

**RHODE ISLAND GOVERNMENT REGISTER  
PUBLIC NOTICE OF PROPOSED RULEMAKING**

**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**Title of Rule:** Produce Safety Rule  
**Rule Identifier:** 250-RICR-40-00-2  
**Rulemaking Action:** Proposed Amendment

**Important Dates:**

Date of Public Notice: March 24, 2026  
Hearing Date: April 3, 2026  
End of Public Comment: April 23, 2026

**Rulemaking Authority:**

R.I. Gen. Laws §§ 2-1-9 and 2-1-10

**Summary of Rulemaking Action:**

Rhode Island Department of Environmental Management is proposing to amend the existing state Produce Safety Regulations to adopt the updated federal Food and Drug Administration Produce Safety Rule, Subpart E – Agricultural Water. This should be prefaced by stating the definition of Agricultural Water will not be changed, just the process to which it will be found acceptable. Section 2.2, Incorporated Materials section amended to incorporate the FDA Food Safety Modernization Act Final Rule on Produce Safety 21 C.F.R. Part 112 (2024) by reference. Additionally, non-substantive edits were made to the regulation, including improved section formatting, updated terminology, and correction of typographical inconsistencies.

**Additional Information and Public Comments:**

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until April 23, 2026 by contacting the appropriate party at the address listed below:

Ananda Fraser  
Department of Environmental Management  
Agriculture  
235 Promenade Street  
Providence, RI 02908  
ananda.fraser@dem.ri.gov

**Public Hearing:**

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.5, to consider the proposed amendment shall be held at which time and place all persons interested therein will be heard. This hearing is subject to R.I. Gen. Laws Chapter 42-46, Open Meetings.

**Public Hearing Information:**

Date: April 3, 2026  
Time: 12:30 P.M.

Location: DEM  
235 Promenade Street  
Room 300, 3rd Floor  
Providence, RI, 02908

The place of the public hearing is accessible to individuals with disabilities. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-423-1927 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting. For questions regarding available parking, please contact the agency staffperson listed above.

**Regulatory Analysis Summary and Supporting Documentation:**

In the development of the proposed amendment consideration was given to: (1) the benefits and costs of a reasonable range of regulatory alternatives reflecting the scope of discretion; (2) alternative approaches; (3) overlap or duplication with other statutory and regulatory provisions; and (4) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.