

**BOARD OF AGRICULTURE, TRADE AND CONSUMER PROTECTION
MINUTES**

January 30, 2020

The Board of Agriculture, Trade and Consumer Protection (Board) met on **January 30, 2020**, in the DATCP Board room, 2811 Agriculture Drive, Madison, WI 53718. The meeting was preceded by public notice as required by Wis. Stat. § 19.84.

Call to Order

Board Chair Miranda Leis called the meeting to order at 9:05 a.m.

Members Present

Miranda Leis, Paul Bauer, Andy Diercks, Patty Edelburg, Kurt Hallstrand, Paul Palmby, Dan Smith, Carla Washington, and Greg Zwald.

Minutes

Motion

A motion was made by Paul Palmby and seconded by Carla Washington to approve the December 12, 2019, DATCP Board minutes. Motion was approved unanimously.

Future Meetings

The next DATCP Board meeting will be held on March 5, 2020 in the DATCP Board room, 2811 Agriculture Drive, Madison, WI.

Public Appearances

No public appearances.

**ATCP 78 – Recreational and Educational Camps
Preliminary Public Hearing Notice
Division of Food and Recreational Safety**

Dr. Steve Ingham, Division Administrator and Jim Kaplanek, Section Chief from the Division of Food and Recreational Safety presented the preliminary public hearing notice for Wis. Admin. Code ch. ATCP 78, to the Board. Dr. Ingham gave a brief overview and requested the Board approve the preliminary public hearing notice.

Motion

A motion was made by Paul Bauer and seconded by Kurt Hallstrand to approve the preliminary public hearing notice for Wis. Admin. Code ch. ATCP 78. Motion was approved unanimously.

ATCP 76 – Pools
Preliminary Public Hearing Notice
Division of Food and Recreational Safety

Dr. Steve Ingham, Division Administrator from the Division of Food and Recreational Safety presented the preliminary public hearing notice for Wis. Admin. Code ch. ATCP 76, to the Board. Dr. Ingham gave a brief overview and requested the Board approve the preliminary public hearing notice.

Motion

A motion was made by Kurt Hallstrand and seconded by Paul Palmby to approve the preliminary public hearing notice for Wis. Admin. Code ch. ATCP 76. Motion was approved unanimously.

VE 1-11 – Veterinarians and Vet Techs
Preliminary Public Hearing Notice
Division of Animal Health

Melissa Mace, Bureau Director from the Division of Animal Health presented the preliminary public hearing notice for Wis. Admin. Code ch. VE 1-11, to the Board. Ms. Mace gave a brief overview and requested the Board approve the preliminary public hearing notice.

Motion

A motion was made by Paul Bauer and seconded by Patty Edelburg to approve the preliminary public hearing notice for Wis. Admin. Code ch. VE 1-11. Motion was approved unanimously.

ATCP 134 – Residential Rental Practices
Preliminary Public Hearing Notice
Division of Trade and Consumer Protection

David Woldseth, Policy Analyst from the Division of Trade and Consumer Protection presented the preliminary public hearing notice for Wis. Admin. Code ch. ATCP 134, to the Board. Mr. Woldseth gave a brief overview and requested the Board approve the preliminary public hearing notice.

Motion

A motion was made by Dan Smith and seconded by Paul Bauer to approve the preliminary public hearing notice for Wis. Admin. Code ch. ATCP 134. Motion was approved unanimously.

ATCP 83 – Dairy Labeling
Final Draft
Division of Food and Recreational Safety

Dr. Steve Ingham, Division Administrator from the Division of Food and Recreational Safety presented the final rule for Wis. Admin. Code ch. ATCP 83, to the Board. Dr. Ingham gave a brief overview and requested the Board approve the final rule.

Motion

A motion was made by Patty Edelburg and seconded by Paul Bauer to approve the final rule for Wis. Admin. Code ch. ATCP 83. Motion was approved unanimously.

Wisconsin Agricultural Statistics Survey Update

Greg Bussler

Greg Bussler, State Statistician from the USDA National Agricultural Statistics Service presented his January 30, 2020 agricultural statistics on milk production, the November prices received, December hog survey, highlights from the 2019 Final Crop Production Report (which included corn for grain, soybeans, alfalfa and alfalfa mixtures for dry hay), potatoes, winter wheat seedlings, the 2019 Wisconsin Crop Progress Review, and storage capacity. See Mr. Bussler's report which is included in the Board meeting packet for more specific details.

International Trade Update

Division of Agricultural Development

Mark Rhoda-Reis, Bureau Director of the Division of Agricultural Development updated the Board on the International Agribusiness Center (IABC) activities. In 2019 a total of 162 companies received IABC services including more than 400 consultations from staff; hosted 17 delegations; hosted or presented at 28 seminars; attended 13 trade missions (with 26 Wisconsin companies participating); attended 3 inbound buyer missions (with 39 Wisconsin companies participating); reported \$37.6 million in export sales by Wisconsin companies from IABC services, missions and trade shows; 31 companies leveraged federal funding assisted by IABC with a value of \$1.1 million; sustained or added 237 jobs; generated an additional \$36.6 million in economic activity; and issued 111 certificates of free sale.

The total exports to date in November 2019 was 3.3 billion, which was 200 million dollars off the previous year and effected 1600 jobs. This downward trend is due to the issues in China and uncertainty in Mexico. Going forward they are optimistic, but do not expect a great rebound. As for the exports by country, everyone is down but Japan. Mexico also dropped from number two to number three for trading because of a huge loss on soybeans. This year, china is down 27-28 percent due to retaliatory tariffs and the swine herd. The projections are that we will see a slow growth in the coming year.

Something Special from Wisconsin

Division of Agricultural Development

Lois Federman, Director of Something Special from Wisconsin (SSF) presented an update of the program to the Board. SSF was established in 1983 as a Wisconsin branded marketing program where their distinctive logo brings recognition and credibility to Wisconsin products and services available. Today the program has nearly 500 members and is funded by the member's annual fees and gross sales. Their annual revenue averages to \$30,000 a year.

Ms. Federman stated that this program has been successful due to its long-time partnerships with their members, DATCP colleagues, Discover Wisconsin, Wisconsin Foodie, Wisconsin Grocers Association, Wisconsin Restaurant Association, Wisconsin State Fair, and UW CIAS/Extension. These long-time partnerships have helped the program grow and are strong supporters. SSFW is also spreading the word of Wisconsin businesses on their webpage, Facebook and twitter pages and through their promotional products website.

DATCP IT Update
Office of the Secretary

Karen Arriola, Bureau Director in the Division of Management Services presented an IT update to the Board. Ms. Arriola stated that DATCP is decommissioning Amanda because the software is unsupported and they are now engaging in an enterprise project, named MyDATCP. MyDATCP is an online service portal and will be more customer friendly. DATCP is also working on cyber security initiatives, operational projects (upgrading software and hardware systems), and process improvements (creating electronic forms and streamlining processes, etc.).

DATCP Budget Update
Office of the Secretary

Assistant Deputy Secretary Angela James presented a budget update to the Board. DATCP has a staff of 627 positions, to which the Division of Food and Recreational Safety hold 36 percent of those positions, TCP 22 percent, ARM 16 percent, Secretary and IT 11 percent, Animal Health 7 percent, DAD 4 percent, Lab 4 percent and WASS 1 percent. To put it in a better perspective, DFRS has a staff of 237 positions, which includes a Food and Recreation staff of 128 that handle all the licensing and inspections. The Meat and Poultry Bureau consists of 94 positions that cover 250 licensed meat establishments and the cooperative interstate shipment program. Our ARM division employs 101 people, broken down into 29 positions in the plant industry, 16 FTEs working on hemp, and 33 positions in the Land & Water Bureau (where 13 of those positions are engineers).

There also has been changes in our Human Resources department where the top 3 people left at the same time. We have rehired a HR director, are currently in the hiring process for the number 2 in charge, and the number 3 recruitment starts next Monday. Currently we have 41 vacancies and all of these positions are needed.

Interim Secretary Randy Romanski stated that this agency has also collected duties from other agencies without the staff.

DHS Secretary Designee Andrea Palm

Interim Secretary Randy Romanski introduced Andrea Palm, Secretary Designee from the Department of Health Services (DHS), to the Board. Secretary Palm stated that DHS has a broad and deep mission. They impact every Wisconsinite by improving access, protecting patients, promoting health and wellness and increasing transparency. DHS runs the largest health insurer

in Wisconsin, maintains the food share program, the nutrition supplement for low income program, runs the public health agency for the state, and are connected with the CDC. DHS also partners with DNR on water quality and work with DATCP disease detectives on foodborne outbreaks to protect the public from eating containment foods. DHS works in the Behavioral health field by running seven 24/7 facilities for behavioral health patients, and manage quality safety standards for nursing homes and hospitals.

DHS' future philosophy is to work across divisions. The first pillar is behavioral health. DHS plans to look at how to improve access, reduce stigma and get people what they need in the behavioral health system. They want to treat a person as a whole person. The next pillar is long term care. This state is getting older what do we have to do to prepare for our aging people in Wisconsin. We need to think strategically for what this state will need in 5 or 10 years. Destination workplace is another pillar. We need the best assets in our staff and resources to do their jobs. DHS wants the best doctors, nurses, and other employees to work and stay. How do we make DHS a place to work and stay? Finally, equality inclusion, we are asking our employees to think with an equality lens and are working hard to apply equality across the board.

Wisconsin's Changing Climate Office of the Secretary

Interim Secretary Randy Romanski and Sara Walling, Division Administrator from the Division of Agricultural Resource Management present Wisconsin's changing climate to the Board. What's the reality of climate change? As farmers who work outdoors every day, you are the most reliable sources on climate change because you have witnessed the extreme and violent weather patterns in recent years. The Governor's Task Force on Climate Change has held its first meeting. The group represents diverse backgrounds in a broad range of industries and communities from all corners of the state, including the Farm Bureau and Farmers Union. The goal of this task force is to use the best available scientific research that will help develop strategies on climate change. Secretary Romanski stated that this task force will draw on federal research, the work of WIKI, and are partnering with the Office of Sustainability and Energy. The timeline for the task force is to have recommendations for the Governor by August 2020.

Secretary's Office Report

Governor Evers outlined a three-pronged plan to help the struggles in Wisconsin agriculture in his State of the State address. First, the Governor is calling for a special session in Executive Order 64 for the legislature to take up 8 bills that provide investments for farmers, agribusiness and rural communities:

1. Increase from \$200,000 to \$800,000 a year for dairy processor plants.
2. Planning assistance to farmers. Expansion of farm center staffing.
3. Farm to School coordinator. This bill will give \$200,000 a year in grants and goes to any school with a preference
4. Farm to Fork position with another \$200,000 in grants for any cafeteria program.
5. Value add bill. A fulltime administrator for grazing and organics (\$200,000 for each of those programs).

6. Small farm diversity grants program. A \$500,000/year grant to existing producers for equipment debt or new producers for startup costs.
7. 20 FTE positions in extension for county based ag resources. DATCP would be given \$200,000 in grants for business consultants for farmers.
8. 1 million and 2 FTE positions to establish a Wisconsin initiative for dairy exports.

The second prong is to establish the Office of Rural prosperity, and third, is to convene a Blue Ribbon Commission on Rural Prosperity which will hold listening sessions and develop long-term solutions to ensure the viability of our agriculture industry.

DATCP reached an agreement with Maple Ridge Orchard regarding their use of an outdoor cider press. Our approach was to get them into compliance and this agreement would not have happened if DATCP didn't work collaboratively with them.

Animal Health. Our emergency coordinator will be presenting at several events to help improve Wisconsin's response in animal disease outbreaks.

The plan for the \$100,000 received in Governor's budget for farmer mental health in agency is to partner with UW on workshops to help Wisconsin farmers and their families improve their communication and planning skills. There will also be farm couple weekend workshops because agriculture is a partnership that starts at home.

Applications for the 73rd Alice are open until February 23, 2020.

Consumer Protection is expanding its efforts in outreach by hiring a Milwaukee based agency liaison. TCP is also planning a consumer protection summit during Consumer Protection week (March 2-6).

Hemp. We have hired additional staff to help with applications because applications are way ahead this year than last. The staff are also currently drafting an emergency rule to incorporate the federal interim rule into our program.

Producer-led Watershed Program is having its annual meeting on February 19, 2020 in Steven Point. This meeting is open to participants and anyone interested in collaboration with the program.

The Water Quality Task Force was created in February 2019. The task force was directed to identify best practices for testing and data collection, measuring water quality in different parts of the state and types of soil, to determine the sources and causes of contaminants impacting water quality, to consult with stakeholders, to investigate remedies, and to study best practices for designing and constructing wells and septic systems. The task force participated in many all-day meetings and public hearings before filing their report with the Governor. The committee had 13 proposals, the following may effect DATCP:

1. Expansion of clean sweep program for PFAS, which includes a \$250,000 grant.

2. Increase funding for county conservation staff. DATCP is providing under 2 positions per county and we don't have enough to fund a second position per county.
3. DATCP omnibus. DATCP would get at \$250,000 grant program for farmers to obtain certification as a clean water farm; \$200,000 in 2020-2021 for a \$5 per acre reimbursement of crop insurance for cover crops; \$1 million for watershed grants; and a \$1 million grant program to test nitrogen strategies.

The Board would like to draft a letter for additional positions to give to the legislature.

Motion

A motion was made by Andy Diercks and seconded by Patty Edelburg for the Board to draft a letter to the legislature requesting additional position for DATCP. Motion was approved unanimously.

Agriculture Bills. Most of the proposed bills will need rule making. Andy Diercks requested a quarterly written report on passed bills to be included in the Secretary's report.

Board Member Reports

Kurt Hallstrand: Recently attended the Northcentral Wisconsin Cattleman's meeting where an ag economist talked about the economics of cow/calf issues. The numbers are sad, the cow/calf segment of ag business is at a 10 year low. He is hopeful that the USMCA, tariffs and Japan agreement will help. Alice in Dairyland also spoke at the Cattleman's meeting where she got to meet his father who was being honored as a lifetime cattleman. In the wood market, they are getting a lot of wood in and a lot of cardboard is being produced with their product

Paul Palmby: Not present for Board Member Reports.

Carla Washington: Yesterday and tomorrow she will be sitting on an interview panel for the TCP southeastern liaison position in Milwaukee. There have been a lot of good candidates from the 140 applicants. As for work, we are implement a lot of policies and procedures from DCF at the shelter (i.e. sheltering unaccompanied 17 year olds, people with service animals, and gender inclusive).

Andy Diercks: Finding good people is hard, there is still a lack of labor availability, both skilled and unskilled. Everyone is working through the crop, which is not a great crop in the State, but looking forward to 2020. Sat on a ground water panel in Wood County recently, which was interesting.

Paul Bauer: On the farm side, we expect to have more silage which is due to the lack of feed. We also anticipate another 10% reduction in herd numbers this year. The haulers are expecting a large increase in the next two weeks for cull cows. Barrels have dropped another 9 cents today, which gives us a new historic spread of 42 cents. Plant wise we had a very good year. In fact, we set a record last year for cooperative profit due to different processes and planning aggressively for the future.

Greg Zwald: There is good news for the department, you will get one less application for hemp growing because he will not be sending one in. There are a lot of people losing money on hemp and sitting with a lot of stock. His son is helping him dairy farm now and they went to the dairy grower's conference last year. Things are going well.

Dan Smith: Attended an event in Mankato MN recently with 2 days of training on how to be a director on a cooperative board. Out of the 47 directors that attended the training, only one person was under the age of 60 and all were white males. It was really eye opening of the lack of new cooperative leaders coming into the industry. Next Wednesday, 75 directors and managers will descend on the Capitol to talk about a new farm program, water quality, broadband, and farmer mental health. His biggest challenge is to get cooperatives to believe in working cooperatively because everyone is trying to find a way out of the economic downturn.

Patty Edelburg: Its conference season and a lot of the topics that are being discussed are soil health, water quality, trade, mental health, dairy, hemp, crop and crop quality. She recently talked to the Minnesota Ag Secretary about grain bins because they lost another farmer to a grain bin death. There have been 10 grain bin deaths over the last year in Minnesota. We may need to consider farm safety more in Wisconsin.

Miranda Leis: There have been a lot of organizational changes at Organic Valley and she is happy to move on to next phase. The organic market in general is still tight with no relief in sight. There continues to be plenty of milk on the market and the market base is not expanding.

Future Agenda Items

Assistant Deputy Secretary Angela James will be attending the NASDA winter policy conference and will give the Board an update when she returns.

Adjournment

Motion

A motion to adjourn was made by Patty Edelburg and seconded by Paul Bauer. Motion approved unanimously. The Board adjourned at approximately 2:52 p.m.