



14 May 2024

(24-3752)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

Addendum

The following communication, received on 13 May 2024, is being circulated at the request of the Delegation of the United States of America.

Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption Relating to Agricultural Water; Final Rule

The Food and Drug Administration is issuing a final rule to amend the agricultural water provisions of the produce safety regulation. This rule replaces the microbial criteria and testing requirements for pre-harvest agricultural water for covered produce (other than sprouts) with a regulatory approach that incorporates recent science and Food and Drug Administration outbreak investigation findings to achieve improved public health protections as compared to the earlier requirements. The rule requires systems-based assessments, with required testing in certain circumstances, that focus on key risk factors for contamination by pre-harvest agricultural water and will enable farms to implement effective preventive measures. The rule requires farms to take timely action based on risk and includes a new requirement for expedited mitigation for certain hazards. The requirements are adaptable to future scientific advancements and provide sufficient flexibility to be practicable for all sizes and types of farms to implement across the wide variety of agricultural water systems, uses, and practices. These revisions to the produce safety regulation will more comprehensively address a known route of microbial contamination that can lead to preventable foodborne illness that is a significant public health problem.

This rule is effective 5 July 2024.

<https://www.federalregister.gov/d/2024-09153>

https://members.wto.org/crnattachments/2024/SPS/USA/24_03179_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): Not applicable

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:

For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and insert the docket number found in brackets in the heading of this final rule into the "Search" box and follow the prompts, and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500.

FOR FURTHER INFORMATION CONTACT: Samir Assar, Director, Division of Produce Safety, Office of Food Safety, Center for Food Safety and Applied Nutrition (HFS-317) 5001 Campus Dr., College Park, MD 20740, 240-402-1636, e-mail: samir.assar@hhs.fda.gov.

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. 89, No. 88, Page 37448 or on the Internet at: <https://www.federalregister.gov/d/2024-09153>
