Maryland
Department of Agriculture

Office of Marketing, Animal Industries, and Consumer Services

Wes Moore, Governor
Aruna Miller, Lt. Governor
Kevin M. Atticks, Secretary
Steven A. Connelly, Deputy Secretary

Food and Quality Assurance

Agriculture | Maryland's Leading Industry
mda.maryland.gov

The Wayne A. Cawley, Jr. Building
50 Harry S Truman Parkway
Annapolis, Maryland 21401

410-841-5700
Baltimore/Washington
410-841-5969 Fax

2026 Produce Safety Rule Qualified Exemption Registration Worksheet

This worksheet is for your use in determining if you are eligible for the Qualified Exempt status and documenting the required annual review per 21 CFR 112.7(b). The Produce Safety Rule Qualified Exempt Registration Form (page 2) needs to be filed with Maryland Department of Agriculture (MDA) annually to exclude you from the inventory of farms required to fully comply with the Produce Safety Rule.

Complete this worksheet (page 1) and retain for your records. Do not submit this worksheet (Page 1) to MDA.

Name of Farm: _____

Address of Farm: _____

1. Calculate your three-year average of gross FOOD sales. Gross food sales include all food for human and/or animal consumption, not just produce sales.

Years	Gross Food Sales	Three-year Gross Food Sales (2023+2024+2025)	Three-year average (Three-year total ÷ 3)
2024			

If your three-year average is greater than $686,476 you are not eligible for this exemption. If your three-year average is less than $686,476 move to next step.

2. Calculate sales to Qualified End Users (QEU) – Direct to consumer sales, restaurants and/or retail in Maryland OR not more than 275 miles from your farm; AND calculate sales to Non-Qualified End Users (NQEU) – Wholesale, Broker, or any sales including restaurant and/or retail more than 275 miles from your farm.

Years	Gross Food Sales		Three-year Gross Food Sales *(2023+2024+2025)*		Three-Year Average *(Three-year total ÷ 3)*	
	QEU	NQEU	QEU	NQEU	QEU	NQEU
2024						
2025						

If your three-year average for QEU is less than NQEU you are covered by the Produce Safety Rule and not eligible for this exemption. If your three-year average for QEU is greater than NQEU you are eligible for this exemption. Please fill out Page 2 and submit it to MDA.

This worksheet (Page 1) is for your 2026 records. Do not submit Page 1 to MDA.

Date of Annual Review: _____

Name/Title of Reviewer: _____

Signature of Reviewer: _____

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2026 Produce Safety Rule Qualified Exemption Registration Form

Name of Farm: _____ **Email:** _____

Name of Person Filing: _____ **Phone:** _____

Address of Farm: _____

Please select a category for the previous three-year average gross produce sales for your operation:
If your farm size category is not listed, this exemption does not apply to you.

☐ Small ($250,000-$500,000) ☐ Very Small ($25,000-$250,000)

I/We acknowledge all the following to be true, *please check boxes for acknowledgement*:

☐ My/Our farm is eligible for a Qualified Exemption because the three-year average of total food sales for 2023 to 2025 is less than or equal to $686,476 (based on values adjusted for inflation) and more than 50% of the total food sales were to Qualified End Users (QEU).

☐ I/We are required to maintain records verifying our status as Qualified Exempt, and that they may be inspected by the Maryland Department of Agriculture (MDA).

☐ I/We understand that we must establish and keep adequate records necessary to demonstrate that my/our farm satisfies the criteria for a Qualified Exemption that are described in § 112.5, including written records reflecting that I/we have performed an annual review and verification of my/our farm's continued eligibility for the qualified exemption (Page 1) per § 112.7(b).

☐ I/We are required to submit the Qualified Exempt registration form annually to MDA to remain eligible.

☐ I/We are required by law to provide the name and complete business address of the farm where the produce was grown either on a label or at the point of sale while operating under the Qualified Exempt category per § 112.6(b).

☐ I/We understand my/our Qualified Exempt status may be revoked in the event of an active investigation of food borne illness linked to my/our farm and/or it is determined necessary by MDA and/or FDA to protect public health.

☐ Qualifying my/our farm for this exemption does not preclude me/us from following the requirements of the FDA Produce Safety Rule and Maryland Produce Safety Program.

☐ Qualifying my/our farm for this exemption does not exempt my/our farm from complying with all adulteration and other applicable provisions under the U.S. Food, Drug, and Cosmetics Act.

☐ Qualifying my/our farm for this exemption does not exempt my/our farm from complying with other applicable Maryland and local laws and regulations.

Date of Annual Filing: _____

Name/Title of Filer: _____

Signature of Filer: _____

Please return completed documentation to: produce.safety@maryland.gov or Fax (410) 841-2750 or
MDA – Food Quality Assurance Program 50 Harry S Truman Parkway Annapolis, MD 21401

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