



**MDAR**

PRODUCE SAFETY  
& MARKET ACCESS PROGRAM



# Produce Safety, Market Access and Certification Program Areas

MHOA Annual Conference Thursday, October 27, 2022



# Meeting-Presentation Agenda

1. Overview of Division Services.
2. Produce Safety Inspection Program (PSIP).
  - a. Foundation
  - b. Statutory Authority/Regulatory Framework
  - c. Enforcement and Compliance
3. Commonwealth Quality Program for Produce (CQP).
4. Inspectional/Audit Activities.
5. Local BOH support/On-Farm Technical Assistance.
6. Questions and Answers.





# Overview of Division Services

1. Produce Safety Inspection Program (PSIP)
2. Education and Outreach (EBWYR)
3. Technical Assistance
4. Commonwealth Quality Program for Produce (CQP)
5. Partner Support and Engagement



# Produce Safety Inspection Program (PSIP)

## Foundation

- Food Safety Modernization Act -Signed into law on January 4, 2011 (FD&C).
- Produce Safety Rule (CFR 21 Part 112) Published in the Federal Register on November 27, 2015.
- Standards for the safe growing, harvesting, packing, and Holding of Produce for Human Consumption.
- Raw agricultural commodities (covered/uncovered)
- Includes the growing, harvesting, packing and holding of produce.
- Applies to both domestic and imported produce.



# Produce Safety Inspection Program (PSIP)

## Statutory Authority in Massachusetts

- Adopted by reference in Massachusetts with some changes -M.G.L. Chapter 128, Section 124).
- Support of both covered and non-covered farms in Massachusetts.
- Outbound Inspections for covered Farms/Commodities (RACs)  
Inbound requests (voluntary).
- Structured, transparent and aligned public health regulatory program - CMR 330 34:00 Produce safety and market access.
- Farm Registration.
- “Educate before and while we regulate.”



# Produce Safety Inspection Program (PSIP)

## Enforcement and Compliance

- CMR 330 34:00 Produce safety and market access.
- Enforcement and Compliance program that is flexible, escalatory and transparent.
- Inspection Process.
- Focus on voluntary compliance.
- Warning Letters, Market Access Suspension
- Embargo and Destruct.

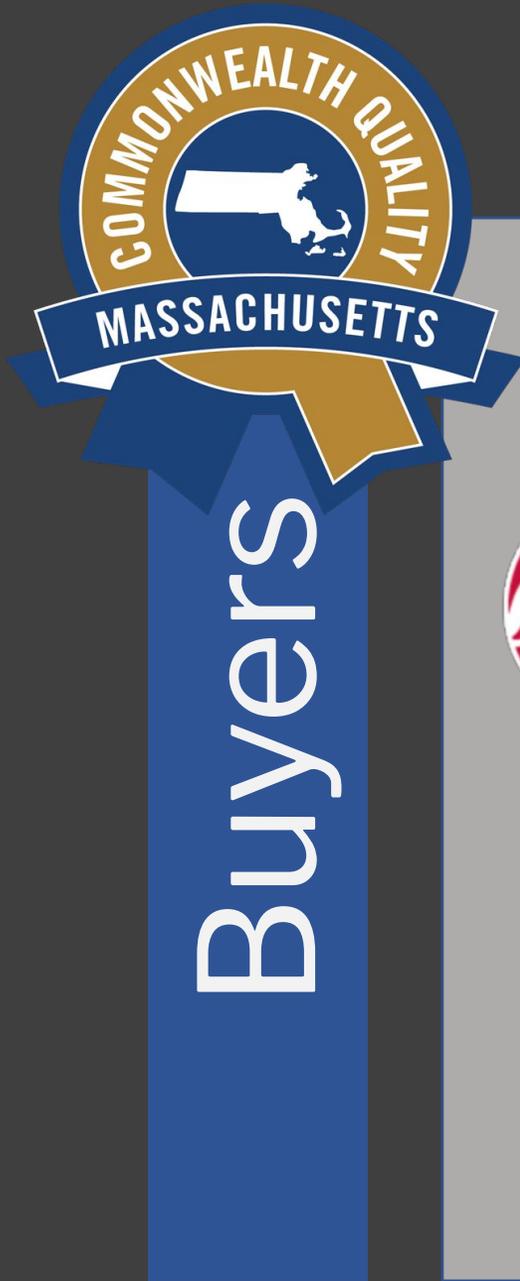


# Commonwealth Quality Program for Produce

## CQP Program Overview

- Voluntary Third-Party Market Access Audit Program.
- MDAR Program Structure and Requirements
  - Food Safety - MGAPs, PSR
  - Environmental Practices
  - Source Verification. (Farm of Origin)
- Traceability, Food Safety Plan, included in updated requirements.
- Successful audits conducted under the CQP for Produce shall be compliant with Massachusetts. M.G.L. c.128, s. 124 and CMR 330 34:00.





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# Inspection/Audit Activities

Produce Safety Inspection Program staff are responsible for the conduct of farm inspections and audits, grower education, deployed technical assistance and providing the support and tools that local growers require to ensure they are compliant with the law, state regulations and buyer requirements.



# Inspection/Audit Activities

## Inspectional Process Overview

- Inspector training (formal and informal)
- Farm registration and education/outreach
- On-farm education activities: technical assistance and audits
- Deployment of the inspection program
- Tiered rollout of inspections
  - 2019: Large Covered Farms
  - 2020: Small Covered Farms (delayed due to COVID19)
  - 2021: Very Small/All Other Covered Farms
- Inspection dictates tailored follow-up response
- Farms become part of annual inspection cycle



# Inspection/Audit Activities

## Inspectional Process Overview

- To date, MDAR has 127 registered farms classified as *Covered*
  - *74 Large Covered, 24 Small Covered, 29 Very Small Covered*
- 72 of the 127 farms have received at least an initial inspection
- Inspections by year:
  - 2022: 72+, 2021: 59, 2019: 60
- Roughly 5% of farms receive a follow-up
- To date, 3 for-cause inspections and 1 voluntary recall
- Commonwealth Quality Participants:
  - Produce – 126
  - Cranberry – 24
  - Maple – 6



# Local BOH Support/ On-Farm Technical Assistance

## On-Farm Technical Assistance

- Deployed technical services to assist growers.
- Pre-Inspection/Pre-audit walk-throughs (OFRR).
- Practice support and guidance.
- Buyer requirement clarification and guidance.
- Third-party referral (labs, Service providers).
- Collaboration with other regulatory agencies, including Federal, State, and Local officials.



# Local BOH Support/ On-Farm Technical Assistance

## BOH Support

- Guidance in the EH/PH space with regards to agriculture.
- Regulatory Overlap including agrotourism, zoning, mixed use facilities, waste-water, wells and water quality, waste disposal, location and condition of septic systems, and hygiene of employees.
- Farmers Markets
- Foodborne illness investigations and collaboration.

Questions ?