

Spring/Summer 2025

WISCONSIN

Microgreens: Fast Growth, Vast Nutrition

Microgreens are rapidly gaining popularity and are expected to grow in demand. Microgreens are nutrient dense, versatile in meals, and have a relatively short harvest cycle. What do folks need to know about producing microgreens in Wisconsin? Whether you're just starting out with plans to sell widely or already selling commercially, here are a few key considerations to ensure safe production.

Rule Applicability and Licensing

When growing and selling microgreens, producers may need multiple licenses and be subject to several state and federal rules, but there are also a few exemptions. Microgreens are classified as



A variety of microgreens

covered produce under the Produce Safety Rule (21 CFR 112). Determine whether your operations qualify for a sales exemption or a qualified exemption on the Department of Agriculture, Trade and Consumer Protection's (DATCP) Safe Wisconsin Produce website: https://datcp.wi.gov/Pages/Programs_Services/SafeWIProduceCoverage.aspx. If neither exemption applies to your farm, you should already be in compliance with the rule.

Mixing different types of microgreens in a container that directly touches food and is provided to the consumer qualifies as food processing. This requires a food processing plant license or retail food establishment license. If your sales are 75% or more wholesale, a food processing plant license is required to meet Wis. Admin. Code ATCP 70. If your sales are 75% or more to retail customers, a retail food establishment license is required to meet Wis. Admin. Code ATCP 75. There is no license requirement for covered produce farms in Wisconsin, but regardless of license type, a business has a responsibility to ensure the food safety of their products. This is true whether producing food for sale only in Wisconsin, or when there is interstate commerce and products are subject to the Federal Food, Drug, and Cosmetic Act (FDCA).

Labeling

If you sell microgreens in pre-packaged form, they must comply with applicable food labeling laws, including the Fair Packaging and Labeling Act, Nutrition Labeling and Education Act, and other federal and state regulations. These laws apply to food that is sold, offered for sale, held, or distributed, regardless of licensing requirements.

While some labeling details are voluntary or non-mandatory, any information included must be truthful, not misleading, and meet regulatory standards. At a minimum, pre-packaged containers of microgreens intended for retail customers must include:

- Statement of Identity The common name of the microgreens (e.g., "Arugula Microgreens" or "Radish Microgreens").
- Net Quantity of Contents The product's weight in both ounces and grams.
- Declaration of Responsibility The legal name of the manufacturer, packer, or distributor, plus their city, state, and ZIP code.
- Ingredient Statement (if two or more ingredients) Listed in descending order by weight.
- Nutrition Facts Exemptions may apply to low-volume products and retailers with annual gross sales under \$500,000.

Since microgreens are not major food allergens, allergenic ingredients should not be present in your products. While advisory allergen statements—such as "Packaged in a facility that also handles [allergen name]"—are optional, they do not replace proper manufacturing practices.

Additionally, claims like "fresh" and health benefits are regulated. Health claims must be limited to disease risk reduction and must be explicitly permitted by federal regulations. You cannot claim that microgreens cure, mitigate, treat, or prevent disease, either explicitly or implicitly.

"Best by" dates and similar labeling information are not required, but if your business is subject to the Food Traceability Rule, including a traceability lot code can help meet requirements.

Food Safety

Consumers expect their produce to be nutritious, wholesome, and safe. While there is no single method to guarantee food safety, implementing Good Agricultural Practices (GAPs) and Good Manufacturing Practices (GMPs) is essential for minimizing risks and preventing foodborne outbreaks.

DATCP's Safe Wisconsin Produce program evaluates compliance with the Produce Safety Rule (21 CFR 112) and key areas that serve as pillars of food safety:

- Worker Health, Hygiene, and Training
- Agricultural Water
- Soil Amendments
- Wildlife, Domestic Animals, and Land Use
- Postharvest Handling and Sanitation
- Food Safety Plans and Records

Supporting Wisconsin agriculture means ensuring microgreens are safe to consume and accurately labeled. Utilize the resources linked below, and if you haven't already, consider attending a Grower Training Course specifically designed for fresh produce growers. These courses are held annually in January by DATCP, as well as throughout the year by state agricultural departments, universities, and other organizations. Visit <u>Cornell's website</u> for more information about the Grower Training Course.



A variety of microgreens

Wisconsin Department of Agriculture, Trade and Consumer Protection | Division of Food and Recreational Safety 2811 Agriculture Drive | PO Box 8911 | Madison, WI 53708-8911 | <u>https://datcp.wisconsin.gov</u>

Pest Monitoring Networks Benefit Growers

By Krista Hamilton, DATCP Entomologist, Division of Agricultural Resource Management



An apple orchard codling moth sticky trap

Growing safe and healthy produce requires understanding and effectively managing pests. For over 35 years, DATCP's Pest Survey Program has supplied the tools, information, and expertise that empower growers to get to know the range of pests affecting their orchards, farms, gardens, and crop fields. Pest monitoring network participants learn to use pheromone traps to track the timing and appearance of specific fruit and vegetable pests during the season, to assess whether the threat is likely to result in damage or reduced yield, and to determine the most appropriate window for control.

Cooperators in the <u>Apple Orchard Pest Network</u> monitor the seasonal timing of six different damaging orchard pests: apple maggot, codling

moth, dogwood borer, lesser peach tree borer, oblique-banded leafroller, and red-banded leafroller. These cooperators are owners and managers of apple orchards distributed throughout the state. Cooperators use trapping data to time sprays, avoid unnecessary pesticide applications, and improve yields and profits.

The <u>Corn Earworm Network</u> is another resource available to growers. Corn earworm is the number one insect pest of sweet corn in Wisconsin and, as anyone who has ever found an earworm caterpillar in a cob of sweet corn knows, encountering one is not an appetizing experience. DATCP's monitoring network helps fresh market sweet corn growers and vegetable processors prevent infestations by tracking summer flights of earworm moths and providing updates on optimal control windows.

In all, the **Pest Survey Program** maintains eight different pest monitoring networks each year. During the 2024 season, these networks were supported by 80 cooperators who set a total of 480 traps across the state:

- 45 cooperators in 41 counties provided precise emergence and flight data on corn earworm, fall armyworm, true armyworm, western bean cutworm, and other pests of vegetable and field crops. Data from the 243 pheromone and black light traps is especially useful for forecasting outbreaks of priority corn pests.
- 27 apple growers participated in the apple pest monitoring network, covering 21 counties and setting 189 traps for six orchard pests.
- 12 vegetable growers joined the early detection effort for the invasive leek moth and swede midge. A total of 48 traps (four per site) were set in nine counties.

Participating cooperators represent a variety of agricultural backgrounds, including apple growers, agronomists, crop consultants, farmers, gardeners, horticulturalists, UW-Extension staff, and vegetable growers. Experience in entomology is not required. Cooperators receive training and trapping supplies at no cost, and in return, they supply weekly insect counts to DATCP.

Pest survey and monitoring data is available to all Wisconsin growers, April through August, through DATCP's <u>Pest</u> <u>Survey</u> webpages. In addition, useful articles interpreting the insect counts are published in the weekly e-newsletter, <u>Field Notes</u>. The monitoring reports offered by the Pest Survey Program are an important resource for getting acquainted with the pests of fruit and vegetables in Wisconsin and responding to infestations with appropriate, measured control strategies. Growers who would like to participate in one or more of these cooperator networks can find information on how to volunteer at .

Madison Area Food Pantry Guidelines (MAFPG)

Gardening for Good: Fighting Food Insecurity with Community Gardens

By Hannah Jury, AmeriCorps VISTA member, Hunger Free America Program

The demand across Dane County's food pantries hit an all-time high in 2024, more than **doubling over the last two years**. This has placed an additional strain on food pantries already struggling to provide produce to pantry clients. In response, farmers and gardeners from across the county have come together to do what we do best: grow fresh food.

Twenty-five years ago, two farmers and food researchers in Dane County, Ken Witte and Emmett Schulte, captured the value of produce leftovers from local farmers' markets by gleaning and redirecting it towards local food pantries. They created the <u>Madison Area Food Pantry Gardens</u>, an organization focused on fighting hunger through growing and gleaning fresh produce in Dane County. Over the past two-and-a-half decades, we have expanded and evolved to support 10 gardens run by volunteers, working to grow and harvest over 100,000 pounds of fresh produce each year. The goal? To help our neighbors by providing local food pantries with firstchoice, fresh, nutritious and culturally relevant produce.



MAFPG Logo

One-hundred percent of the produce grown goes directly to our food pantry partners, and with produce prices rising across the board, it's more important than ever that people who would not otherwise have access to fresh produce are introduced to the ways that healthy food can create nutrition security and change lives, especially those in households with low income who are often unable to afford produce from local farmers.

To address the inequity that exists in food pantry users and provide produce that caters to the myriad of cultures found in Dane County, the Madison Area Food Pantry Gardens strive to grow "culturally relevant" produce. For instance, we grow multiple varieties of peppers, tomatillos, Japanese eggplant, okra, bitter melon, sweet potato greens, and specialized herbs to ensure food pantry clients can access food that they recognize and are able to cook with. With nearly **60 different fruits and vegetables grown across our 10 gardens**, we provide a selection of produce that is otherwise not routinely available.

With more than 600,000 individuals (10.5%) in Wisconsin experiencing food insecurity, growers need to come together to efficiently provide good local food to neighbors in need. Because we are almost 100% volunteer-run, the Madison Area Food Pantry Gardens relies heavily on community support to complete our mission. While there is no experience required to participate in our gardening sessions, we always welcome seasoned growers who will help us ensure that all the produce we harvest is first-choice and fresh. If you are interested in learning more about volunteering with us, please visit our website http://www.foodpantrygardens.org or email our volunteer coordinator at engage@foodpantrygardens.org.

Food Traceability Rule (FTR) Updates



Did you know that the United States Food and Drug Administration (FDA) intends to extend the compliance date for the Food Traceability Rule (FTR) by 30 months? The original compliance date of January 20, 2026 is now July 20, 2028. This means covered entities have additional time to coordinate across the supply chain to address challenges implementing the rule's requirements. While there are challenges both technical and technological, cooperation is necessary for entities to achieve full compliance.

Other than the compliance date extension, the rule requirements will remain the same. Therefore, entities should progress with

Shipping crates of tomatoes

implementation immediately, engage with supply chain partners, participate in dialogue with FDA, and utilize FDA's technical assistance, tools, and other resources. Doing so will allow for faster identification and removal of potentially contaminated food from the market, resulting in fewer foodborne illnesses and deaths.

Certain produce farms are exempt from the FTR. This includes farms that are not covered because their average annual sales of produce during the previous three-year period was less than \$25,000, adjusted for inflation. There are exemptions for other small producers as well. Food produced and packaged on a farm that meets certain packaging and labeling criteria is also exempt.

Farms that are subject to the requirements of the FTR should be aware of the <u>Food Traceability List</u>, which includes a wide range of high risk foods such as finfish, crustaceans, ready-to-eat deli salads, shell eggs, certain cheeses, and many kinds of fresh produce. The chart below includes the fresh produce (other than fresh-cut produce) that is on the Food Traceability List.

Cucumbers	Includes all varieties of fresh cucumbers.
Herbs	Includes all types of fresh herbs. Examples include, but are not limited to, parsley, cilantro, and basil. Herbs listed in 21 CFR 112.2(a)(1), such as dill, are exempt from the requirements of the rule under 21 CFR 1.1305(e).
Leafy greens	Includes all types of fresh leafy greens. Examples include, but are not limited to, arugula, baby leaf, butter lettuce, chard, chicory, endive, escarole, green leaf, iceberg lettuce, kale, red leaf, pak choi/bok choi, Romaine, sorrel, spinach, and watercress. Does not include whole head cabbages such as green cabbage, red cabbage, or savoy cabbage. Does not include banana leaf, grape leaf, and leaves that are grown on trees. Leafy greens listed in § 112.2(a)(1), such as collards, are exempt from the requirements of the rule under § 1.1305(e).
Melons	Includes all types of fresh melons. Examples include, but are not limited to, cantaloupe, honeydew, muskmelon, and watermelon.

Peppers	Includes all varieties of fresh peppers.
Sprouts	Includes all varieties of fresh sprouts (irrespective of seed source), including single and mixed sprouts. Examples include, but are not limited to, alfalfa sprouts, allium sprouts, bean sprouts, broccoli sprouts, clover sprouts, radish sprouts, alfalfa & radish sprouts, and other fresh sprouted grains, nuts, and seeds.
Tomatoes	Includes all varieties of fresh tomatoes.
Tropical tree fruits	Includes all types of fresh tropical tree fruit. Examples include, but are not limited to, mango, papaya, mamey, guava, lychee, jackfruit, and starfruit. Does not include non-tree fruits such as bananas, pineapple, dates, soursop, jujube, passionfruit, Loquat, pomegranate, and sapodilla. Does not include tree nuts such as coconut. Does not include pit fruits such as avocado. Does not include citrus, such as orange, clementine, tangerine, mandarins, lemon, lime, citron, grapefruit, kumquat, and pomelo. Tropical tree fruits listed in § 112.2(a)(1), such as figs, are exempt from the requirements of the rule under § 1.1305(e).

Note that the fresh produce on this list is slightly different from the list of covered produce. Keep in consideration that even if your farm or produce is exempt from the FTR, buyers might have their own requirements.

All entities subject to the requirements of the FTR must have a traceability plan. This means having a map showing the location and name of each field and certain other information. Other records are required depending on the activity, or Critical Tracking Event. For example, harvesting and cooling are Critical Tracking Events for which Key Data Elements (KDEs) must be recorded. The burden on farms is lessened by the fact that there are no specific KDEs related to the *growing* of foods on the FTR.

Find the complete Food Traceability List, supply chain examples, and more about the FTR on FDA's website.

Good Agricultural Practices (GAP) Audits

By Eric Scheftgen, Fruit & Vegetable Inspection Program Manager, Division of Trade and Consumer Protection

The USDA Good Agricultural Practices (GAP) Audit Program is a voluntary food safety audit that verifies an operation's efforts to minimize the risk of contamination of their product. The USDA GAP program has three different types of audits, and each audit has sections that are specific to parts of a farm's operations: **GAP audit**,

Harmonized Audit, and Harmonized Plus+ audit. The GAP audit requirements are equivalent to the recommendations made in the FDA's Guide to Minimize Food Safety Hazards for Fresh Fruits and Vegetables. The Harmonized audit requirements are aligned to the FDA's Food Safety Modernization Act (FSMA) Produce Safety Rule. The Harmonized Plus+ audit is technically equivalent to the requirements of the Global Food Safety Initiative (GFSI). The main differences between the various GAP audits and the various FDA audits are that GAP audits are not regulatory. The specific type of GAP audit needed is based on what requirements the operation would like to meet as well as the requirements of their customers.



A Wisconsin farm

GAP audits are conducted annually to maintain certification through the USDA GAP Audit Program and must be conducted while the operation is harvesting, storing, and/or packing product, depending on the step(s) that must be observed for the audited. A portion of the audit requires a document review of an operation's food safety plan, records, and risk assessments.

Each type of audit has its own standards regarding what is required within an operation's food safety plan, but the **overall premise for a food safety plan is a collection of the operation's policies, procedures, and trainings related to food safety.** New auditees often comment they are already performing most requirements of the audits, and they just need to create the documentation to meet the audit requirements. The food safety plan should be set up so a customer reviewing your plan could understand steps the operation takes to promote food safety. The auditor's task is to ensure the food safety plan contains all requirements for the type of audit and is being followed.

To prepare for an audit, contact DATCP to receive all necessary paperwork required beforehand to learn about specific standards for the type of audit requested. USDA GAP auditors do not provide food safety templates or forms for the audit, but DATCP reviews documentation and provides insight for specific audit requirements.

It is best to prepare for an audit months in advance. Many record requirements happen seasonally, and it can be overwhelming to prepare the food safety plan just before the audit. If your operation is considering an audit, but has not yet made the commitment, DATCP can provide all information needed to prepare. We often hear the first audit is the trickiest; afterwards, it is simply ensuring everything is in place year-to-year and the required records are kept up to date.

Lastly, many audit programs have differing water testing requirements. For USDA GAP audits, **all water sources used by the operation must be tested at least annually**, and it is recommended to test surface water sources three times a year while in production. Required water test results vary depending on the use of the water.

- Pre-harvest water test results must meet the operation's own standards for use, but there currently are no minimum required standards.
- Any water used for harvesting, on harvested product, or onto food contact surfaces must be potable.
- Water testing for USDA GAP audits must have results for total coliforms and E.coli.
- Numerical results are required if the operation's food safety plan's requirements for water usage are numerical, but if the operation uses present/absent for their water use requirements then numerical results are not necessary.

For Harmonized or Harmonized Plus+ audits, the lab performing the water testing must be GLP certified. A list of GLP certified labs can be found on the <u>Wisconsin DNR website</u>, or the lab can be contacted to confirm GLP certification. Contact DATCP for any questions about the audit process and audit requirements. We provide an estimate of the cost of having the audit conducted as there is an hourly fee associated with all the audits we perform: (715) 345-5212 or <u>eric.scheftgen@wisconsin.gov</u>.

Updates to the Annual Survey Process

After years of diligent work—including on-site visits, phone interviews, multiple iterations of our annual survey, and various other data collection methods—Safe Wisconsin Produce (SWP) has developed a **comprehensive Farm Inventory database**. With growing confidence in the accuracy and completeness of the data, the program is now transitioning from the development phase to ongoing maintenance.

With that, SWP has adjusted the frequency at which farms will receive the "annual" survey. Moving forward, surveys will continue to be distributed on an annual basis to operations that are currently covered by the Produce Safety Rule. Other operations will still receive the survey, but on a less frequent basis—typically once every two or three years depending on farm status. This targeted approach allows the program to keep the most relevant data up to date without overburdening growers.

Please note that while survey participation is voluntary, your response, regardless of how often you'll now provide it, is extremely important. Current and accurate data helps ensure that the program is well-prepared for inspections and supports an ability to identify and address educational and resource needs. The survey format is unchanged by this update, noting that the renewal version will continue to be utilized whenever and wherever possible.

SWP already received many responses to the 2025 mailing—thank you to those who have taken the time to complete the survey! If you haven't submitted yours yet, it's not too late. Every response matters and helps strengthen the program. <u>Complete the survey today!</u>

Lettuce Say "Thanks!"

It is with deep appreciation and warm wishes that we bid farewell to **Jill Cholewa, Education and Outreach Specialist, and Veronica Kesner, Program and Policy Analyst**, who both moved on from Safe Wisconsin Produce (SWP) in the beginning of 2025.

As a proud dairy farmer's daughter, **Jill** had an innate ability to connect with people and strike up conservation on any and all things ag-related. Whether she was facilitating training courses, visiting farms, or representing SWP at events, Jill wasn't just knowledgeable; she also cared deeply. Her ability to build relationships, her enthusiasm for her work, and her genuine love for Wisconsin agriculture made her an invaluable part of the team.

In a matter of weeks, **Veronica** transitioned from the newest member of SWP to a critical part of the program's engagement with industry-both as advisory council facilitator and lead for survey development and improvements. Veronica brought a strong set of skills to the position, learned quickly and carried herself with impressive professionalism.

Please join us in thanking Jill and Veronica for their outstanding service and in wishing them the very best in all their future endeavors!

Contact us

As always, the Safe Wisconsin Produce team welcomes your feedback and engagement. If you would like to share your produce safety story to be featured in the next newsletter, or if you have other questions, please send us a note at <u>safeproduce@wi.gov</u> or call (608) 224-4511.

Resources

SWP Webpage Updates

<u>Safeproduce.wi.gov</u> contains tons of helpful information for growers. If there is something you would like to see on the website, let us know. The page is intended to be a resource for growers, buyers, and consumers, and we appreciate your perspective.

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