



Food Safety Modernization Act H.R. 2751 Requirements

With the signature of the President, several key provisions of the bill went into effect immediately, including:

1. Food Facility Registration with FDA
2. Recordkeeping and expanded records access
3. Required labeling for GAP's, processing and packing
4. Increased inspection frequencies

1. Food Facility Registration with FDA

Who has to register? Owners, operators, or agents in charge of domestic or foreign facilities that manufacture/process, pack, or hold food for consumption in the U.S. are required to register the facility with the FDA.

It was already required by the 2002 Bio Terrorism law and is now mandatory.

Registration can be done online at the FDA website

<http://www.fda.gov/Food/GuidanceComplianceRegulatoryInformation/RegistrationofFoodFacilities/OnlineRegistration/default.htm>

2. Recordkeeping and expanded records access

RECORDKEEPING.—The owner, operator, or agent in charge of a facility shall maintain, for not less than 2 years.

Access to all records related to **growing, manufacturing, processing, packing, transportation, distribution, receipt, holding, or importation** of an article of **food, feed, ingredients or beverage**.

3. Required labeling for GAP's, processing and packing

Product labeling is also on the enforcement list. The information on the label has to match the records. If you use ScoringAg you can answer all questions below with YES.

- a) Do you have a record keeping system accessible by FDA?
- b) Is the product traceable to the packing house with a label?
- c) Is the finished product traceable to the specific grower with a label?
- d) Is the finished product traceable to the specific orchard or field with a label?
- e) Is the finished product traceable to the specific production records of the grown crop with labels?
- f) Is the packing date identified on the finished product label?
- g) Does the facility have a documented recall system?
- h) Has the facility performed a mock recall in the past 12 months as referenced by the FDA guidelines?

4. Increased inspection frequencies

FDA will not call ahead when they do an inspection. They are now coming unannounced.

If the recordkeeping is paper, FDA has the legal right to look at all papers within the facility.

If the records are in ScoringAg, they only can look in your database when you log in with your secure login and password.

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