

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

MINUTES

Date: May 18, 2022

Time: 10:00 AM – 12:15 PM

Location: Microsoft Teams

DATCP Division: Food and Recreational Safety

Welcome and Introductions

Call to order: At 10:03, Wayne Geist called the meeting to order.

Open meeting notice:

This meeting is a public meeting subject to public records requests and 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:

Sara Ecker, Ecker's Apples; Jay Ellingson, Kwik Trip; Wayne Geist, Wisconsin Apple Growers Association and Bushel and a Peck Market; Hsing-Yi Hsieh, Festival Foods; Julie Keown-Bomar, Wisconsin Farmers Union; Steve Louis, Oakwood Fruit Farm; Jeffrey Mears, Wisconsin Tribal Conservation Advisory Council; Susan Quam, Wisconsin Restaurant Association; Josh Rimmert, Alsum Produce;

Voting members not present include:

Daniel Cornelius, Intertribal Agricultural Council; Christopher Fasching, Wescot Agri Products, Inc.; Lavern Zeiset, Zeiset Farm, Communities and Cultures Coordinator;

Non-voting members present include:

Michael Mosher, DATCP (*ex-officio*); Joanna Kahvedjian, DATCP (*ex officio*); Caitlin Jeidy, DATCP (*ex officio*); Amy Millard, DATCP (*ex officio*); Troy Sprecker, DATCP (*ex officio*); Amanda Miller, DATCP (*ex officio*); Krystal Martin (*ex officio*); Bridget Peck, DATCP (*ex-officio*).

Introduction of Guests: Brandi Grayson, Jenna LaChance

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

Consideration of minutes: Wayne called for a motion to approve the minutes for the February 16, 2022 meeting and March 16, 2022 special meeting. Steve motioned to approve both minutes and Hsing-Yi seconded it. Before a vote was taken, Julie asked for a change to the March 16 minutes, specifically to her motion to approve the registry during the special meeting. The amended motion would read

“Motion to approve option number 1, with the example wording provided. No other observations or recommendations would be listed in the registry at this time. If there is a need to change the registry for any reason, DATCP will revisit proposed registry changes with the Produce Safety Advisory Board.” Steve accepted the amendment to the minutes and Hsing-Yi seconded the motion. Hearing no objections, the amended minutes were approved.

Council Membership Management

Vice Chair Nomination and Vote

Wayne nominated Steve Louis for vice chair and Steve accepted the nomination. As there were no other nominations, Wayne called for a vote on the nomination. Hearing no objections, Steve was approved as vice chair.

Operational Guidelines Update to Membership Groups

An Underserved Community Representative position was added to the PSAC membership group. Wayne asked for a motion to approve this addition. Julie made a motion to approve this addition, and Josh seconded it. Hearing no objections, the motion passed.

Review and Vote on Nominees

Jenna LaChance from Organic Valley and Brandi Grayson of Supporting Healthy Black Agriculture/Urban Triage Inc were both nominated to join PSAC. Wayne asked for a motion to accept their nominations. Steve made a motion, and Jay seconded. Hearing no objections, the motion passed.

Brandi will fill the At-Large Member opening and Jenna will fill the Produce Consumer Representative. The Underserved Communities Representative will remain open in the hopes of finding a member from the Hmong community.

Agency Reports (DATCP)

Water Rule Open Comment Period

The open comment period for the proposed water rule has closed. Prior to its closing DATCP went to all possible water rule meetings and submitted a formal comment consisting of 30 questions to the docket. A specific comment, additionally submitted to NASDA, stated that in addition to the digital physical water assessment tool FDA developed, a physical tool would also be needed to serve our growers that do not use online resources (approximately 50% of covered WI growers).

As the comment period is closed, Safe Wisconsin Produce (SWP) will wait until the FDA reviews the comments, which is not expected for this growing season, before taking next steps. The current water rule is under enforcement discretion, and any new grower trainings will train on the old water rule.

Inspection Companion Assignment

SWP staff complete inspections in alignment with an assignment given by FDA. This year the FDA gave a companion assignment that is specific to bulb onions due to recent bulb onion outbreaks and recalls. The goal is to learn more about bulb onion production and food safety concerns with that crop. In standard inspection work SWP staff prioritize based on farm size and priority commodities, of which onions are one as of this year. This assignment asks SWP to collect more information on onions,

specifically during the harvest/curing process on covered farms. SWP has committed to completing at least one of these inspections this year. FDA has also stated their intent to give more companion assignments in years to come. Sara suggested that DATCP should provide updates and information to growers annually when these new assignments are given. DATCP should focus this effort on farms that have commodities with outbreak histories.

End of CAP Year Reporting and Strategic Planning

SWP submits end of year reporting information on May 1. There were many big accomplishments this year—the report was submitted on time, no concerns or questions from the FDA, and nearly all objectives were completed, including the new objective to complete outreach to 669 farms.

Going forward SWP is looking to start writing state statutes for a state level program. A state rule would provide consistency for the program—in funding, permanent staff positions, and rules for farms. This would also allow SWP to expand and customize their work to better serve the Wisconsin produce community (growers, buyers, and consumers). It would streamline processes, allowing SWP to respond to complaints faster and create documents more quickly as they would not have to be run through the FDA. A statute would also allow records to stay at the state level. A few nearby states have already completed this process including Minnesota and Michigan.

Julie stated that throughout her time on PSAC they have been told that a statute change was nearly impossible. Without changes in the legislature or stakeholder groups, why do you think this is possible now? Krystal responded that while she cannot promise that this will be successful, now is the time to try to make it happen. Troy added that there has not been a change in environment, however one of the grant objectives is to form a sustainable program.

Julie asked for assurance that the Secretary and the Ever's Administration is in support of this. Troy responded that there is passive support from the administration; SWP needs to put together a well-developed plan and it needs to be proposed in order for it to be considered. Troy asked the administration what it takes to garner support from the administration for this statute, and the response was that DATCP needs to build the support with a proposal first. Troy stated that this program does not have sustainability under the grant, so we have the responsibility to pursue a proposal. Wayne stated that as this gets started there needs to be good documentation because, even if this proposal doesn't work, this will provide a blueprint for the next attempt.

Registry and Audits

Bridget stated that audits have been going very well so far and allow inspectors access to farms they wouldn't have been on if only OFRRs and inspections were offered. One grower even asked if this service could be provided annually. During audits, OFRR resources and advice are given out. Many of the growers receiving audits are very interested in the Produce Safety Rule and having good food safety practices on the farm.

Approximately 50 farms are on the registry and numbers continue to grow. Not everyone that receives an audit wants to be on the registry, but many growers look at it as a way to increase their market access.

Inspection Plan

The first inspection will be taking place on 5/19/22, with multiple scheduled per week through June. A majority of inspections in early May and June will be joint inspections and Amanda will be inspecting on her own in June. Mike is also able to complete inspections, so if our inspection numbers are tight towards the end of June, he can help.

For the second part of the growing season, it may be more difficult to reach the FDA quota of 52 inspections. Recently SWP staff have been completing a lot of door knocking to help verify and find new farms. Last week alone staff visited 60 farms and found covered farms, received registry requests, and handed out many materials.

Farm Inventory and Outreach Update

The inventory goal each year is verify 939 new farms. SWP will continue to verify the farms currently in the inventory and identify new farms. Our current verification numbers are at 25% of the number FDA projects us to have. Over the past year SWPs identification focus has been on organic and ginseng farms.

Twenty-two outreach events have been completed since the last PSAC meeting including the MOSES conference and face-to-face communication with 1500 people. Staff have recently resumed produce auction house visits to continue outreach to the Plain community. In June we will be completing long-term follow-up interviews in conjunction with North Central Region FSMA with growers to see if they have made changes in their practices due to their grower training education years ago. Grower trainings have resulted in approximately 900 trained individuals representing 600 individual farms.

Member Updates and Issues/Further Discussion

State of the Industry

Wayne started the conversation by stating that the main issues affecting industry are fuel prices, food prices, wars abroad, short bloom in southern WI apples due to intense heat which could cause flower viability, and last year's freeze outs. Growers are currently facing many challenges. Wayne suggested we hand out a mental health pamphlet to farmers when we're on farm. Wayne stated that the committee's diversity and common goals make this group strong and he encouraged members to speak out.

Hsing-Yi said that the work that this committee and that DATCP do is very important. Produce safety will continue to be an important topic in the industry. Produce causes 35% of outbreaks in the country and traceability continues to be a problem. Attention to produce safety is starting to increase in the industry and she advised that this committee stay ahead of the curve and get working on a statute. Bridget added that there are many new growers this season. During one of her visits to a produce auction house, they even changed the structure of the auction to accommodate new growers.

Wayne announced that in-person meetings are now allowed, so members should reach out to Josh or Steve to voice thoughts on if meetings should continue to be virtual or return to in-person.

Education and Outreach Subcommittee

Met on May 5th and Mike Mosher provided updates. The committee talked about changes in the price to print materials and the needs assessment that must be completed for FDA before any materials are printed. The committee suggested that a future SWP newsletter should highlight council members and

Approved August 17, 2022

that the newsletter be added to the website. The committee asked for more direction from the council and SWP on what to focus on.

Strategic Planning Subcommittee

Met in May and talked about the grant and the possibility of a state statute being developed. The committee suggested that SWP look into what other states are doing before delving too deeply into developing this statute. MN has a statute that automatically adopts any changes the FDA makes. There may be resistance from growers if a statute went above and beyond what FDA requires. The committee also discussed program administration and staff capacity, including the possibility of a new part-time SWP employee being hired mid-summer. The committee suggested working more with underserved communities and utilizing resources already created by MN to do so.

Wayne suggested inviting someone from MN to tell us about how they're serving underserved communities.

Compliance Subcommittee

Met on May 10th and discussed audits, surveys, and the proposed water rule. Most members had read the proposed water rule, but had not read it too deeply. Once the rule is finalized, education will be very important to help growers gain compliance. There was also a discussion about how many SWP resources serve non-covered farms and that there needs to be a refocusing on covered farms. This is especially important for farms that grow priority commodities or commodities that have recently had an outbreak. SWP is in the process of creating a fact sheet for the bulb onions. Krystal received this suggestion and added that she was appreciative of the call out that we need to refocus on covered farms.

Statute and Rules Subcommittee (Wayne)

The Statute and Rules Subcommittee did not meet last quarter.

Krystal thanked Wayne for his leadership on the council. He has pushed the council and been very even tempered dealing with all situations.

Summary of Action Items, Person/s Responsible

A welcome letter will be sent to new PSAC members.

Adjourn

Steve motioned and Hsing-Yi seconded the motioned to adjourn. With none opposed the motion carried and the meeting was adjourned at 11:38.