

## BACKGROUND:

The South Dakota Office of Health Protection (OHP), as well as FDA, have never defined what qualifies a person as a “mushroom identification expert”. This lack of clarity has caused confusion for food service operators, mushroom suppliers, and regulators. There is no national model or standards for regulatory programs to address and recognize wild harvested mushroom identification.

As noted in the **2017 FDA Food Code Annex**:

**3-201.16** *...Regulatory authorities have expressed their difficulty in regulating wild harvested mushrooms at retail. The difficulty in trying to get consensus on national standards lies in the question of what is the best national standard available that regulatory authorities can apply in a meaningful way to ensure wild harvested mushrooms sold at retail are obtained from a safe source*

The Office of Health Protection is not in a position to verify the expertise of a mushroom identifier or the safety of the wild mushroom. At a minimum, by adhering to the (current) 2017 FDA food code provision regarding wild mushrooms, it is expected that basic identification, supplier source/contact and qualification information will be obtained by the establishment. This kind of record-keeping will assure some form of documented food safety is apparent and aid in possible traceability of any wild mushrooms utilized by the establishment.

Currently, **Administrative Rule of South Dakota 44:02:07:16 (4)** states the following:

**ARSD 44:02:07:16 (4)** *Mushroom species picked in the wild must be obtained from sources where each mushroom is individually inspected and found to be safe by a mushroom identification expert.*

In the absence of standards or definitions with the term “mushroom identification expert”, OHP will therefore defer to (current) **2017 FDA Food Code** provisions on wild mushrooms which states the following:

**3-201.16 (A)** *Except as specified in (B) of this section, mushroom species picked in the wild shall not be offered for sale or service by a FOOD ESTABLISHMENT unless the FOOD ESTABLISHMENT has been APPROVED to do so.*

**(B)** *This section does not apply to:*

**(1)** *Cultivated wild mushroom species that are grown, harvested, and processed in an operation that is regulated by the FOOD regulatory agency that has jurisdiction over the operation; or*

**(2)** *Wild mushroom species if they are in packaged form and are the product of a FOOD PROCESSING PLANT that is regulated by the FOOD regulatory agency that has jurisdiction over the plant.*

**Food service establishments planning to utilize wild mushrooms will require approval from OHP.**

Approval will be granted by OHP if the establishment maintains the following wild mushroom records:

1. Documented written buyer specifications that include:
  - a. Identification by the scientific name and the common name of the mushroom species.
  - b. Name and contact information of the person who identified the mushroom and the seller (if different).
  - c. Verification that the mushroom was identified while in the fresh state.
  - d. A statement as to the qualifications and training of the identifier, specifically related to mushroom identification.
2. Date or lot numbering system of when the wild mushrooms were utilized (to aid in traceability).

Approvals granted by OHP will be noted in the facility file of each food service establishment. Records are to be maintained by the food service establishment for a minimum of 2 years. Failure to secure OHP approval and/or to maintain all proper documentation as outlined above may result in denial of wild mushroom utilization and/or violation under the food source code regulation.