



# WSDA Produce Safety Program

Washington State Farmers Market Association Conference: February 23, 2024

*Presented By: Leah Grewal, Inspection Administrative Coordinator*



Washington  
State Department of  
Agriculture



# The WSDA Produce Safety Team

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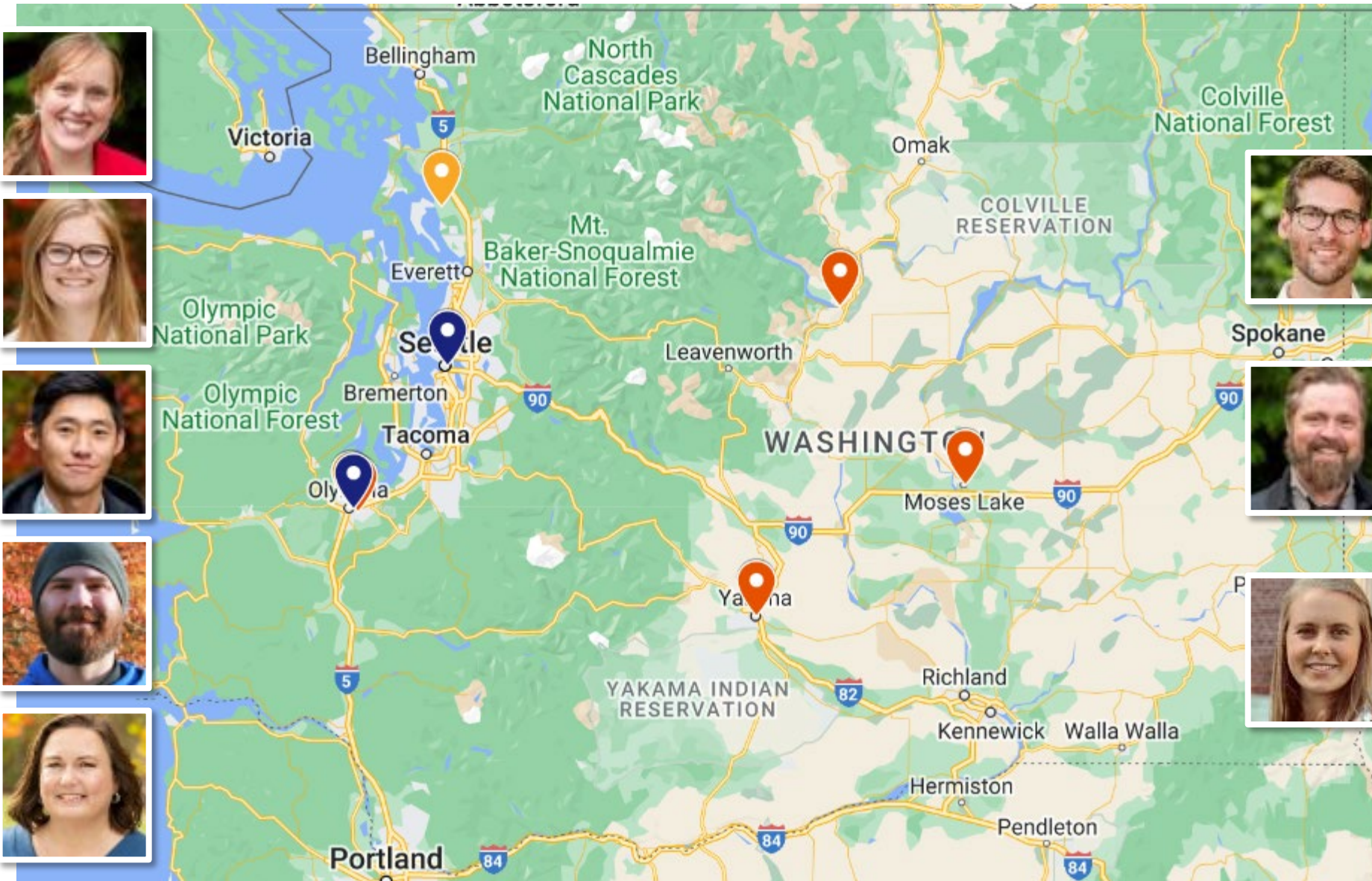
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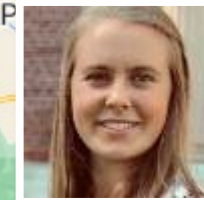
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## PRODUCE SAFETY PROGRAM

← Back

MEET OUR TEAM

PRODUCE SAFETY RULE

PRODUCE INSPECTIONS ←

SMALL FARM EXEMPTIONS ←

ON-FARM READINESS REVIEWS

PRODUCE SAFETY TRAININGS ←

PRODUCE SAFETY RESOURCES

CONSUMER COMPLAINTS

ESPAÑOL

[Home](#) / [Departments](#) / [Food Safety](#) / [Produce Safety](#)

WHAT DO YOU NEED TODAY?

LET'S FIND IT

VER LA PAGINA EN ESPAÑOL



# Produce Safety Rule Inspections



## PRODUCE SAFETY PROGRAM

### What to Expect of a Produce Inspection A Guide for Washington Farms

The Produce Safety Program is responsible for the education and enforcement of the FSMA Produce Safety Rule. Our farm inspection program is focused on promoting food safety and preventing foodborne illnesses linked to fresh produce.

Routine inspections began in spring of 2019. During an inspection, inspectors record their observations and will require follow-up corrective actions for any conditions that could pose a risk to public health.

Inspections are different and separate from audits requested or required by marketing groups or buyers. Inspections are mandatory and provided at no charge to farms as the program is 100% federally-funded.

If you would like technical assistance prior to your inspection or have questions about your farm's coverage status, please contact us at [producesafety@agr.wa.gov](mailto:producesafety@agr.wa.gov).

#### Initial Contact

Inspections are prioritized based on crop type, location, compliance history, size, and overall farm preparedness.

A WSDA Produce Safety Program staff person will contact you when it's time to schedule your inspection. Keep in mind that all inspections must occur during growing, harvesting, packing, and/or holding activities. They will do their best to make reasonable scheduling accommodations.

*Tip: One person from every covered farm must successfully complete the Produce Safety Alliance (PSA) Grower Training or equivalent training recognized by the FDA.*

#### Routine Produce Inspection

On your pre-scheduled inspection day, WSDA inspectors will ask to speak to the owner or person in charge, introduce themselves and explain the reason for the visit. They will also issue a written Notice of Inspection that cites our regulatory authority and indicates your inspection consent.

#### Inspection Support



Jerrid Higgins  
Wenatchee



Thane Tupper  
Moses Lake



Erika Hettick  
Yakima



Evan Low  
Lacey

#### Common Compliance Issues

- Lack of annual employee training
- Missing or incomplete records
- Animals in the field or parking area
- Lack of pre-harvest monitoring to identify contaminated produce
- Portable toilet not accessible for cleaning and located too close to produce
- Insufficient cleaning and sanitizing of food contact surfaces

#### Recordkeeping Tips

- Records required for most covered farms:
  - Employee Training
  - Cleaning and Sanitizing
  - Biological Soil Amendment Treatment (if applicable)
- Electronic and hard-copy records (using permanent link) are acceptable
- Records must be accurate and legible
- You can use existing records from other audits or inspections
- Most general records (acceptance and water-related records) must be kept for two years
- Records must include (as applicable):
  - Farm name and location
  - Actual values or observations obtained
  - Description of produce
  - Location of growing area
  - Activity date and time
- Records must be signed and initialed by the person performing the activity
- Some records must be reviewed, signed and initialed by a supervisor or responsible party

Visit [agr.wa.gov/producesafety](http://agr.wa.gov/producesafety) for inspection documents and recordkeeping resources.



## PRODUCE FARM INSPECTION CRITERIA

Washington State Department of Agriculture  
Produce Safety Program  
PO Box 6280  
Olympia, WA 98512-2800  
(360) 500-1888

The following list of criteria is based on Chapter 16.00 RCW (Revised Code of Washington) Produce Safety Rule Implementation.

NO.	CRITERIA
<b>PERSONNEL QUALIFICATIONS &amp; TRAINING</b> (21 CFR 112, Subpart C)	
1	Personnel training prerequisites adequate for intended activities, appropriate for duties, and frequency: 21 CFR, 112.11
	Minimum training requirements for all personnel including food safety, personal health, hygiene, and regulatory standards. Specific training requirements for harvest personnel and supervisors at least annually: 21 CFR, 112.11
	All food and beverage or responsible party has received standard training recognized as adequate by the FDA: 21 CFR, 112.11(a)
2	Personnel identified to supervisor or be responsible for them operations to ensure compliance with the Produce Safety Rule: 21 CFR, 112.21
3	Records for required training established, reviewed, dated and signed by supervisor/responsible party: 21 CFR, 112.10
<b>WATER &amp; IRRIGATION</b> (21 CFR 112, Subpart D)	
4	Measures implemented to prevent produce contamination from all or selected sources: 21 CFR, 112.11
5	Hygienic practices to protect covered produce or food contact surfaces, including personal cleanliness, animal contact, hand washing, gloves, jewelry, foods, gum, and tobacco use: 21 CFR, 112.11
6	Water policies and procedures including toilet and hand wash access: 21 CFR, 112.10
<b>AGRICULTURAL WATER</b> (21 CFR 112, Subpart E)	
7	Agricultural water must be safe and of adequate sanitary quality for intended use: 21 CFR, 112.11
8	Agricultural water source and distribution system inspected, assessed, and maintained: 21 CFR, 112.41
9	Treated agricultural water including water treatment effectiveness, consistency, and monitoring: 21 CFR, 112.41
10	Microbial quality criteria applicable to agricultural water used for certain intended uses: 21 CFR, 112.41
11	Action taken if water does not meet safe and adequate standard: 21 CFR, 112.41(a)
12	Results or certificates of compliance from public water supply or water treated in accordance with the requirements of 112.41: 21 CFR, 112.41(a)(2)
	Requirements for performing agricultural water tests: 21 CFR, 112.41
13	Water used during harvest, packing, and holding for covered produce managed to maintain safety and adequate sanitary quality: 21 CFR, 112.41
14	Records for findings of agricultural water system inspection, analytical tests conducted on agricultural water, scientific data or information to support adequacy of a well or alternative, results of water treatment monitoring, action taken to maintain with 112.41, results or certificates of compliance from public water systems are established and kept: 21 CFR, 112.10
<b>NECROTIC SOIL AMENDMENTS OF ANIMAL ORIGIN &amp; HUMUS POLYS</b> (21 CFR 112, Subpart F)	
15	Handling, conveyance, and storage of soil amendments of animal origin to prevent the contamination of food, food contact surfaces, and agricultural water sources and systems: 21 CFR, 112.10
16	Prohibits the use of human excrement, sewage sludge or solids as per 102 CFR part 101, Subpart C: 21 CFR, 112.10
17	Acceptable treatment processes for soil amendments of animal origin are used: 21 CFR, 112.10
	Microbiological contents for treated soil amendments of animal origin are met: 21 CFR, 112.10
	Application requirements for soil amendments of animal origin: 21 CFR, 112.10
18	Records for biological soil amendments of animal origin are established and kept: 21 CFR, 112.10
<b>DOMESTICATED ANIMALS</b> (21 CFR 112, Subpart G)	
19	Refusal areas are established during the growing season, enforced for potential produce contamination from animals, and measures are taken to prevent the later harvest of potentially contaminated produce during the growing season: 21 CFR, 112.10
<b>CROWDING, HARVESTING, PACKING, &amp; HOLDING ACTIVITIES</b> (21 CFR 112, Subpart H)	
20	Harvested produce is kept separate from covered produce, and shared food contact surfaces are cleaned and sanitized between uses: 21 CFR, 112.11
21	Measures taken to identify and not harvest produce likely contaminated with foreseeable hazards, including animal excrement, including a visual assessment of the growing area and crop: 21 CFR, 112.11
22	Harvested produce handled in a manner that protects against contamination, including avoiding the contact of cut surfaces with soil: 21 CFR, 112.11
23	Prohibits the use of facilities of dropped covered produce: 21 CFR, 112.11
24	Produce that is susceptible to the hazard of Clostridium botulinum growth and toxin formation packaged in a manner that prevents this hazard: 21 CFR, 112.11

Harvesting requirements: 21 CFR, 112.11  
Requirements to control animal excrement and lesser than deemed suited animals: 21 CFR, 112.11  
Records of the cleaning and sanitizing of equipment are established and kept: 21 CFR, 112.10

#### SPRINKLES

(21 CFR 112, Subpart I)

Measures taken to prevent contamination of leaves or seasonally foreseeable harvestable or crop seeds or beans, including disinfection use of all seeds or beans brought to be contaminated, visibly examine seeds or beans and packaging for harvest, and treating seeds or beans or relying on prior treatment of seeds or beans: 21 CFR, 112.11  
Sprouts are grown, harvested, packed and held in fully-enclosed buildings: 21 CFR, 112.10(d)  
Food contact surfaces used to grow, harvest, pack, or hold sprouts are cleaned and sanitized before contact with sprouts, seeds, or beans used to grow sprouts: 21 CFR, 112.10(b)

Environmental monitoring levels of growing, harvesting, packing, and holding environment in accordance with: 112.141-21 CFR, 112.144(a)

Requirements for establishing an environmental monitoring plan for growing, harvesting, packing, and holding environment for listed species of *E. coli* serotypes: 21 CFR, 112.141

Action taken if growing, harvesting, packing, and holding environment tests detect faecal species or *E. coli* serotypes: 21 CFR, 112.141  
Testing spent spray irrigation water or sprouts for pathogens in accordance with: 112.141, 21 CFR, 112.144(a) and (c)

Requirements for maintaining and implementing a netting sampling plan for collecting and testing samples of spent liquid or irrigation water for sprouts for pathogens: 21 CFR, 112.141

Action taken if spend sprout irrigation water or contains test positive for a pathogen: 21 CFR, 112.141  
Records for sprouts are established and kept: 21 CFR, 112.10

#### RECORDS

(21 CFR 112, Subpart J)

Records required under the subpart all genes of specific events: 21 CFR, 112.101  
Records retained for the required length of time: 21 CFR, 112.101

AGR PUB 612-742 (R/11/23) Do you need this publication in an alternate format? Contact WSDA at (360) 902-1976 or TTY Relay (800) 833-6388

This publication was made possible by the Food and Drug Administration (FDA) of the U.S. Department of Health and Human Services priority to providing assistance under 21 CFR 112.0015 regarding 21 CFR 112.0015-1029, issued by 7/2014/15. The contents are those of the author(s) and do not represent a position of the author(s) or any other institution, or FDA, or the U.S. Government.

# GAP vs. FSMA Produce Safety Rule

	<b>GAPs</b>	<b>FSMA</b>
Administered by	United States Dept. of Agriculture (USDA) guidance document	Regulations issued by Food & Drug Administration (FDA)
Compliance	Voluntary participation	Mandatory regulations
Enforcement	Farm audits done by third part auditor, USDA-AMS, Primus Labs, etc.	State regulatory inspections
Cost	Annual audit expenses paid by farmer	No-cost inspections
Food safety plan	Required	Voluntary
Food recall & traceability plan	Required	Voluntary
Notes	Market driven by buyers. GAPs audits may open new markets. Training educational only; not recognized by FDA as a FSMA compliant food safety training course.	Covered farms must have at least 1 supervisor or designated food safety farm leader take an FDA approved FSMA compliant training course.

Table source: [cropwatch.unl.edu/gaps](http://cropwatch.unl.edu/gaps)

# Produce Safety Rule Status Tool

- Located on our website under Small Farm Exemptions
- Online tool to help determine a farm's coverage status.

Does your farm on average (in the previous three years) sell **LESS** than \$29,245 in annual **produce** sales?

Yes

No

**Produce** means any fruits or vegetables and also mushrooms, sprouts, peanuts, tree nuts and herbs. Produce does **NOT** include food grains that are primarily grown and processed for use as meal, flour, baked goods, cereals and oils. Examples include barley, corn, oats, rice, rye, wheat, quinoa, and oilseeds (i.e. cotton seed, flax seed, rapeseed, soybean and sunflower seed). [\[Section 112.3\]](#) and [\[Section 112.1\(b\)\]](#)

[Prev](#) [Next](#)


Is ALL of your produce on FDA's **rarely consumed raw** list?

Yes

No


**Rarely consumed raw** commodities are asparagus; black beans, great Northern beans, kidney beans, lima beans, navy beans, and pinto beans; garden beets (roots and tops) and sugar beets; cashews; sour cherries; chickpeas; cocoa beans; coffee beans; collards; sweet corn; cranberries; dates; dill (seeds and weed); eggplants; figs; horseradish; hazelnuts; lentils; okra; peanuts; pecans; peppermint; potatoes; pumpkins; winter squash; sweet potatoes; and water chestnuts. [\[Section 112.2\(a\)\(1\)\]](#)

[Prev](#) [Next](#)

Powered by  
 SurveyMonkey  
See how easy it is to create a survey.

# Inventory Mailer

- Annual mailer sent to farms via mail or email to verify information and determine coverage status.
- Option to receive follow-up from our program



Washington State Department of Agriculture  
Produce Safety Program  
PO Box 42560  
Olympia, WA 98504  
[producesafetv@agr.wa.gov](mailto:producesafetv@agr.wa.gov)

### Produce Farm Inventory

Please complete the following information to help WSDA assist farms to comply with the FDA Produce Safety Rule (RCW 15.135). This form can also be completed online at [www.surveymonkey.com/r/PSPmailer](http://www.surveymonkey.com/r/PSPmailer).

Do you handle any of the following produce? (check all that apply or select "Not Applicable")

<input type="checkbox"/> Apples	<input type="checkbox"/> Cranberries	<input type="checkbox"/> Lentils	<input type="checkbox"/> Raspberries
<input type="checkbox"/> Apricots	<input type="checkbox"/> Cucumbers	<input type="checkbox"/> Melons	<input type="checkbox"/> Sprouts
<input type="checkbox"/> Asparagus	<input type="checkbox"/> Eggplant	<input type="checkbox"/> Nectarines	<input type="checkbox"/> Strawberries
<input type="checkbox"/> Beets	<input type="checkbox"/> Garlic	<input type="checkbox"/> Onions	<input type="checkbox"/> Summer squash
<input type="checkbox"/> Blackberries	<input type="checkbox"/> Grapes, table	<input type="checkbox"/> Peaches	<input type="checkbox"/> Sweet corn
<input type="checkbox"/> Blueberries	<input type="checkbox"/> Grapes, wine	<input type="checkbox"/> Pears	<input type="checkbox"/> Tomatoes
<input type="checkbox"/> Carrots	<input type="checkbox"/> Green beans	<input type="checkbox"/> Peppermint	<input type="checkbox"/> Winter squash
<input type="checkbox"/> Cabbage	<input type="checkbox"/> Herbs	<input type="checkbox"/> Peppers	<input type="checkbox"/> Not Applicable (N/A)
<input type="checkbox"/> Chard	<input type="checkbox"/> Hops	<input type="checkbox"/> Plums	
<input type="checkbox"/> Cherries, sour	<input type="checkbox"/> Kale	<input type="checkbox"/> Potatoes	
<input type="checkbox"/> Cherries, sweet	<input type="checkbox"/> Lettuce	<input type="checkbox"/> Pumpkins	

Other crops that you grow, harvest, pack, or hold (please specify):  
\_\_\_\_\_

Where do you sell the majority (greater than 50%) of your food? (select one)

Direct-to-Consumer (CSA, farmers market, on-farm sales)  
 Retail (grocery store, restaurant)  
 Distributor /Wholesaler /Packinghouse  
 Other (please specify): \_\_\_\_\_

What are your average annual produce \* sales?

Greater than \$500,000  
 Between \$250,000 and \$500,000  
 Between \$30,509 and \$250,000  
 Less than \$30,509  
 Not applicable

\*Produce as defined by FDA in the Produce Safety Rule §112.2 means fruits and vegetables, including mushrooms, sprouts, peanuts, tree nuts and herbs. It does not include food grains used for further processing into meal, flour, baked good, cereals, etc. Examples include barley, oats, rye, rice, wheat and oilseeds.

Are your average annual food \* sales greater than \$610,182?  Yes  No

\*Food as defined by FDA in the Food Drug and Cosmetic Act §201(f) includes but is not limited to fruits, vegetables, fish, dairy products, eggs, raw agricultural commodities for use as food or components of food, animal feed, including pet food, food and feed ingredients and additives, dietary supplements and dietary ingredients, infant formula, beverages, including alcoholic beverages and bottled water, live food animals, bakery goods, snack foods, candy and canned foods.

Is any of your produce intended for commercial processing?  Yes  No  
(i.e., canning, distilling, baking, or other process that significantly reduces pathogens of public health significance)

AGR-2275 (R/4/23) Page 1 of 2

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Unless exempted by federal or state law.

AGR-2275 (R/4/23)
Page 2 of 2

# 2024 PSA Grower Trainings



- March 12: Bellingham (English)
- March 14: Olympia (English)
- March 27: Yakima (Spanish) *Limited availability*
- March 28: Wenatchee (Spanish)
- March 29: Wenatchee (English)





**Questions**

# Contact Us



[ProduceSafety@agr.wa.gov](mailto:ProduceSafety@agr.wa.gov)



(360) 902-1848



[Agr.wa.gov/producesafety](http://Agr.wa.gov/producesafety)

