



One Tower Lane, Suite 2700. Oakbrook Terrace, Illinois 60181

Email: [QAtechnicalresources@ferrarausa.com](mailto:QAtechnicalresources@ferrarausa.com)

To: Ferrara Candy Company's Suppliers of Raw Materials, Packaging, and Purchased Candy Items

From: Global Supplier Quality Team, Ferrara Candy Company

Date: May 11, 2016

RE: Memo #1 regarding Introduction to FSMA and HARPC for Human Food

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Ferrara Candy would like to take this opportunity to ensure your organization is aware of the FDA Food Safety Modernization Act. The FDA Food Safety Modernization Act was signed into law by President Obama on January 4, 2011. After several years of designing the law, the FDA has published most of the final rules of the law. The focus of the legislation is to ensure the safety of the U.S Food supply. There are seven foundational rules to the Food Safety Modernization Act. A guide to the expected dates of compliance is attached to this letter.

- Current Good Manufacturing Practices (21 CFR 117) [CGMP](#)
- Accredited Third Party Auditors [Accredited Third-Party Certification](#)
- Preventive Controls for Human Food and Animal Food [Preventive Controls](#)
- Foreign Supplier Verification Program [FSVP](#)
- Produce Safety Rule [Produce Safety](#)
- Sanitary Transportation of Human and Animal Food [Sanitary Transportation](#)
- Pending: Food Adulteration – Final rules expected to be released May 2016

In addition to the foundational rules, the FDA will also have “mandatory recall authority” for all food products (Section 206 of 111<sup>th</sup> Congress Public Law 353). The authorization covers any food it deemed to be dangerous to the public.

*Hazard Analysis Risk-based Preventive Controls for Human Food* includes the “Supply-Chain Program” which extends the Hazards Analysis to include all incoming products and it's risk profile into the food manufacturing facility (receiving facility) in order to implement preventive controls. This program will increase Ferrara Candy's obligation to monitor your adherence to these changes in the law. Food Safety Modernization Act preparedness questionnaires will be sent to your organization through ICIX in early summer. Ferrara will require all of our vendors to share documentation including but not limited to, new food safety plans; including risk analysis of all materials that are purchased and preventive controls that will ensure the safety of the products that we purchase from you. Finally, we will continue to require a valid Global Food Safety Initiative certificate from all of our vendors. It is Ferrara Candy's expectation that all suppliers of raw materials, packaging, co-packaged and co-manufactured items will comply with the regulations.

The information provided in this memorandum and future memorandums by Ferrara Candy Company is for informational purposes only. Ferrara is not a representative of the Federal Government and cannot provide you with guidance on the proper implementation practices for your organization. All documentation and questionnaires that you will receive from Ferrara Candy Company is based on our interpretation of the law and our company expectations.



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Rule Name	Geography	Subgroup	Final Rule Federal Register Notice Date	Compliance Date	Order of Compliance
Hazard Analysis Based Preventative Controls - Human Food	U.S. Suppliers	All other Businesses (Businesses > 500 FTE)	September 17, 2015	September 19, 2016	1
Foreign Supplier Verification Program	Foreign Suppliers	All other Businesses (Businesses > 500 FTE)	November 27, 2015	March 18, 2017	2
Sanitary Transportation of Human & Animal Food	All Suppliers	All other Businesses (Businesses > 500 FTE)	April 1, 2016	April 1, 2017	3
Hazard Analysis Based Preventative Controls - Human Food	U.S. Suppliers	Small Businesses (Fewer than 500 Full time equivalent Employees)	September 17, 2015	September 18, 2017	4
Foreign Supplier Verification Program	Foreign Suppliers	Small Businesses (Fewer than 500 Full time equivalent Employees)	November 27, 2015	March 17, 2018	5
Sanitary Transportation of Human & Animal Food	All Suppliers	Small Businesses (Fewer than 500 Full time equivalent Employees)	April 1, 2016	April 1, 2018	6
Hazard Analysis Based Preventative Controls - Human Food	U.S. Suppliers	Very small businesses with less than \$1 Million USD/Year revenue	September 17, 2015	September 17, 2018	7
Foreign Supplier Verification Program	Foreign Suppliers	Very small businesses with less than \$1 Million USD/Year revenue	November 27, 2015	March 16, 2019	8
Hazard Analysis Based Preventative Controls - Human Food	U.S. Suppliers	Businesses subject to the Pasteurized Milk Ordinance	September 17, 2015	September 17, 2018	9
Foreign Supplier Verification Program	Foreign Suppliers	Businesses subject to the Pasteurized Milk Ordinance	November 27, 2015	March 16, 2019	10
Hazard Analysis Based Preventative Controls - Human Food	U.S. Suppliers	Juice Suppliers following Juice HACCP	September 17, 2015	Does not apply	11
Foreign Supplier Verification Program	Foreign Suppliers	Juice Suppliers following Juice HACCP	November 27, 2015	May 27, 2017	12