



Food Safety Modernization Act (FSMA) Qualified Exempt Farm Criteria

The farm is qualified exempt (aka partially exempt) from FSMA if:

1. It has less than \$638,491 in annual adjusted gross food sales

AND

2. It sells the majority of sales directly to customers (qualified end users) via farmer's markets, a community supported agriculture program, and/or sales directly to a restaurant or grocery store.

2011	2021	2022	2023	Average value for 2021-2023
\$500,000	\$602,382	\$644,795	\$668,297	\$638,491

Add your gross produce sales from 2021, 2022, & 2023 up and average them. If the average is below \$638,491 **AND** the farm sells more than half of sales directly to customers, then the farm meets this exemption.

Does gross food sales include the sales of non-produce items the farm sells such as eggs and meat?

Yes, gross food sales includes the sales of all food for human and animal consumption. So if the same business entity that sales produce also sells eggs, meat, and hay you have to count all of the sales of those products in with the produce sales to determine if the farm is under the \$500,000 adjusted financial cutoff.

What if I sell to a food hub. Is that a sale directly to a customer (qualified end user)?

Does the food hub then resell the produce to another business? If so, it is likely not a sale to a qualified end user. If the food hub is a farm that aggregates from other farms to build a Community Supported Agriculture (CSA) box and then the end consumer (customer) buys if from the farm, than that is likely a qualified end user sale.

Okay, my farm is **qualified exempt** from FSMA. What do I need to do? Turn over →



Food Safety Modernization Act (FSMA) Qualified Exempt Farm Requirements

If your farm is claiming the qualified exemption than your farm must:

1. Keep records of the last three years of sales to prove the farm is qualified exempt.
 - Records show less than \$638, 491 adjusted for inflation (2024) in sales
 - Records show that the majority of sales each year were directly to customers
2. Provide the farm name and business address at the point of sale.
 - Farm CSA boxes and delivery boxes have farm name & address
 - Farm stand has farm name and address
 - Farmer's market booth has farm name and address
3. Record annually that the farm's FSMA status (qualified exempt) is still correct.
 - Create a one page piece of paper with a column for: name, signature, date, notes and add each year to the notes section that the farm's status was reviewed and the farm is still considered qualified exempt and sign and date the other columns

Farm's with \$250,000-499,999 in gross annual sales must do all three things above by Jan. 2019.
Farm's with \$25,001-249,999 in gross annual sales must do all three things above by Jan. 2020.

Important note: The FDA can revoke a farm's exemption status if the farm is involved in a foodborne illness outbreak.

Food Safety Modernization Act (FSMA) Qualified Exempt Farm Recommendations

CAFF/FG highly recommends that all farms regardless of their size and FSMA status implement Good Agricultural Practices (GAPs). What are GAPs?

GAPs are a voluntary set of practical best practices put in place on a farm to help reduce food safety risks. GAPs are adaptable to the unique needs of every farm. Most farms explain what GAPs practices they're doing on their farm in there Farm Food Safety Plan. GAPs cover five main topic areas:

1. Water
2. Employee training (health & hygiene)
3. Land Use & Animal Access
4. Equipment, Tools, and Buildings
5. Manure, Compost, and Chemicals

Learn more and access our free resources at <https://www.caff.org/food-safety/>