GAP and Its Impact on Us as Growers

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What is GAP? (Good Agricultural Practices)

• An assurance to our customers that thought and action have been exercised to minimize the potential for fresh produce contamination by pathogens
Reasons we are here

• Spinach from CA...the jury is still out
• Jalapeno peppers from MX...it really wasn’t tomatoes
• Cantaloupe from Colorado
• Salad mix from Mexico
• Many other issues related and not related to fresh produce
GAP Status in New England

• Dozens of growers have become GAP certified in response to new requirements from Hannaford, Price Chopper, Stop & Shop, and Wegmans

• Harmonized GAP is/will slowly replace GAP?
  – Growers are just beginning to be certified
Where are we headed

• Other Supermarkets?
• Others: Co-ops, Farmer’s Markets, Institutional Food Buyers, Farm Stands, Farm to School, others?
• How will the Food Safety Modernization Act signed into law 1/4/2011 affect GAP?
• How will state programs fit in (CQP, RI GAP)
FSMA (Food Safety Modernization Act)

• Federal food safety law -- applies to farms growing fruits and vegetables normally eaten raw (covered produce) and to food facilities
• Law was passed January 4, 2011
• Regulations are in proposed form and establish mandatory practices to prevent microbial contamination of fresh produce and processed foods
• FDA is the Regulatory Authority!!!
FSMA...

- FSMA has 5 parts but 2 that most apply to domestic human food production
  - Produce Safety (applies to farms)
  - Rule for Hazard Analysis and Risk-Based Preventive Controls for Human Food (applies to those who manufacture, process, pack or hold human food... “facilities”)
- there are exemptions...qualifying for an exemption under one part does not automatically mean you will qualify for an exemption under the other
Produce Safety Rule

• Tester-Hagan amendment exempts farms with less than $500,000 gross sales of “food” but there are qualifications:
  • At least 50% direct to retail or a retailer
  • In-state sales or not more than 275 miles from the farm
  • Includes all “food” including animal feed and produce not covered by the rule

• Not all farms will qualify because of the way they market:
  • Food hubs
  • Institutional food distributors
  • Selling through any “middle man”
Produce Safety Costs

- Less than $250,000  $ 4,697
- $250-500K    $12,972
- Over 500K    $30,566

- FDA Admits that the Rule will put some farmers out of business
- It is FDA’s goal to cover the largest 20% of the farms that produce 80% of the food
Produce Safety Proposed Rules...

- Non-Exempt Farms Must comply with regulations related to
  - Worker Health and Hygiene
  - Agricultural Water
  - Equipment, Tool, and Building Sanitation
  - Biological Soil Amendments (compost & manure)
  - Domestic and Wild Animals
- Traceability
- Records must be kept to prove that you are in compliance with all regulations
Agricultural Water...

• Testing Requirements
  • Farms using municipal water can replace testing with documentation from the water facility proving that the water meets the standards
  • Well water must be tested at the beginning of the season and every 3 months thereafter
  • Well water that has been stored in an above ground holding tank or pond must be tested every month
  • Surface water must be tested every 7 days unless it is from a source that you control, then every month
Agricultural Water…

• Testing Standards…
  • If it contacts covered produce during growing it must contain no more than 235 CFU generic E. coli per 100 mL sample, and no more than an average of 126 CFU per 5 samples (recreational water)
  • If it contacts covered produce during or after harvest must have no E. coli (less than detectable levels) per 100 mL sample (potable)
  • Again, if it does not meet the standards it cannot be used until corrective actions have been taken and subsequent testing shows the actions were effective
Agricultural Water...

• Ag water can be treated with antimicrobials in place of testing, but
  • If wash water is treated with more than 200 ppm chlorine the farm is processing and must comply with the requirements of Preventive Controls.

• Wash water must be changed frequently enough that it has no detectable levels of E. coli or treated with sanitizer...perhaps

• Records must be kept of inspections, testing, and corrective actions
Sanitation: Equipment, Tools, and Buildings

• Greenhouses and high tunnels are classified as buildings which cannot have for example
  • condensation dripping from the ceiling
  • water pooling on the floor
  • and they must be laid out so workers can move freely without clothing touching covered produce
Biological Soil Amendments…

• If the untreated amendments are applied in a way that they are likely to touch covered produce
  • They must be applied 9 months before harvest.
  • Agricultural teas made from untreated biological soil amendments must also meet this standard.
• States options if this is not changed?
Voluntary v. Mandatory Food Safety

• “Voluntary” USDA/Private
  • GAP, Harmonized GAP, SQF, GFSI, Global GAP
• Voluntary State
  • Commonwealth Quality (MA)
  • Rhode Island GAP (RI)
• FSMA:
  • Waiting for second draft or final rule
  • Not sure if there will be a connection with any of the voluntary standards
  • Not sure about oversight and compliance
Voluntary v. Mandatory Food Safety

• All food safety standards have the same parts
  • Worker hygiene
  • Water quality
  • Sanitation
  • Livestock and wildlife
  • Compost and Manure
  • Traceability
State Government Comments

• Do not want an interim or final rule
• Want a second draft, expect it early summer
• Who will provide regulatory oversight?
• State programs for compliance?
Our Biggest Fears as Farmers

• We do not have “big-guy” issues: Risk = Toxicity X Exposure
• Can we afford this? ...time and money
• What about animals? ...domestic, wildlife, my dog
• Water issues: Can we comply?
• Traceability and to what level of detail?
• The un-forseen...
## Chopped Lettuce Issues

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If you really think about all the possibilities, how the heck are we all still alive?
Bottom Line

• Individual growers will need to decide if they will become certified based on their customer’s needs, the desire of the grower to keep that customer, and potential peer pressure
Today you will leave with...

• An increased understanding of food safety and how you, your employees, and the environment impact it
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• The materials necessary to create a farm plan and to prepare for an audit
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• The sobering realization that farming just gets less and less fun every year