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US food industry moves to comply with sweeping food safety legislation

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The United States Federal Drug Administration's (FDA) Food Safety Modernization Act (FSMA) is the most sweeping reform of U.S. food safety laws since 1938, when Congress gave the FDA power to oversee the safety of most foods, drugs and cosmetics. The law was enacted in 2011 and has undergone revisions and updates in the last eight years, as regulators and the food industry slowly tie up requirements and guidelines prior to the enforcement phase.

Recent updates to the rules signal the end of the long process leading to enforcement and mandatory compliance with the act. The FDA published updates and guidance in October, November and December of 2018 that addressed its voluntary Accredited Third-Party Certification Program; updates to the Intentional Adulteration rule to provide new and free ways to comply with required FSMA training; and the implementation of mandatory food recall provisions of the Federal Food, Drug, and Cosmetic Act.

Updates also include guidance regarding contamination protection during growing, harvesting, packing and holding of fruits and vegetables; publication of the Guide to Minimize Food Safety Hazards of Fresh-Cut Produce; and final compliance deadlines for agricultural water requirements for large, medium and small food operations: "Larger farms are now required to comply with the agricultural water requirements by January 26, 2022, while small farms have until January 26, 2023 and very small farms until January 26, 2024. This rule does not change the compliance dates for sprout operations."

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