

**DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION (DATCP)  
WISCONSIN PRODUCE SAFETY ADVISORY COUNCIL (PSAC) MEETING**

**MINUTES**

**Date:** November 17, 2021

**Time:** 10:00 AM – 12:15 PM

**Location:** Microsoft Teams

DATCP Division: Food and Recreational Safety

**Welcome and Introductions**

**Call to order:** At 10:04, Wayne Geist called the meeting to order.

**Open meeting notice:**

This meeting is a public meeting subject to public records requests, that information was posted inviting public comments. No public comment was received and members offered no objections to their comments being recorded.

**Introduction of members:**

Voting members present include:

Hsing-Yi Hsieh, Festival Foods; Wayne Geist, Wisconsin Apple Growers Association and Bushel and a Peck Market; Josh Rimmert, Alsum Produce (in place of Derrick Smit); Lavern Zeiset, Zeiset Farm, Communities and Cultures Coordinator; Jerry Thompson, Wisconsin Tribal Conservation Advisory Council. Julie Keown-Bomar, Wisconsin Farmers Union; Sara Ecker, Ecker's Apples; Steve Louis, Oakwood Fruit Farm.

Non-voting members present include:

Kristin Krokowski, UW Extension (*ex officio*); Kevin Leroy, DATCP-USDA (*ex-officio*); Michael Mosher, DATCP (*ex-officio*); Joanna Kahvedjian, DATCP (*ex officio*); Caitlin Jeidy, DATCP (*ex officio*) Steve Ingham, DATCP (*ex officio*); Amy Millard, DATCP (*ex officio*). Troy Sprecker, DATCP (*ex officio*).

Voting members not present include:

Daniel Cornelius, Intertribal Agricultural Council; Susan Quam, Wisconsin Restaurant Association; Jay Ellingson, Kwik Trip; Christopher Fasching, Wescot Agri Products, Inc.

**Introduction of Guests:** Jeffrey Mears, Executive Director of Wisconsin Tribal Conservation Advisory Council.

**Approval of Agenda:** Julie moved to approve the agenda. Steve Louis seconded the motion. With no objections, the agenda was unanimously approved.

**Consideration of minutes:** Lavern called for a motion to approve the minutes of August 18, 2021. Lavern motioned to approve, and Hsing-Yi seconded it. Hearing no objections, the minutes were approved.

## **Membership Management**

### **Presentation on Standards and Guidelines of the Council**

Wayne called for a motion to approve the operational guidelines that were sent out. Steve Louis motioned to approve the operational guidelines and Lavern seconded the motion to approve the guidelines. Fiscal calendar year change, and Robert's Rules are updated. No one opposed, the guideline changes were adopted.

Wayne further discussed the roles and responsibilities outlined within the guidelines.

#### **Officer Terms:**

Derrick Smit is stepping into another role and wrote to request that Josh replace him on the council. Wayne called for a motion to replace Derrick with Josh. Lavern motioned and Hsing-Yi seconded the motion. Josh introduced himself. He has 15 years of experience at Alsum working toward his current role as the food safety manager for the pack house and three farms. He is HACCP certified, and has the USDA and FDA inspection oversight role. Wayne opened the floor for questions. None were presented. With a vote called and no opposition presented, the motion carried.

Jerry Thompson will be retiring and wrote to request that Jeffrey Mears replace him in his role. Julie moved to replace Jerry with Jeffrey. Steve Louis seconded the motion. Jeffrey Mears is the Wisconsin Tribal Conservation Advisory Council Executive Director. Jeffrey introduced himself as a member of the Oneida Nation who has worked with the nation's environmental health program, inspecting restaurants and providing training to temporary handlers. Wayne opened the floor for a vote. With none opposed, the motion carried.

## **Agency Reports (DATCP)**

### **Specialty Crop Block Grant (SCBG)**

**Background and Award:** The amount of about \$84,000 has been awarded to ensure exempt farms have access to markets. Without the SCBG, the Safe Wisconsin Produce program would not be able to provide services for farms which are not eligible for covered status under the produce safety rule. The grant will allow those farms to join a public-facing registry and/or receive an inspection-equivalency audit. As a background, in 2018, the Produce Safety Advisory Council raised the issue of market access for small growers due to the concern that exempt farms were being left behind. DATCP was not empowered or authorized to allocate additional services towards that group within the cooperative agreement with the FDA under which the Safe Wisconsin Produce program operates. In response, DATCP internally positioned our produce safety supervisor, Krystal, to be funded outside of the grant, so that we have the flexibility to utilize her time for other resources. We then found funding, applied and received the SCBG through USDA. Although the amount awarded is merely a small percentage of what goes towards time and all of the different compensation for staff throughout a year, the funding beginning November 1 of

this year, aims to provide up to 120 food safety audits to any growers requesting them using the produce safety rule as the foundation.

Call for Industry Input concerning Market Access and Implementation Guidance: While we can try to provide an inspection equivalency to exempt growers, we are not in a position to obtain buyer acceptance of this audit as a safety standard. We are asking for industry input on that question. We have also expanded our staff capabilities to ensure multiple staff are capable of carrying out inspection equivalency audits. Troy opened up to the floor to questions. Lavern asked Troy to clarify the number of audits, if the number of audits (120) stands alone or is grouped with inspections. The 120 audits will be in addition to the number of inspections DATCP will conduct this year. Lavern asked if during the survey process, we can offer audits in lieu of inspections for farms which are not covered. Steve Ingham stated that we are not trying to compete with the other third party audits available so we need to use caution when advertising. However, it would be appropriate for Lavern to inform farms that they can request the audit if they are not inspected.

Understanding when regulation applies: Troy explained that there is risk-reward interplay with the audit. Although we have not encountered egregious conditions, we must perform our primary regulatory environmental health role if we encounter egregious conditions. An egregious issue escalates to regulation only if, when it is pointed out to the producer, the producer cannot and does not recognize it and is not willing to do anything about it. Otherwise, we can perform the audits as planned.

#### Staffing Plans

Steve will be retiring from state service. His last day will be December 16<sup>th</sup>. He is excited about where the program is going. Troy also introduced Amanda Miller, our new inspector starting this month. She was formerly part of the hemp program within DATCP. Similar to the produce program, the hemp program was not running under state authority and was mainly educational. Our other inspector, Bridget, will be returning to duty soon. Concerning internal staff development, we are cross-trained and more developed now.

Sara asked if the SCBG audits can be used as training for inspectors. Troy responded no, because the audits are intended to serve as the equivalent to an inspection, the audit staff would already need to be qualified inspectors in order to conduct audits. DATCP is cross-training and providing internal advancement opportunities to increase our capacity to conduct inspections with Mike Mosher internally advancing and keeping pace with the requisite fall inspections needed for the program; Krystal going through the courses now to become official, Bridget returning soon, Joanna anticipating trainings and Amanda newly hired.

#### Outreach Update

Mike updated that SWP hosted a grower training event in Dalton in partnership with William Beechy and Wisconsin Farmers Union (WFU). Early indication was that about 12 growers would attend, but we had three show up. It was an opportunity for new instructors to hone presentation skills. Coming up this winter, we will be at three conferences (see <https://safeproduce.wisconsin.gov> for dates) and we are looking to conduct grower trainings in January. In Green Bay, we will be working with the Northeastern Wisconsin Technical College the 18<sup>th</sup> of January. If you have anyone that needs the training, let them

know. Mike will be working with Lavern about another possible Amish grower training, and another with WFU targeted for Hmong growers.

Lavern asked Troy for more detail about how the checklist from Minnesota will be adapted. Troy clarified that while it is a tool, a guidance document that can be used in conjunction with audits, it is not going to be the formal audit document itself. Our audit report will be very similar to the one used for inspections.

Julie stated that WFU will be glad to cover the cost of the certificates for any of the grower trainings, including those in the Plain Faith Community. WFU is also able to provide incentives such as tracking tools, compost thermometers or workshops on how to build your own hand washing station and could be providing a budget for such a program.

Joanna introduced the Safe Wisconsin Produce website (<https://safeproduce.wisconsin.gov>) and the updates the public information and produce team have implemented including a reorganized menu and home page; the latest news items; the fall 2021 newsletter; a new page for the advisory council; an event calendar that can include affiliated events, and biographical sketches for staff and council members. She informed of the process and timeline for updates and monitoring engagement, and welcomed input on content and events. Kristin will provide DATCP access to the UW Extension Water Tests and Lab information as well as some of the other brochures. More members will share contact information and biographical sketches.

#### **Education and Outreach Subcommittee (Hsing-Yi Hsieh)**

Hsing-Yi provided an overview of the committee's fourth quarter meeting, purpose and accomplishments. The group is collecting a more general education toolkit and steering towards developing different levels of outreach materials that constituents can use to reach their diverse groups of growers and buyers. Lavern added that more grower trainings are needed and promises have already been made to members of his constituent group to watch for the announcement. In January, his community is going to Ohio for the Food Safety Education Team Meeting and would like to bring information for that group. The food education team is a group of Mennonites and Amish that are closely connected with FDA. Wayne asked if the team would share what their concerns are. Lavern stated that he would like to keep the positive interest going regarding trainings and is concerned that qualified exempt growers will lose interest if it is not required. Conversely, if the auction house were to require audits, Lavern expressed concern that DATCP may get overrun with calls for them. Hsing-Yi restated, that is where the buy-in part comes from. Getting that message out there is important.

#### **Strategic Planning Subcommittee (Julie Keown-Bomar)**

Julie, Susan, Wayne and Joanna met November 11<sup>th</sup>. They talked about the scope of the committee and what the goal of the group is about and how they could look at the long term goals and sustainability of the program. The subcommittee discussed the grant and methodology and deliverables of how we would get it done. They also talked about outreach and building good relationships and using an incentive-based approach when working with agency. When working with groups who are marginalized it takes intention and concern for a successful approach, considering their distrust of government. The group would like to see the audit form when developed; talked about the point at which the SCBG turns into an audit; identified a need for using a culturally competent approach with the marginalized groups; discussed co-operating with, for example, tribal and Hmong growers; and the need for connectors.

Committee members will put some feelers out, borrowing materials that have already been developed. The committee advocates leading with carrots and not pushing with sticks when working with any grower. The subcommittee talked about a label or stamp and also talked about the buy local sourcing page, Something Special from Wisconsin, and getting that program to waive registration fees for folks who participate in safety audits or inspections to increase their product exposure to a key market sector of specialty crop consumers. The subcommittee had specific thoughts about the registry: sustainable, modern, good customer resource management and user friendly and searchable for both producers and the consumers looking for it. Troy shared that he is glad to hear that the group shares the interest in modernizing our website. We have that as a priority as well. The SCBG registry will fall under the inventory component of the Cooperative Agreement with the FDA and DATCP certainly wants to make it sustainable.

### **Compliance Subcommittee**

Steve Louis, Sara, Krystal and Wayne attended. They discussed the Specialty Crop Block Grant: what are some of the hurdles to getting people to accept it and do the audit and how do we get the buyers to see the audit as valuable and get them educated in what the audit entails. They anticipated potential hurdles and how to address them to the buyers they work with; specifically discussed was the concern with the audit not being annual and if we are going to have enough inspectors to handle the inspections and audits if it takes off. If you are going to try to do that annually, that would increase the workload. They discussed information to share to the buyers and people that are going to do the audit. Wayne reiterated the concern with the program ending in a year. They need to utilize the audit we have as a stepping stone to get them comfortable with some sort of inspection/audit and suggested maybe we can get them to ask for inspections.

### **Statute and Rules Subcommittee (Wayne Geist for Jay Ellingson)**

Wayne, Jay, Chris and Steve Ingham met. They summarized their goals as to understand the statute itself and to advise the other members and or the buyers what it is. Each committee plays on the others. The outreach task depends on who is being reached out to and educated. Are we doing what we are supposed to be doing, are we complying? Work of the Statute and Rules subcommittee informs work of the Compliance Subcommittee by advising about rule interpretation. The subcommittee is looking at supplying a short reading list of key items from NECAFS and other sources to aid members and others in understanding interpretations of the rules. Water testing is coming up, so Statute and Rules is going to be taking a closer look at water requirements: Is there any change; what do we use to educate people on water. Steve Ingham added two other action points: The subcommittee talked a lot about being prepared to talk about the qualified exempt status and how it might be lost. DATCP will have somebody go deeper and be prepared to talk about it as well as talk about ginseng growers and whether they are on the RCR list and if the variance is appropriate for that commodity. The subcommittee also shared the MN department of agriculture checklist to members to preview as a possible recommendation for adapting it for Wisconsin as a guidance tool for farms which opt to receive audits.

Wayne asked if there are any further questions, comments on the updates or anything anyone would like anyone to look into more in-depth.

Sara talked about approaching buyers as to the validity of what needs to be discussed on inspections. She asked if we can collaborate with buyers at their grower meetings to help them share information about the inspections and equivalency audits. Lavern asked if there is a level of buyer to talk to first. Lavern shared

Approved February 16, 2022

that produce auction buyers are not as concerned. Lavern suggests we compile a list and decide who to focus on. Steve Louis added that he reached out to a couple of buyers he works with and will try to reach out to a couple of others. Wayne stated that everyone on other committees can share information across committees. Steve can reach out to other members for lists of buyers.

### **Summary of Action Items, Person/s Responsible**

Share with Joanna event content, your biographical sketches for the website and any contact information you consent to listing publically as representative of your industry. You can also send Joanna lists of buyers for Steve Louis if you prefer.

### **Adjourn**

Jerry motioned and Lavern seconded the motioned to adjourn. With none opposed the motion carried and the meeting was adjourned at 11:50.