

FSMA Summary for Hops Growers



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The Food Safety Modernization Act (FSMA) was signed into law in January of 2011. The aim of this law is to ensure that the US food supply is safe by shifting focus from responding to food contamination to preventing it. While brewing beer greatly reduces the presence of microorganisms of public health concern through means other than a kill step (e.g. pH, alcohol content and fermentation), hops are considered “covered” produce under FSMA Produce Safety Rule. Hops are sometimes added to beer after all the brewing steps are completed in a process called “dry hopping;” therefore, hops are in this case consumed raw. Based on this, hops were added to the Food and Drug Administration (FDA)’s list of rarely consumed raw produce subject to FSMA part 112 as applicable. Hops used for making beer may be exempt from FSMA provided the grower keeps and maintains documentation that proves the hops grown went through a cooking process or kill step.

In 2019, the FDA announced, “In taking this step, we’ve considered the use of unique production processes that reduce the presence of foodborne pathogens. We’re announcing today that we’re not expecting hops, wine grapes, pulse crops and almonds producers to meet the requirements of the rule currently. Given the nature of these specific commodities, and the low risk that these products pose because of the way that they’re processed and consumed, we do not expect producers of these commodities to comply with the Produce Safety Rule”.

What FSMA Produce Rule Says

Hops are exempt from FSMA Produce Rule if according to §112.2 (b) (1) “The produce receives commercial processing that adequately reduces the presence of microorganisms of public health significance. Examples of commercial processing that adequately reduces the presence of microorganisms of public health significance are processing in accordance with the requirements of part 113, 114, or 120 of this chapter, treating with a validated process to eliminate spore-forming microorganisms (such as processing to produce tomato paste or shelf stable tomatoes) and processing such as refining, distilling, or otherwise manufacturing/processing produce into products such as sugar, oil, spirits, wine, beer or similar products.”





Records required by FSMA

The FSMA Produce Safety Rule does not require a Food Safety Plan. However, there are a few records a farm must keep for at least two years either in paper or electronic format [§112.162(a-b)]. Because hops fall under an exemption from FSMA, documentation must show that the hops have an established protocol to adequately reduce the presence of microorganisms, through fermentation or another type of kill step [§112.2 (3) and (4)]. The grower must also have documentation that traces the hops through the beer production process.

Conclusion

Microbial contamination can occur at any point and at any time during growing, harvesting, or packing of hops. The best approach to maintaining that hops are safe is to be aware of potential risks and establish management practices to minimize these risks at each step in the production and sales processes.

FSMA Produce Safety Rule: <https://www.fda.gov/food/guidanceregulation/fsma/ucm334114.htm>

Records required by FSMA: <https://producesafetyalliance.cornell.edu/sites/producesafetyalliance.cornell.edu/files/shared/documents/Records-Required-by-the-FSMA-PSR.pdf>

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