



9 December 2021

(21-9225)

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Committee on Sanitary and Phytosanitary Measures

Original: English

## NOTIFICATION

### *Addendum*

The following communication, received on 9 December 2021, is being circulated at the request of the Delegation of the United States of America.

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#### Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption Relating to Agricultural Water; Notice of Proposed Rulemaking

The Food and Drug Administration (FDA, the Agency, or we) is proposing to amend the agricultural water provisions of the produce safety regulation that covered farms have found complex and challenging to implement. This proposal would replace the microbial criteria and testing requirements for pre-harvest agricultural water for covered produce (other than sprouts) with provisions for systems-based agricultural water assessments that are designed to be more feasible to implement across the wide variety of agricultural water systems, uses, and practices, while also being adaptable to future advancements in agricultural water quality science and achieving improved public health protections. Additionally, we are proposing to require expedited mitigation for hazards related to certain activities associated with adjacent and nearby lands, in light of findings from several recent produce outbreak investigations. These proposed revisions to the produce safety regulation, if finalized, would more comprehensively address a known route of microbial contamination that can lead to preventable foodborne illness that is a significant public health problem.

[https://members.wto.org/crnattachments/2021/SPS/USA/21\\_7665\\_00\\_e.pdf](https://members.wto.org/crnattachments/2021/SPS/USA/21_7665_00_e.pdf)

#### **This addendum concerns a:**

- Modification of final date for comments
- Notification of adoption, publication or entry into force of regulation
- Modification of content and/or scope of previously notified draft regulation
- Withdrawal of proposed regulation
- Change in proposed date of adoption, publication or date of entry into force
- Other:

**Comment period: (If the addendum extends the scope of the previously notified measure in terms of products and/or potentially affected Members, a new deadline for receipt of comments should be provided, normally of at least 60 calendar days. Under other circumstances, such as extension of originally announced final date for comments, the comment period provided in the addendum may vary.)**

- Sixty days from the date of circulation of the addendum to the notification and/or (dd/mm/yy): 5 April 2022. You may submit comments as follows. Please note that late, untimely filed comments will not be considered. Electronic comments must be submitted on or before 5 April 2022. The <https://www.regulations.gov> electronic filing system will accept comments until 11:59 p.m. Eastern Time on 5 April 2022. Comments received by mail/hand delivery/courier (for written/paper submissions)

will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

**Agency or authority designated to handle comments: [ ] National Notification Authority, [ ] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:**

Submit electronic comments in the following way:

- Federal eRulemaking Portal: <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see "Written/Paper Submissions" and "Instructions").

**Text(s) available from: [ ] National Notification Authority, [ ] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:**

Text can also be found in the Federal Register, Vol. 86, No. 231, page 69120 or on the Internet at: <https://www.govinfo.gov/content/pkg/FR-2021-12-06/pdf/2021-26127.pdf>.

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