



## **APPLICATION FOR PRODUCE SAFETY RULE EXEMPTION**

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### **Requirements for PSR Exemption**

The following produce is not covered by Articles 2 through 17 of Chapter 10:

**RARELY CONSUMED RAW** - Produce that is Rarely Consumed Raw (RCR), specifically the produce on the following exhaustive list:

asparagus, black beans, great Northern beans, kidney beans, lima beans, navy beans, pinto beans, beets, garden (roots and tops) beets, sugar beets, cashews, sour cherries, chickpeas, cocoa beans, coffee beans, collards, sweet corn, cranberries, dates, dill (seeds and weed), eggplants, figs, ginger, hazelnuts, horseradish, lentils, okra, peanuts, pecans, peppermint, potatoes, pumpkins, mature southern field peas (such as black-eyed peas, cowpeas, crowder peas, purple hull peas, sea island peas, silver peas, and speckled peas), winter squash, sweet potatoes, and water chestnuts.

**PERSONAL CONSUMPTION (PC)** - Produce that is produced by an individual for personal consumption (PC) or produced for consumption on the farm or another farm under the same management.

**MICRO EXEMPT** - During the previous 3-year period your average of all produce sales was less than \$25,000 (on a rolling basis) adjusted for inflation using 2011 as the baseline year for calculating the adjustment.

### **Requirements for Processing Exemption:**

Produce is eligible for exclusion if all of the following conditions are met:

1. The produce receives commercial processing that adequately reduces the presence of undesirable microorganisms of public health significance including those used for all of the following:
  - a. Processing in accordance with the requirements of 21 CFR 113, 114, or 120;
  - b. Treating with a validated process to eliminate spore-forming undesirable microorganisms, such as processing to produce tomato paste or shelf-stable tomatoes; and
  - c. Processing such as refining, distilling, or otherwise manufacturing or processing produce into products such as sugar, oil, spirits, wine, beer or similar products.
2. The farm discloses in documents accompanying the produce, in accordance with the practice of the trade, that the food is “not processed to adequately reduce the presence of undesirable microorganisms of public health significance.”
3. The farm either:
  - a. Annually obtains written assurance, subject to the requirements of this subsection, from the customer that performs the commercial processing that the customer has established and is following procedures identified in the written assurance that adequately reduce the presence of undesirable microorganisms of public health significance;
  - b. Annually obtains written assurance, subject to the requirements of this subsection, from the customer that an entity in the distribution chain subsequent to the customer will perform that commercial processing and that the customer will both:
    - i. Disclose in documents accompanying the food, in accordance with the practice of the trade, that the food is specifically “not processed to adequately reduce the presence of undesirable microorganisms of public health significance”; and
    - ii. Only sell to another entity that agrees, in writing, it will either:
      - a) Follow procedures identified, in a written assurance that adequately reduce the presence of undesirable microorganisms of public health significance;

- b) Obtain a similar written assurance from its customer that the above produce will receive commercial processing described in subsection (b)(i), and that there will be disclosure in documents accompanying the food, in accordance with the practice of the trade, that the food is specifically “not processed to adequately reduce the presence of undesirable microorganisms of public health significance.”
- 4. The farm shall establish and maintain documentation of compliance with applicable requirements in subsections (B)(2) and (3) in accordance with the requirements of Article 14 of this Chapter, including both:
  - a. Documents containing disclosures required under subsection (B)(2); and
  - b. Annual written assurances obtained from customers required under subsection (B)(3).
- 5. The requirements of this article and article 4 of this Chapter apply to such produce; and
- 6. An entity that provides a written assurance under subsection (B)(3) shall act consistently with the assurance and document its actions taken to satisfy the written assurance.

Produce grown receives commercial processing that adequately reduces the presence of microorganisms of public health significance.

**Requirements for Qualified Exemption:**

The farm is eligible for a qualified exemption in accordance with R3-10-404, if both of the following requirements are met:

- A. During the previous 3-year period, annual **food\*** sales are less than \$500,000 adjusted for inflation, and the amount of sales sold to qualified end-users exceeded the amount sold to all other buyers.

*\*The term "Food sales" include sale of produce, processed food, hay, and commodities such as food grains, dairy and livestock.*

AND

- B. You sell more than 50% of your annual food sales to **qualified end-users\*** located in Arizona or within 275 miles of your farm.

*\*consumer of the food and/or a restaurant or retail food establishment*

## APPLICATION FOR PRODUCE SAFETY RULE EXEMPTION

Name of Applicant \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
  Street  City  State  Zip Code

Name of Farm: \_\_\_\_\_ Phone: \_\_\_\_\_

Farm Address: \_\_\_\_\_  
  Street  City  State  Zip Code  County

Type of Exemption:      PSR Exemption\*      Processing Exemption      Qualified Exemption

*\*If selecting PSR Exemption, please circle one of the following categories (see previous page for definitions):*

RCR | PC | Micro Exempt

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Pursuant to Arizona Revised Statutes (A.R.S.) Title 3, Chapter 10, Articles 2 – 17, above named Applicant certifies compliance with requirements for exemption of inspections and regulations required under the Produce Safety Rule. Details of such exemptions are listed on page one of this application.

Farms must apply annually to qualify for an exemption.

Date of application: \_\_\_\_\_

Applicants Signature: \_\_\_\_\_

Applicants Title: \_\_\_\_\_

*For official use only*

\_\_\_\_\_ Paperwork reviewed and in compliance

\_\_\_\_\_ Exemption Certificate No. \_\_\_\_\_

Send application to:

Arizona Department of Agriculture  
Citrus, Fruit & Vegetable  
Produce Safety Rule  
1688 W. Adams Street  
Phoenix, AZ 85007

OR

Email: [drunion@azda.gov](mailto:drunion@azda.gov)