

# Reference Sheet for FSMA Compliance Dates for the Almond Industry

## Compliance Dates for Large Businesses

FSMA Rule	Compliance Date	Notes/Explanations
<b>Modernized GMPs and Preventive Controls for Human Food</b>	September 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 3-17-17 OR six months after a supplier is required to comply with the applicable PC or Produce safety rule
	September 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 September 19, 2016
	January 26, 2018	Compliance date for “facilities solely engaged in packing and/or holding activities conducted on produce RACs and/or nut hulls and shells.” <sup>1</sup>
	January 26, 2018	Facilities that meet the definition of “secondary activities farms” except for the ownership criterion <sup>2</sup>
<b>GMPs and Preventive Controls for Animal Food</b>	September 19, 2016 for cGMPs	Includes compliance with the GMPs for human food by-products diverted to animal feed
	September 18, 2017 for PCs (except for some suppliers under the supply chain program)	Supply Chain Program general compliance date is 9-18-17 OR six months after a supplier is required to comply with the applicable PC or Produce Safety rule
	September 18, 2019	For compliance with the written customer assurance requirement only
	January 26, 2018 for cGMPS January 28, 2019 for PCs	Compliance date 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” <sup>1</sup>
	January 26, 2018 for cGMPS January 28, 2019 for PCs	Compliance date for facilities that meet the definition of “secondary activities farms” except for the ownership criterion <sup>2</sup>
<b>Produce Safety</b>	January 26, 2018	Farms have an additional 2 years to comply with certain water-related requirements. <sup>3</sup>
	January 27, 2020	For compliance with the written customer assurance requirement only; if relying upon written disclosures/assurances for exemption from the rule
<b>Sanitary Transportation of Food</b>	April 6, 2017	
<b>Intentional Adulteration/Food Defense</b>	July 26, 2019	
<b>Foreign Supplier Verification Program</b>	May 30, 2017	All importers must comply with FSVP requirements by 5-30-17 OR 6 months after their foreign suppliers’ reach their FSMA compliance deadlines, whichever is later.

<sup>1</sup> This 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).

<sup>2</sup> Facilities 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.

<sup>3</sup> Provisions 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)**

<b>FSMA Rule</b>	<b>Compliance Date</b>	<b>Notes/Explanations</b>
<b>Modernized GMPs and Preventive Controls for Human Food</b> <500 full time equivalent (FTE) employees	September 18, 2017	General compliance date is two years after publication of the final rule, except as detailed below
	September 18, 2017	Supply Chain Program general compliance date is 9-18-17 OR six months after a supplier is required to comply with the applicable PC or Produce safety rule
	September 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 September 18, 2017
	January 28, 2019	Compliance date for “facilities solely engaged in packing and/or holding activities conducted on produce RACs and/or nut hulls and shells.” <sup>1</sup>
	January 28, 2019	Compliance date for facilities that meet the definition of “secondary activities farms” except for the ownership criterion <sup>2</sup>
<b>GMPs and Preventive Controls for Animal Food</b> <500 FTE employees	September 18, 2017 for cGMPs	Includes compliance with the GMPs for human food by-products diverted to animal feed
	September 17, 2018 for PCs (except for some suppliers under the supply chain program)	Supply Chain Program general compliance date is 9-17-18 OR six months after a supplier is required to comply with the applicable PC or Produce Safety rule
	September 17, 2020	For compliance with the written customer assurance requirement only
	January 28, 2019 for cGMPs January 27, 2020 for PCs	Compliance date 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” <sup>1</sup>
	January 28, 2019 for cGMPs January 27, 2020 for PCs	Compliance date for facilities that meet the definition of “secondary activities farms” except for the ownership criterion <sup>2</sup>
<b>Produce Safety</b> \$250- \$500K in produce sales	January 28, 2019	Farms have an additional 2 years to comply with certain water-related requirements <sup>3</sup>
	January 26, 2021	For compliance with the written customer assurance requirement only; if relying upon written disclosures/assurances for exemption from the rule
<b>Sanitary Transportation of Food</b> <500 FTE employees, except that for certain motor vehicle carriers the definition is less than \$27,500,000 in annual receipts	April 6, 2018	
<b>Intentional Adulteration/Food Defense</b> <500 FTE employees	July 26, 2020	
<b>Foreign Supplier Verification Program</b>	May 30, 2017	All importers must comply with FSVP requirements by 5-30-17 OR 6 months after their foreign suppliers’ reach their FSMA compliance deadlines, whichever is later. <sup>4</sup>

<sup>4</sup> There 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)**

<b>FSMA Rule</b>	<b>Compliance Date</b>	<b>Notes/Explanations</b>
<b>Modernized GMPs and Preventive Controls for Human Food</b> <\$1M in sales + market value of food manufactured/ processed/ packed/ held without sale	September 17, 2018	The compliance date for qualified facilities to retain records to support their status as a qualified facility is 1-1-16.
	January 27, 2020	Compliance date for “facilities solely engaged in packing and/or holding activities conducted on produce RACs and/or nut hulls and shells.” <sup>1</sup>
	January 27, 2020	Compliance date for facilities that meet the definition of “secondary activities farms” except for the ownership criterion <sup>2</sup>
<b>GMPs and Preventive Controls for Animal Food</b> <\$2.5M in sales + market value of food manufactured/ processed/ packed/ held without sale	September 17, 2018 for cGMPs  September 17, 2019 for PCs	Includes compliance with the GMPs 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 1-1-17.
	January 27, 2020 for cGMPs  January 26, 2021 for PCs	Compliance date 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” <sup>1</sup>
	January 27, 2020 for cGMPs  January 26, 2021 for PCs	Compliance date for facilities that meet the definition of “secondary activities farms” except for the ownership criterion <sup>2</sup>
<b>Produce Safety</b> \$25K-\$250K in produce sales	January 27, 2020	Farms have an additional 2 years to comply with certain water-related requirements <sup>3</sup>  Exemption for farms with <\$25K in produce sales  1-26-16 compliance date for records supporting eligibility for qualified exemption and compliance with modified requirements
	January 26, 2022	For compliance with the written customer assurance requirement only; if relying upon written disclosures/assurances for exemption from the rule
<b>Sanitary Transportation of Food</b>	NA	NA
<b>Intentional Adulteration/Food Defense</b> <\$10M 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
<b>Foreign Supplier Verification Program</b>	May 30, 2017	All importers must comply with FSVP requirements by 5-30-17 OR 6 months after their foreign suppliers’ reach their FSMA compliance deadlines, whichever is later <sup>4</sup>