

FSMA Frequently Asked Questions: Is my food business a farm?

1. I've heard FSMA has different rules for farms versus other food businesses. How do I know if my business is a farm?

If your business meets FDA's definition of either a **Primary Production Farm (PPF)** or a **Secondary Activities Farm (SAF)**, and doesn't do anything that falls outside those definitions¹, then the **FSMA Preventive Controls (PC) Rule does not apply** to you.

2. What is a Primary Production Farm?

A Primary Production Farm is an operation

- in one general area, although the parcels of the farm may be spread out and do not have to be connected to each other,
- with the **principal focus** of growing or harvesting crops and/or raising livestock, including seafood.

In addition, a Primary Production Farm may

- pack, package, label, and hold raw agricultural commodities (RACs, defined as a food crop in its raw or natural state), including RACs grown on that farm and RACs supplied from other farms;
- dry/dehydrate RACs to create a distinct product with no other processing (for example drying grapes to make raisins, drying fresh herbs to make dried herbs), and pack, package, label and hold those dried RACs; and
- artificially ripen RACs (for example tomatoes in controlled storage), and pack, package, label and hold those treated RACs.

What it means: If you are a Primary Production Farm, the PC Rule does not apply to you. However, if your business is a Primary Production Farm that grows or harvests produce, it may be regulated under the Produce Safety Rule (See the Carolina Farm Stewardship Association's FSMA FAQ Sheet ['Is Your Farm Covered by the Produce Rule?'](#)).

3. What is a Secondary Activities Farm?

A Secondary Activities Farm is a business

- not located on a Primary Production Farm;
- majority-owned by the operator of a Primary Production Farm, or by multiple Primary Production Farm operators together;
- where the Primary Production Farms of the majority-owner or owners also provide the majority of the RACs handled by the Secondary Activities Farm; and
- that artificially ripens, harvests, shells, hulls, washes, packs, holds, packages, and labels RACs; and/or dries RACs to create a distinct product with no other processing (such as grapes into raisins), including packing, packaging, labelling and holding those dried RACs.

What it means: The Secondary Activities Farm definition means that a farmer cooperative or farmer-owned packing house where the **majority of the product handled** by the packing house **is grown by** the farmer owner or owners is **NOT** regulated under the PC Rule, **even if it is in a different location** from a farm that grows the crops. A Secondary Activities Farm can do all same the harvesting, holding and packing activities as a Primary Production Farm and still be treated as a farm.

¹ If your farm also conducts food activities that aren't part of the 'farm' definition, you fall into the category of a **'farm mixed-type facility'**, and the PC Rule may apply to parts of your operation. See the FSMA FAQ Sheet ['Is Your Business a Farm Mixed-Type Facility?'](#) to learn more about farm mixed-type facilities.

A Secondary Activities Farm does not have to register with FDA and is not subject to the PC Rules, but may be regulated under the Produce Safety Rule (See the Carolina Farm Stewardship Association's FSMA FAQ Sheet '[Is Your Farm Covered by the Produce Rule?](#)').

4. What exactly does harvesting, packing and holding RACs mean?

Harvesting, packing, and holding are activities performed on RACs to remove them from the field and prepare them for storage or distribution, and includes the following:

- separating the edible portion of the crop from the plant
- field coring
- trimming or removing outer leaves, stems, roots, tops and husks
- washing
- sorting/culling
- grading
- sifting/filtering
- threshing
- shelling
- curing/drying/dehydrating that does not create a distinct commodity (curing garlic, winter squash, onions, potatoes, sweet potatoes, etc.)
- cooling and hydro-cooling
- weighing
- packaging in consumer containers
- labeling and stickering containers and individual produce items
- bunching
- braiding (garlic)
- blending different lots of the same RAC together
- mixing different intact RACs together in a container
- repacking
- waxing
- using pesticides in wash water
- fumigating during storage
- loading for transportation
- holding/storing already frozen items

Note: *Cutting/slicing/crushing RACs after the initial harvesting, trimming and shelling/threshing activities listed above—i.e. cutting through the intact leaf, skin or flesh of a RAC—and freezing RACs (as opposed to keeping already frozen items frozen) are **NOT** harvesting, packing or holding, and so those activities may be regulated under the PC Rules.*

FLEXIBILITY FOR PPF PACKING HOUSES: If your food business is a packing house controlled by a Primary Production Farm (PPF) and located on the farm's property, and the packing house only performs the activities identified in Questions 2 and 4 above, there are no limits on the amount of RACs your packing house can pack, hold, handle, shell, dry, or ripen from other farms: Your business is still a PPF even if other farms provide the majority of the products used in those activities, and you do not need to register with FDA as a food facility.

For a Secondary Activities Farm (SAF), the MAJORITY of the volume of products that are packed, held, handled, shelled, dried, or ripened **MUST come from Primary Production Farm-owners of the SAF.**

5. What if my food business does those farm activities, and also does things outside FDA's 'farm' definition?

Farms that manufacture foods on the farm, or that pack or hold foods in addition to conducting the farming activities covered above, fall into a special category: a '**farm mixed-type facility**'. The food manufacturing, packing and holding activities listed in the definitions above will not be regulated under the PC Rule, but the activities that don't fall within those definitions may be subject to the PC Rule. See the FSMA FAQ Sheet '[Is Your Business a Farm Mixed-Type Facility?](#)' to learn more about the PC Rule and farm mixed-type facilities.

6. What if my produce business only performs the RAC-handling activities listed above, but is not located on a PPF and is not majority-owned by a farmer or farmers?

Non-farm businesses that pack, hold and store produce RACs may be facilities under FSMA, and may be covered by the Preventive Controls Rule for Human Food. See the FSMA FAQ Sheet '[Is Your Produce-Packing Operation Covered by the Preventive Controls Rule for Human Food?](#)'

7. What if the food making, packing, or holding that my business does is outside the FDA farm definition of farm?

Your business may be covered by portions of FSMA's Preventive Controls Rules for Human Food or FSMA's Sanitary Transportation Rule. To learn more, see the FSMA FAQs '[Is Your Food Business Required to Register with FDA?](#)' and '[Is Your Business Covered by the FSMA Rules for Transportation of Food?](#)'

8. What if my business makes, packs, or holds animal food and doesn't meet the FDA farm definition?

Your business may be covered by portions of FSMA's Preventive Controls Rules for Animal Feed or FSMA's Sanitary Transportation Rule. To learn more, see the FSMA FAQs '[Is Your Food Business Required to Register with FDA?](#)' and '[Is Your Business Covered by the FSMA Rules for Transportation of Food?](#)'

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