

# Traceability Protocol for Farmers' Market Aggregation

Traceability provisions under federal law were established in the Public Health Security and Bioterrorism Preparedness and Response Act of 2002<sup>1</sup> (Bioterrorism Act), nine years prior to the signing of the Food Safety Modernization Act (FSMA). The Bioterrorism Act established the tracing of food one step back and one step forward at each point in the food system, starting when product leaves the farm gate. Farms and retail food businesses are exempt from some provisions of the Bioterrorism Act, but the traceability requirements established in this law have become the food industry standard.

The FSMA Produce Safety Rule does not currently include traceability requirements<sup>2</sup>. The FSMA law gives FDA the authority to develop traceability requirements for all food. FDA intends to develop those standards in the future, but for now, the traceability requirements in law are those established by the Bioterrorism Act.

Generally, this means that within-farm traceability of product is optional for farmers. Farmers are not legally obligated to trace product to the field or plot level.

The buyers of product must be able to trace one step back and one step forward. That means the first buyer of produce for distribution – in this case the farmers' market – needs to collect information on the farmer(s) who supplied the produce.

## **Traceability for farmers supplying produce to the farmers' market aggregation enterprise:**

### *One step back: Optional*

- Farmers decide their relative tolerance for risk vs. paperwork. If there was ever an illness outbreak traced back to a farm, good daily harvest records and a traceability system that tracks back to fields or plots and harvest dates could prevent a recall of the entire farm's produce.

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<sup>1</sup> Registration of Food Facilities Under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002. <https://www.fda.gov/ICECI/ComplianceManuals/CompliancePolicyGuidanceManual/ucm122876.htm>

<sup>2</sup> Produce Safety Alliance Grower Training Course. 2017. Version 1.1. Module 7, Section 18. <http://producesafetyalliance.cornell.edu/mod7>

- Development and implementation of an on-farm traceability system is not a small task. If the farm is very small, a farmer may decide on-farm traceability is not necessary.
- If a farmer wants to implement on-farm traceability, here are some resources:
  - National Good Agricultural Practices Program: Traceability.  
<https://gaps.cornell.edu/educational-materials/decision-trees/traceability/>
  - Produce Safety Alliance Grower Training Course. 2017. Version 1.1. Module 7, sections 18-28.  
<http://producesafetyalliance.cornell.edu/mod7>

*One step forward:*

- Label containers of produce delivered from the farm to the farmers' market aggregation enterprise with:
  - Farmer name (or farm name if the farm is a registered entity such as an LLC)
  - Complete business address of the farm
- Record shipments (item, quantity, date) made to the farmers' market aggregation enterprise.

**Traceability for the farmers' market aggregation enterprise:**

*One step back:*

- Identify and record the farms that contributed product to each order:
  - Farmer name (or farm name if the farm is a registered entity such as an LLC)
  - Complete business address of the farm

*One step forward:*

- Label boxes or containers of produce from the farmers' market aggregation enterprise with:
  - Farmers' market name
  - Complete business address of farmers' market
- Identify and record the buyer of an order:
  - Buyer name

- Complete business address of the buyer

The good news: Local Orbit will perform the traceability tasks for farmers' markets! It will even generate labels for produce orders.