



**North Carolina Department of  
Agriculture & Consumer Services  
Steve Troxler, Commissioner**

**State Food Safety Initiatives**

**AFDOSS**

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# Food Safety Modernization Act FSMA

- Signed into law January 4, 2011
- Focus on prevention and risk-based preventive controls
- Provides new enforcement authorities including authority to ensure safety of imported foods
- Directs the creation of an integrated food safety system in partnership with State and local authorities.



## Why is this law necessary?

- **Globalization**

- 1 in 6 FDA regulated food products is imported

- **Food supply more high-tech and complex**

- More complex foods in the marketplace
- New hazards in foods not previously seen

- **Shifting demographics**

- Growing “at risk” population



## **Proposed Rules**

- Produce Safety
- Preventive Controls for Human Food
- Preventive Controls for Food for Animals
- Foreign Supplier Verification Program
- Third Party Accreditation
- Intentional Adulteration
- Sanitary Transportation of food



## **Timeline/Next Steps**

- FDA will re-release key portions of some rules for public comment (soon)
- Final Rules scheduled for release 2015 and 2016
- Compliance begins 1 year after final rule; smaller facilities have additional time



# Rulemaking Timeline

<b>Rule</b>	<b>Proposed Rule Issued</b>	<b>Comment Period Closed</b>	<b>Final Rule Scheduled (Per consent decree)</b>
Preventive Controls (Human Food)	Jan 16, 2013	Nov 22, 2013	Aug 30, 2015
Preventive Controls (Animal Food)	Oct 29, 2013	Mar 31, 2014	Aug 30, 2015
Produce Safety	Jan 16, 2013	Nov 22, 2013	Oct 31, 2015
Foreign Supplier Verification Program	Jul 29, 2013	Jan 27, 2014	Oct 31, 2015
Third Party Accreditation	Jul 29, 2013	Jan 27, 2014	Oct 31, 2015
Sanitary Transport	Feb 5, 2014	Jul 30, 2014	Mar 31, 2016
Intentional Adulteration	Dec 24, 2013	Jun 30, 2014	May 31, 2016



# Compliance Dates

<b>Compliance Dates (After Effective Date)</b>	<b>Preventive Controls (Human and Animal)</b>	<b>Produce Safety</b>
Final Rule Issued	Aug 30, 2015	Oct 31, 2015
Effective Date	60 days	60 days
Other	1 year (2016)	2 years (2017)
Small	2 years (2017)	3 years (2018)
Very Small	3 years (2018)	4 years (2019)

(+ 2 additional years for some water requirements)



# NASDA Technical Working Group

- Formation
- Charge/Leadership
- Membership
- Outcomes
- Future







## Established under the direction of the NASDA Food and Nutrition Committee

- Chuck Ross, NASDA President and Secretary, Vermont Agency of Agriculture
- Steve Troxler, Commissioner, NCDA & CS
- Katy Coba, Director, Oregon Department of Agriculture
- Jamie Clover-Adams, Director, Michigan Department of Agriculture and Rural Development



## Charge

- Develop and implement a systematic process to review and provide comments to FDA on all 7 proposed foundational rules; and
- Develop an operational strategy for FSMA implementation by state programs

## Leadership

Bob Ehart, Senior Policy Advisor, NASDA

Joe Reardon, Assistant Commissioner, NCDA & CS



## Membership

63 subject matter experts representing policy, operations, food, feed and produce safety expertise

- 22 State Departments of Agriculture
  - NASDA
  - AFDO
  - AAFCO
  - IFPTI



## Outcomes

### Rules Review

- Comments submitted to all 7 rules:
  - 200 pages of comments;
  - 16 months; representing approximately
  - 150 hours of discussion
- Prepared to provide same level of review to the re-release of key portions of proposed rules



## Overarching Concerns

- Some areas require significant revision
- Must have equal treatment of domestic and foreign producers
- Training for industry and regulators is necessary
- Resources for State agencies to implement rules



## Outcomes

### Operational Strategy

- Operational strategy will describe the components, processes and best practices for the development of a produce safety inspection program
- Addresses infrastructure and resource needs to build these new regulatory programs
- Will create uniformity, consistency and equivalency among regulatory programs



## Future

- Produce rule implementation is best accomplished by State regulatory agencies
- Implementation approach must be systematic with clear goals and objectives
- Funding is necessary to build the necessary infrastructure, capacity and capability
- Collaboration and cooperation among regulatory agencies is critical

**We must educate before we regulate**



# Thank you!

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