ▶ Applied/operational sanitation TA is another major need for growers.
- ▶ Clear communication targeted to auditee groups may be needed in each state.
- ▶ Record keeping likely to be addressed through inspections or 1-on-1 farmer coaching, not more templates.

Common Noncompliance Issues:

TOP 5:

1. Record Keeping
2. Cleaning, Sanitizing, Cleanability of Materials
3. Worker Training
4. Building & Facilities
5. Hand-Washing Stations

RUNNER UPS:

- ▶ Agricultural Water
- ▶ Handling Covered Produce
- ▶ Miscellaneous Hygiene
- ▶ Animals in Exterior Settings
- ▶ Handwashing

Common Noncompliance Issues:

1. Record Keeping

- ▶ Having no cleaning/sanitizing records.
- ▶ Cleaning/sanitizing records not including all relevant equipment, tools, and food contact surfaces.
- ▶ Missing name and address of farm.
- ▶ Missing supervisor reviews when required.
- ▶ Worker training record issues.

Common Noncompliance Issues:

2. Cleaning, Sanitizing, Cleanability of Materials

- ▶ Materials used as food contact surfaces not being cleanable.
- ▶ Equipment design or condition that is not easily cleanable.
- ▶ Inadequate sanitation.
- ▶ Harvest knife sanitation procedures inadequate.
- ▶ Inappropriate use, dosage, and monitoring of sanitizers.

Common Noncompliance Issues:

3. Worker Training

- ▶ Inadequate training for workers handling covered produce.
- ▶ Not providing worker training specific to job duties.
- ▶ Not providing harvest workers with training to identify and not harvest contaminated produce.
- ▶ Not completing training for family members & managers, workers arriving later than usual, or attributing a lack of trainers to COVID this year.
- ▶ Incomplete training records.

Common Noncompliance Issues:

4. Building & Facilities

- ▶ Drip from condensation in buildings.
- ▶ Unplumbed cooling equipment.
- ▶ Condition of floors not easily cleanable.
- ▶ On-farm cooler materials or construction not easily cleanable.
- ▶ Pest control in buildings.
- ▶ Domestic animals in buildings.
- ▶ Issues with plumbing, hoses, and lack of backflow prevention devices.
- ▶ Control and disposal of trash, litter, and waste.
- ▶ Toilet facilities.

Common Noncompliance Issues:

5. Hand-Washing Stations

- ▶ Hand-washing stations not present.
- ▶ Hand-washing stations not in close enough proximity.
- ▶ Hand-washing stations not properly stocked with supplies and clean water.

****Ag Water**

- ▶ Inspection of water distribution systems.
- ▶ Records of annual water system assessments; lacking individual water sources or documentation of major repairs.
- ▶ Missing certificates of compliance for water used in hand-washing stations, ice, or municipal water.
- ❖ (Water requirements and inspection approach vary considerably between states. Inspection of water distribution systems came up several times.)

Common Noncompliance Issues:

Inspection Takeaways:

- ▶ Record keeping issues will likely resolve through repeat inspections and observations.
- ▶ Growers may need additional resources to address sanitary design and construction of equipment and buildings.
- ▶ Growers may need employer training to prepare to deliver worker training.
- ▶ Need to build general familiarity with Subpart L and/or CGMPs for produce sector.
- ▶ Educators and regulators may need to calibrate recommendations to growers on field placement of hand-washing stations to keep messaging consistent.

Technical Assistance Needs:

TOP 5:

1. Cleaning & Sanitizing
 2. Worker Training Materials
 3. Water
 4. Ag Engineering
 5. Record Keeping
- ❖ Scientific Research & Guided TA

RUNNER UPS:

- ▶ Farm Definitions & QE
- ▶ Labeling & Traceability
- ▶ Specialized TA for Niche Farming Communities
- ▶ Cross-Sector Support
- ▶ Re-Used Containers
- ▶ More OFRR Capacity

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Technical Assistance Needs:

1. Cleaning & Sanitizing

- ▶ Designing, implementing, & recording routine cleaning and sanitizing activities.
- ▶ Applied operational TA to help farms develop their SSOPs.
- ▶ Guidance documents for cleaning & sanitizing of common equipment and surfaces such as wooden surfaces, foam rollers, brush washers, apple lines, dunk tanks.
- ▶ Focus on cleaning & sanitizing TA for packing house equipment.

Technical Assistance Needs:

2. Worker Training Materials

- ▶ Worker training aids in languages other than English.
- ▶ An approved training with materials for growers who do not read, write, or speak any of the approved PSA training languages (Japanese, Chinese, etc.)
- ▶ Multilingual basic food safety curriculum materials for farmers to use with their workers.

Technical Assistance Needs:

3. Ag Water

- ▶ Water sampling procedures.
- ▶ Understanding water rules and the calculations in the rules.
- ▶ TA designing and implementing water testing protocols, water system inspection protocols, and records to comply with Subpart E (i.e. designing overall water system management programs).
- ❖ (Need Subpart E finalized and released.)

Technical Assistance Needs:

4. Ag Engineering

- ▶ Designing & sourcing infrastructure and equipment of sanitary design, that's able to be cleaned and sanitized.
- ▶ Applied ag engineering & efficiency TA, preferably with field visit capacity.
- ▶ On-farm drainage and greywater management.

Technical Assistance Needs:

5. Record Keeping

- ▶ On-farm document review and record assistance.
- ▶ 1-on-1 education and operational coaching on record keeping.

****Scientific Research & Guided TA**

- ▶ Need peer reviewed research & publications to address regulatory compliance questions.
- ▶ If science exists, share it in understandable ways with growers.
- ▶ Communication between TA providers and regulators to ensure TA and regulatory action are consistent with each other and consistent with the science.
- ❖ (Regulators are also compiling research needs separately. There are many more than these.)

Technical Assistance Needs:

Technical Assistance Takeaways:

- ▶ Biggest current need is in sanitation.
- ▶ Likely biggest upcoming need is in ag water.
- ▶ Methodology matters—don't need more of the same handouts.
 - ▶ Need operational tools and resources.
 - ▶ Need for applied, practical TA or coaching.
 - ▶ Need to actually give growers recommended actions for equipment, sanitation, SOP and SSOP creation.
 - ▶ Worker training resources need to be materials growers can use to give their workers trainings in appropriate languages.

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Punchlines:

- ▶ Not all issues will be addressed through the same channels.
- ▶ Sanitation and sanitary design needs all of us working on it at every level.
- ▶ Record keeping issues are common, but are not the highest priority for regulators.
- ▶ Ag water will become a huge priority once Subpart E is finalized.
- ▶ Regulators see a need for more specific, individualized resources and TA approach.
- ▶ Regulatory environment & market access approach vary by state within the region.
- ▶ We need a routine mechanisms to communicate between regulators & educators for shared visibility.

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