

Annual Exclusion Review (2023)

FSMA Produce Safety Rule Reference § 112.4(a)

Farms that have an average annual value of produce sold during the previous three-year period of \$25,000 or less (adjusted for inflation) are not covered under the FSMA Produce Safety Rule. All farms must be able to document their status using sales records.

Farm Name and Address: _____

Produce means any fruit or vegetable (including mixes of intact fruits and vegetables) and includes mushrooms, sprouts (irrespective of seed source), peanuts, tree nuts, and herbs. A fruit is the edible reproductive body of a seed plant or tree nut (such as apple, orange, and almond) such that fruit means the harvestable or harvested part of a plant developed from a flower. A vegetable is the edible part of an herbaceous plant (such as cabbage or potato) or fleshy fruiting body of a fungus (such as white button or shiitake) grown for an edible part such that vegetable means the harvestable or harvested part of any plant or fungus whose fruit, fleshy fruiting bodies, seeds, roots, tubers, bulbs, stems, leaves, or flower parts are used as food and includes mushrooms, sprouts, and herbs (such as basil or cilantro).

Produce does **not** include food grains meaning the small, hard fruits or seeds of arable crops, or the crops bearing these fruits or seeds, that are primarily grown and processed for use as meal, flour, baked goods, cereals and oils rather than for direct consumption as small, hard fruits or seeds (including cereal grains, pseudo cereals, oilseeds and other plants used in the same fashion). Examples of food grains include barley, dent- or flint-corn, sorghum, oats, rice, rye, wheat, amaranth, quinoa, buckwheat, and oilseeds (e.g., cotton seed, flax seed, rapeseed, soybean, and sunflower seed).

Total Produce Sales Review	Year 1 (Sales Year 2020)	\$ _____
	Year 2 (Sales Year 2021)	\$ _____
	Year 3 (Sales Year 2022)	\$ _____
	Previous 3-Year Sum	\$ _____
	(A) Previous 3-Year Average	\$ _____
	(B) Inflation Adjusted Threshold	\$ 30,509 (2020-2022)

If your average produce sales (A) are less than the food sales cut-off value adjusted¹ for inflation (B), your farm is not covered under the Produce Safety Rule. Based on this information, our farm is not covered under the Produce Safety Rule:

Completed by: _____ Signature: _____ Date: _____

¹ <https://www.fda.gov/food/food-safety-modernization-act-fsma/fsma-inflation-adjusted-cut-offs>

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