



# PRODUCE SAFETY

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## FDA Ag Water Rule

*Proposed Changes and Resources*

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# Background

- FSMA signed into law in 2011
  - FDA created 7 key rules addressing food safety
  - Produce Safety Rule finalized in 2016
    - First federal requirement addressing on-farm food safety
- 
- ❖ Personnel Qualifications & Training
  - ❖ Worker Health & Hygiene
  - ❖ Agricultural Water (pre- and post-harvest)
  - ❖ Soil Amendments (e.g. compost)
  - ❖ Domesticated & Wild Animals
  - ❖ Growing, Harvesting, Packing & Holding Activities
  - ❖ Equipment, Tools, Buildings, and Sanitation
  - ❖ Sprouts



# Issues With Ag Water Requirements

- Not one-size-fits-all, but only one standard to be compliant
- Compliance date was pushed back multiple times



# New Proposed Water Rule



**FEDERAL REGISTER**  
The Daily Journal of the United States Government



Proposed Rule

## Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption Relating to Agricultural Water

A Proposed Rule by the [Food and Drug Administration](#) on 12/06/2021

This document has a comment period that ends in 42 days. (04/05/2022)

SUBMIT A FORMAL COMMENT

Read the 40 public comments

PUBLISHED DOCUMENT

Start Printed Page 69120

**AGENCY:**  
Food and Drug Administration, HHS.

DOCUMENT DETAILS

Printed version:  
[PDF](#)

Publication Date:  
12/06/2021

- [Proposed rule](#) published Dec 6, 2021
- [Public Comment period](#) closes April 5, 2022

# Proposes using Systems-Based Risk Assessment

*Corrective actions or mitigations would be implemented when problems are identified*

- [FDA Factsheet](#)

## Factors that Covered Farms would be Required to Assess as Part of an Agricultural Water Assessment, If the Proposed Rule is Finalized

Factor	Description
<b>Agricultural water system(s)</b>	<ul style="list-style-type: none"><li>• The location and nature of the water source (including whether it is ground water or surface water)</li><li>• The type of water distribution system (such as whether it is open or closed to the environment)</li><li>• The degree to which the system is protected from possible sources of contamination, including:<ul style="list-style-type: none"><li>◦ other users of the water system</li><li>◦ animal impacts (such as from grazing animals, working animals, and animal intrusion)</li><li>◦ adjacent and nearby land uses related to animal activity, the application of biological soil amendments of animal origin, or the presence of untreated or improperly treated human waste</li></ul></li></ul>
<b>Agricultural water practices</b>	<ul style="list-style-type: none"><li>• The type of application method (such as overhead sprinkler or spray; drip, furrow, flood, and seepage irrigation)</li><li>• The time interval between the last direct application of agricultural water and harvest of the covered produce (other than sprouts)</li></ul>
<b>Crop characteristics</b>	<ul style="list-style-type: none"><li>• Susceptibility of the produce to surface adhesion or internalization of hazards</li></ul>
<b>Environmental conditions</b>	<ul style="list-style-type: none"><li>• Frequency of heavy rain or extreme weather events that may impact the agricultural water system – such as by stirring sediments that may contain human pathogens - or that may impact or damage produce. Damage can increase the susceptibility of produce to contamination.</li><li>• Air temperatures</li><li>• Sun (UV) exposure</li></ul>
<b>Other relevant factors</b>	<ul style="list-style-type: none"><li>• Including, if applicable, results of testing that could inform the assessment</li></ul>

MEETING

# Public Meetings on the Proposed Changes to Agricultural Water Requirements in the Produce Safety Rule

FEBRUARY 25, 2022

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Workshops, Meetings &  
Webinars on Food and Dietary  
Supplements

**Date:** February 25, 2022

**Time:** 8:45 AM - 4:45 PM ET

The U.S. Food and Drug Administration (FDA) will be holding two virtual public meetings on the recently released proposed rule “[Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption Relating to Agricultural Water](#).” The purpose of the public meetings is to discuss the proposed rule, which was issued under the [FDA Food Safety Modernization Act](#). These public meetings are intended to facilitate and support the public’s evaluation and commenting process on the proposed rule.

The public meetings will be held according to the schedule below. The times for each meeting have been adjusted to provide persons in different regions of the country an opportunity to comment.

**Content current as of:**  
02/18/2022

**Regulated Product(s)**  
Food & Beverages

Information and registration for [FDA Public Meeting, Feb 25](#)

SAVE  
THE  
DATE

## Western Regional Webinar on Proposed Agricultural Water Rule

Co-hosted by NASDA and the California  
Department of Food & Agriculture

Date: **March 11, 2022**

Time: **10:00 – 11:00 AM Pacific Time**

This webinar is being held to discuss the recently released FDA proposed rule, "Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption Relating to Agricultural Water".

During the webinar, key FDA officials will provide an overview of the proposed rule and will be available to answer questions.

For general meeting information contact the California Dept. of Food & Agriculture:  
Geetika Joshi - [Geetika.Joshi@cdfa.ca.gov](mailto:Geetika.Joshi@cdfa.ca.gov)  
Don Stoeckel - [Don.Stoeckel@cdfa.ca.gov](mailto:Don.Stoeckel@cdfa.ca.gov)

For information on how to join the meeting, go to: <https://www.surveymonkey.com/r/WesternProposedAgWater>



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