

Preparing to Comply with FSMA



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FDA FOOD SAFETY MODERNIZATION ACT

The Food Safety Modernization Act (FSMA) represents the most sweeping change to food safety laws in more than 70 years. FSMA fundamentally changes the way food is regulated in the U.S. and abroad, and affects the entire supply chain from farm-to-fork. It aims to enhance the culture of food safety and requires a culture change for most food retailers, while providing consumers with important safeguards to enhance confidence in our food system.

FSMA focuses more on preventing food safety problems, rather than relying primarily on reacting to problems after they occur. FSMA has a direct impact on manufacturing facilities, central kitchens, distribution centers, food imports and even transportation. The law also provides the U.S. Food and Drug Administration (FDA) with new enforcement authorities and new tools to hold imported foods to the same standards as domestic foods.

WHO IS RESPONSIBLE FOR COMPLIANCE? FSMA impacts every aspect of a company and requires additional resources for training, recordkeeping, product information/traceability systems, auditors, and food safety and legal staff. FSMA also takes corporate liability to a new level by holding food executives, notably the CEO, accountable.

WHEN WILL THESE CHANGES HAPPEN? Although final rules are still pending, companies should begin preparing for FSMA now. Some authorities have already gone into effect, such as FDA's new authority to order companies to recall food, and others require FDA to prepare and issue regulations and guidance documents. Seven of the key regulations under FSMA have already been proposed and final rules are expected as early as August 2015.

HOW TO PREPARE? Now is the time to understand what programs you have in place, assemble your internal teams, identify gaps that exist, and prioritize issues based on available resources. Here are some key steps and questions to jump start your FSMA preparation efforts:

1. **Establish your FSMA implementation team.** This team should be multi-functional and include food safety, legal, IT, supply chain, and be led by a senior staff member.
2. **Get educated on FSMA and what's required.** There are seven key regulations under FSMA that have been proposed. Your requirements differ if you are a retailer or supplier, and if the products you sell are domestically produced or internationally sourced. There are multiple sources of information and webinars available from:
ReposiTrak – www.repositrak.com *Food Marketing Institute (FMI)* – www.fmi.org
The Food & Drug Administration (FDA) – www.fda.gov
3. **Evaluate your current processes and systems.** Are they followed? Is monitoring and documentation accurate? Are you able to evaluate trends and document corrective actions? Do you have adequate record keeping policies in place?
4. **Evaluate your in-house and supply chain risk and identify any gaps.** In-house is what you do (e.g. your warehouses/distribution centers); Supply Chain is how your supply chain partners (e.g. your wholesaler) and their upstream supply chain partners affect your risk.
5. **Create a plan to become FSMA compliant by 2016.** Include new policies, IT resources/capabilities, employee training, process changes, etc... Assign sub-teams to tackle each and track your progress.



THE RISK OF WAITING? There is no need to wait for the FDA to demand that you take action. Many of the requirements are already identified in the language of the law. If you are involved in the production or sale of food, it's in your best interest to act now. You don't want to rely on the regulators to ensure the safety of your products. Building a supply chain that protects your brand's reputation from risk is more important now than ever before. Having systems to verify that your suppliers are meeting your expectations with respect to food safety, and having a well-documented, exercised recall plan in case things go wrong are necessary to the continued success and vitality of your business.

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