

FSMA FACT SHEET

Reference Sheet for FSMA Compliance Dates for the Almond Industry

Compliance Dates for Large Businesses

FSMA Rule	Compliance Date	Notes/Explanations
Modernized CGMPs and Preventive Controls for Human Food >500 full time equivalent (FTE) employees	Sept. 19, 2016	General compliance date is one year after publication of the final rule, except as detailed below
	March 17, 2017	Supply Chain Program general compliance date is March 17, 2017 OR six months after a supplier is required to comply with the applicable PC or Produce safety rule
	Sept. 19, 2018	For compliance with the written customer assurance requirement in 21 CFR 117.136 only; compliance with the written disclosure provision and the remainder of the rule is required by Sept. 19, 2016
	Jan. 26, 2018	For “facilities solely engaged in packing and/or holding activities conducted on produce RACs and/or nut hulls and shells” ¹
	Jan. 26, 2018	For facilities that meet the definition of “secondary activities farms” except for the ownership criterion ²
CGMPs and Preventive Controls for Animal Food >500 FTE employees	Sept. 19, 2016 for CGMPs	Includes compliance with the CGMPs for human food by-products diverted to animal feed
	Sept. 18, 2017 for PCs (except for some suppliers under the supply chain program)	Supply Chain Program general compliance date is Sept. 18, 2017 OR six months after a supplier is required to comply with the applicable PC or Produce Safety rule
	Sept. 18, 2019	For compliance with the written customer assurance requirement only
	Jan. 26, 2018 for CGMPs Jan. 28, 2019 for PCs	For “facilities solely engaged in packing and/or holding activities conducted on produce RACs and/or nut hulls and shells that are used as animal food” ¹
	Jan. 26, 2018 for CGMPs Jan. 28, 2019 for PCs	For facilities that meet the definition of “secondary activities farms” except for the ownership criterion ²
Produce Safety >\$500,000 annual sales	Jan. 26, 2018	Farms have an additional two years to comply with certain water-related requirements ³
	Jan. 27, 2020	For compliance with the written customer assurance requirement only; if relying upon written disclosures/assurances for exemption from the rule
Sanitary Transportation > 500 FTE employees	April 6, 2017	
Intentional Adulteration/ Food Defense >500 FTE employees	July 26, 2019	
Foreign Supplier Verification Program	May 30, 2017	All importers must comply with FSVP requirements by May 30, 2017 OR six months after their foreign suppliers’ reach their FSMA compliance deadlines, whichever is later

¹This extension covers almond brown skin facilities that only size, sort, grade or pack almonds, as well as facilities that only hull and shell almonds, as long as the facility does not engage in manufacturing or processing activities (i.e., chopping, grinding, mixing, roasting, pasteurizing, salting).

²Facilities that meet the definition of “secondary activities farms” except for the ownership criterion can take advantage of an extension for compliance with the PC rule if: (1) The operation is not located on the primary production farm; (2) The operation is devoted to harvesting, packing and/or holding of RACs (including operations that hull, shell and/or dry nuts without additional manufacturing); and (3) The operation is under common ownership with the primary production farm that grows, harvests, and/or raises the majority of the RACs harvested, packed and/or held by the operation.

³Provisions with extended compliance dates include: (1) The specific microbiological criteria that apply to agricultural water; (2) Corrective measures that must be taken if agricultural water does not meet requirements; (3) The frequency of testing agricultural water; and (4) Records associated with data to support a microbial die-off rate, corrective measures, test results from a public water system, or data used to support alternative die-off rates, criteria or sampling strategies.

Compliance Dates for Small Businesses

(Business must meet applicable definition of “small business” under the rule)

FSMA Rule	Compliance Date	Notes/Explanations
Modernized CGMPs and Preventive Controls for Human Food <500 FTE employees	Sept. 18, 2017	General compliance date is two years after publication of the final rule, except as detailed below
	Sept. 18, 2017	Supply Chain Program general compliance date is Sept. 18, 2017 OR six months after a supplier is required to comply with the applicable PC or Produce safety rule
	Sept. 18, 2019	For compliance with the written customer assurance requirement in 21 CFR 117.136 only; compliance with the written disclosure provision and the remainder of the rule is required by Sept. 18, 2017
	Jan. 28, 2019	For “facilities solely engaged in packing and/or holding activities conducted on produce RACs and/or nut hulls and shells” ¹
	Jan. 28, 2019	For facilities that meet the definition of “secondary activities farms” except for the ownership criterion ²
CGMPs and Preventive Controls for Animal Food >500 FTE employees	Sept. 18, 2017 for CGMPs Sept. 17, 2018 for PCs (except for some suppliers under the supply chain program)	Includes compliance with the CGMPs for human food by-products diverted to animal feed Supply Chain Program general compliance date is Sept. 17, 2018 OR six months after a supplier is required to comply with the applicable PC or Produce Safety rule
	Sept. 17, 2020	For compliance with the written customer assurance requirement only
	Jan. 28, 2019 for CGMPs Jan. 27, 2020 for PCs	For “facilities solely engaged in packing and/or holding activities conducted on produce RACs and/or nut hulls and shells that are used as animal food” ¹
	Jan. 28, 2019 for CGMPs Jan. 27, 2020 for PCs	For facilities that meet the definition of “secondary activities farms” except for the ownership criterion ²
Produce Safety \$250,000–\$500,000 in produce sales	Jan. 28, 2019	Farms have an additional two years to comply with certain water-related requirements ³
	Jan. 26, 2021	For compliance with the written customer assurance requirement only; if relying upon written disclosures/assurances for exemption from the rule
Sanitary Transportation of Food <500 FTE employees, except that for certain motor vehicle carriers the definition is less than \$27,500,000 in annual receipts	April 6, 2018	
Intentional Adulteration/ Food Defense <500 FTE employees	July 26, 2020	
Foreign Supplier Verification Program	May 30, 2017	All importers must comply with FSVP requirements by May 30, 2017 OR six months after their foreign suppliers reach their FSMA compliance deadlines, whichever is later ⁴

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²Facilities that meet the definition of “secondary activities farms” except for the ownership criterion can take advantage of an extension for compliance with the PC rule if: (1) The operation is not located on the primary production farm; (2) The operation is devoted to harvesting, packing and/or holding of RACs (including operations that hull, shell and/or dry nuts without additional manufacturing); and (3) The operation is under common ownership with the primary production farm that grows, harvests, and/or raises the majority of the RACs harvested, packed and/or held by the operation.

³Provisions with extended compliance dates include: (1) The specific microbiological criteria that apply to agricultural water; (2) Corrective measures that must be taken if agricultural water does not meet requirements; (3) The frequency of testing agricultural water; and (4) Records associated with data to support a microbial die-off rate, corrective measures, test results from a public water system, or data used to support alternative die-off rates, criteria or sampling strategies.

⁴There are no modified compliance dates for importers who are a “small business” or a “very small business.” However, “very small importers” and “importers of food from very small foreign suppliers” are subject to modified requirements.

Compliance Dates for Very Small Businesses

(Business must meet the definition of “very small business under the rule)

FSMA Rule	Compliance Date	Notes/Explanations
Modernized CGMPs and Preventive Controls for Human Food <\$1 million in sales + market value of food manufactured/ processed/ packed/held without sale	Sept. 17, 2018	The compliance date for qualified facilities to retain records to support their status as a qualified facility is Jan 1, 2016
	Jan. 27, 2020	For “facilities solely engaged in packing and/or holding activities conducted on produce RACs and/or nut hulls and shells” ¹
	Jan. 27, 2020	For facilities that meet the definition of “secondary activities farms” except for the ownership criterion ²
CGMPs and Preventive Controls for Animal Food <\$2.5 million in sales + market value of food manufactured/ processed/ packed/ held without sale	Sept. 17, 2018 for CGMPs	Includes compliance with the CGMPs for human food by-products diverted to animal feed The compliance date for qualified facilities to retain records to support their status as a qualified facility is Jan. 1, 2017
	Sept. 17, 2019 for PCs	
	Jan. 27, 2020 for CGMPs	For “facilities solely engaged in packing and/or holding activities conducted on produce RACs and/or nut hulls and shells that are used as animal food” ¹
	Jan. 26, 2021 for PCs	
Jan. 27, 2020 for CGMPs	For facilities that meet the definition of “secondary activities farms” except for the ownership criterion ²	
Jan. 26, 2021 for PCs		
Produce Safety \$25,000–\$250,000 in produce sales	Jan. 27, 2020	Farms have an additional two years to comply with certain water-related requirements ³ Exemption for farms with <\$25,000 in produce sales Jan. 26, 2016 compliance date for records supporting eligibility for qualified exemption and compliance with modified requirements
	Jan. 26, 2022	For compliance with the written customer assurance requirement only; if relying upon written disclosures/assurances for exemption from the rule
Sanitary Transportation of Food	N/A	N/A
Intentional Adulteration/ Food Defense <\$10 million in sales + market value of food manufactured/ processed/ packed/held without sale	July 26, 2021	Only subject to requirement to maintain documentation showing facility meets this definition
Foreign Supplier Verification Program	May 30, 2017	All importers must comply with FSVP requirements by May 30, 2017 OR six months after their foreign suppliers reach their FSMA compliance deadlines, whichever is later ⁴

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²Facilities that meet the definition of “secondary activities farms” except for the ownership criterion can take advantage of an extension for compliance with the PC rule if: (1) The operation is not located on the primary production farm; (2) The operation is devoted to harvesting, packing and/or holding of RACs (including operations that hull, shell and/or dry nuts without additional manufacturing); and (3) The operation is under common ownership with the primary production farm that grows, harvests, and/or raises the majority of the RACs harvested, packed and/or held by the operation.

³Provisions with extended compliance dates include: (1) The specific microbiological criteria that apply to agricultural water; (2) Corrective measures that must be taken if agricultural water does not meet requirements; (3) The frequency of testing agricultural water; and (4) Records associated with data to support a microbial die-off rate, corrective measures, test results from a public water system, or data used to support alternative die-off rates, criteria or sampling strategies.

⁴There are no modified compliance dates for importers who are a “small business” or a “very small business.” However, “very small importers” and “importers of food from very small foreign suppliers” are subject to modified requirements.