

Determining if You Need to Complete an Agricultural Water Assessment

Don Stoeckel, Laura Acuña Maldonado, Beatriz Alvarez, Davis Blasini, Donna Clements, Laurie George, Michele Humiston, Yulie Meneses, Tommy Saunders, Mariana Villarreal Silva, and Elizabeth Bihn
April 2025

In May 2024, revisions were made to the pre-harvest agricultural water requirements within Subpart E of the Food Safety Modernization Act (FSMA) Produce Safety Rule (PSR). Revised Subpart E moves from reliance on testing pre-harvest water for decision making to an **agricultural water assessment** of the whole water system. This fact sheet describes a process for determining which situations require a pre-harvest agricultural water assessment. Produce Safety Alliance provides a template for creating the agricultural water assessment record¹.

Farm Coverage Status and Water Uses

Farms are not required to comply with any Subpart E agricultural water requirements if they

1. Are not covered by the FSMA PSR;
2. Are eligible for exemptions in [Subpart A](#) of the FSMA PSR; or
3. Do not use agricultural water^{2,3}.

The definition of agricultural water is important because requirements of Subpart E only apply to agricultural water – uses where the water is intended to, or likely to, contact covered produce or food contact surfaces⁴.

Exemptions from Agricultural Water Assessment

For farms that are subject to Subpart E, additional exemptions from just the Agricultural Water Assessment may apply. The water must have no detectable generic *E. coli*, and the quality of the water must be maintained from the source to the point of use. Three types of water sources meet these requirements. The regulatory language with full descriptions of exemption conditions can be found in the FSMA PSR under [§ 112.43\(b\)](#).

- Untreated ground water that meets the testing and quality requirements for use as agricultural water during harvest and postharvest activities.
- Drinking water, such as water from a United States Safe Drinking Water Act-regulated public water supply.
- Treated water that meets the treatment requirements in the FSMA PSR [§ 112.46](#).

A helpful worksheet for describing pre-harvest agricultural water uses, and determining which uses require creation of an agricultural water assessment, can be found on the next page.

References:

1. Produce Safety Alliance 2025. [Records Required by the FSMA Produce Safety Rule](#). Cornell University. Accessed April 2025.
2. FDA 2015. [Standards for Produce Safety: Coverage and Exemptions/Exclusions for 21 PART 112](#). Federal Register November 27 2015, 80 (228): 74354-74568. Accessed April 2025.
3. Produce Safety Alliance 2017. [FSMA Produce Safety Rule Exemptions & Exclusions \(PowerPoint\)](#). Cornell University. Accessed April 2025.
4. Produce Safety Alliance 2017. ["Is This Agricultural Water?" - Supplemental Activity \(PowerPoint\)](#). Cornell University. Accessed April 2025.
5. U.S. Food and Drug Administration 2024. [Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption Relating to Agricultural Water](#). Federal Register May 06, 2024 89(88): 37448-37519. Accessed April 2025.



Table 1: Pre-Harvest Agricultural Water, Exemption, and Assessment Determination

Describe the water uses at the farm in this table, cross out those that are not agricultural water or are exempt, and include the remaining uses in your agricultural water assessment

Number	Crop(s)	Water Use(s)	Does Water Contact the Harvestable Portion of the Crop?	Is This Agricultural Water?	Source Water	Is Water Exempt? Why?	Use Requires Agricultural Water Assessment?
1							
2							
3							
4							
5							

This worksheet can be used to understand and describe which water uses you list must be included in an agricultural water assessment.

- **Step 1:** List your crop(s), identify water sources, and make a list of all the ways you USE water on your farm while growing produce.
- **Step 2:** Determine if the uses of the water make it “agricultural water” as defined by the FSMA Produce Safety Rule because it contacts the harvestable portion of covered produce or food-contact surfaces. If your farm is not using “agricultural water”, you do not need to complete an agricultural water assessment. For example, irrigation water applied to fruit trees using drip irrigation that is not intended to or reasonably likely to contact covered produce would not be considered “agricultural water”.
- **Step 3:** Evaluate each use/source to see if an exemption applies. Please note that no exemptions apply for untreated surface water.
 - Untreated ground water: may be exempt if it meets requirements for postharvest water (including the ‘no detect’ criterion for generic *E. coli*, sampling frequency, test methodology, and recordkeeping requirements)
 - Water from a public water source: may be exempt if a certificate of compliance or test results can be obtained annually for the farm record
 - Treated water: may be exempt if it meets the treatment requirements of § 112.46 and associated recordkeeping requirements
- **Step 4:** Complete an agricultural water assessment for those agricultural water sources that require it. Document any exemptions.