

Info Alert

National Conference of State Legislatures Office of State-Federal Relations

Sept. 23, 2014

FDA Releases Revisions to FSMA Proposed Rules

On Sept. 19, the Food and Drug Administration (FDA) [released](#) revisions to four rules as part of the [Food Safety Modernization Act](#) (FSMA). The updates to the proposed rules relate to: produce-safety; preventive controls for human food; preventive controls for animal food; and the foreign supplier verification program. FDA also announced it would hold a public meeting on the revised proposals on Nov. 13 in College Park, Md.

The revisions include a number of changes to the water quality testing provisions in the produce safety rule so that natural variations in water sources are now taken into consideration. Additionally, the produce safety rule would no longer apply to farms with \$25,000 or less in produce sales. Also, the revisions would no longer require that by-products used as animal feed from brewery and distillery operations comply with FSMA's animal food rules, if they are already deemed in compliance with other FDA requirements.

The revisions are based on feedback from public comments on the proposed rules as well as meetings with interested parties, including two meetings with state legislators at NCSL's 2013 and [2014 Legislative Summits](#). Additionally, FDA noted that it will allow another round of public comments, which are due within 75 days of publication in the federal register. The final rules will be issued in 2015.

For any additional questions or concerns please contact NCSL staff Ben Husch (202-624-7779) or Doug Farquhar (303-856-1397).

Important Links

- [Produce Safety Proposed Rule](#)
- [Preventive Controls for Human Food Proposed Rule](#)
- [Current Good Manufacturing Practice \(CGMP\) and Hazard Analysis and Risk-Based Preventive Controls for Food for Animals Proposed Rule](#)
- [Foreign Supplier Verification Programs \(FSVP\) for Importers of Food for Humans and Animals Proposed Rule](#)
- [FSMA Frequently Asked Questions](#)
- [FDA Presentation to NCSL at 2014 Legislative Summit](#)