

**DEPARTMENT OF AGRICULTURE, TRADE, AND CONSUMER PROTECTION
(DATCP)
DAIRY RULES ADVISORY COMMITTEE (DRAC)
MEETING MINUTES**

Date: February 11, 2025

Time: 9:00 a.m. – 11:00 a.m.

Location: WCMA Training Room, Virtual Teams Meeting

Welcome and Introduction

Call to order:

Alex O'Brien called the meeting to order at 9:00 a.m.

Open meeting notice:

Alex O'Brien stated the meeting is a public meeting. The open meeting notice has been posted.

Roll Call:

Members in attendance: Laura Traas, Alex O'Brien, Pete Hesprich, Elmer Schmucker, Errin Nondorf, Tim Neubauer, Helen Schmude, Andrew Johnson, Gloria Joseph, John Umhoefer, Jeff Kirchberg, Scott Rankin, and Jason Mugnaini

Others in attendance: Adam Brock, Troy Sprecker, Max Huebner, Kate Angeles, Michelle Steinmetz, Jim Pikka, Mary Rollins, Tyson Villarreal, Justin Jafferis, Kathy Carlson, Rebekah Sweeny and Kevin Dulin

Approval of agenda:

Scott Rankin made a motion to approve the agenda. Motion was seconded by Pete Hesprich. The agenda was approved.

Approve previous meeting minutes:

No corrections to the previous meeting minutes for the DRAC October 8, 2024 meeting. Scott Rankin made a motion to approve the meeting minutes. Motion was seconded by Gloria Joseph. Meeting minutes were approved.

Public comments: There were no public comments made.

DATCP Update

Laura Traas presented the DATCP Update (**see slides from DATCP Update 02-11-2025**).

Staffing Update: Melissa Francois and Lisa Roskom, two of the LEOs, will be leaving DATCP. Shannon Zook has started as a sanitarian in the southeast portion of the state, but she is still in training.

H5N1 Update: FDA is running a study on raw milk cheeses. We do not know where the FDA are going to do sampling, but they will report any viable positive tests back to the State. No positives have been returned to date. The Cornell Raw Milk Cheese study is showing that many heat treatments work against the virus. We still do not know what the 60-day aging process does. The USDA sampling mandate (the National Milk Testing Strategy) is still in the discussion phase.

Q: The studies are cautious to give specific information regarding test results. Do we have any more details about the findings of the studies? A: Laura stated the FDA does not release any data on their studies unless there would be a positive, so at this time we do not know what they have sampled or are sampling unless the firms sampled tell me. FDA will not release any data regarding the negative test results until the study is complete. Alex stated that we need to be cautious interpreting the Cornell and similar studies because they have been testing very specific situations and may not be applicable to other situations.

Q: Is there any distinction being made between the strains? A: The Nevada strain will be discussed later in the presentation.

The outbreak that took place in Nevada was a different strain than seen in other areas. The strain identified in Nevada has been seen previously, primarily in birds, but there have been some human cases – including a death in Louisiana and a hospitalization in Canada. The cases in Nevada do not appear to be farm-to-farm transfer; it appears it is transmitted from birds to cows, which is harder to control. This does not change the National Milk Testing Strategy.

The five step process for the USDA National Milk Testing Strategy was shared with the group. DATCP had discussions with the USDA regarding the testing strategy specifically for Wisconsin as the logistics of the silo testing was not viable for the State. We have been working on a method to get a sample from each dairy farm to our diagnostic lab at least once a month. The samples will need to test negative 3 to 4 times and, if so, we can jump from stage 2 to stage 4. We have not begun discussions on what stage 3 or stage 4 monitoring systems will look like.

Rebekah Sweeny made comments regarding the road blocks during the implementation of the sampling programs across the country. The lack of access to federal funding has been an issue for some state's sampling programs and has caused some states to pause their sampling program. Wisconsin has also been very careful with protecting private information regarding impacted facilities. Both of these things, combined with the continuing education of federal programs on Wisconsin's dairy industry, have impacted Wisconsin's enrollment in the program.

Q: With the current administration at the federal level, have there been any changes to the approach to this issue? A: There has been nothing communicated at this time.

Q: Are there any restrictions on processing milk from cattle infected with bird flu? Will industry with confirmed positives be told they cannot process milk from those cows? A: No, milk can still be processed. Processing steps have been shown to kill the virus. As an example, California had a high percentage of farms with positive infections and did not require industry with confirmed positives to cease processing. It was also pointed out that milk from highly infected cows will appear abnormal, and the rules already require milk that appears abnormal is to be removed from the milk stream. If the milk appears normal - even if the herd is identified as infected, there are no restrictions on the sale of that milk.

Q: Has there been any additional guidance on how to protect employees? A: Yes, the CDC released guidance on PPE protocol. Dairy farms and dairy processors are able to order free PPE from the State. The guidance is similar to what we saw during the COVID pandemic. This is guidance, not a regulation.

ATCP 82 Update: The comment period has closed and we are currently reviewing comments. The draft rule will be updated and brought before the DATCP Board for approval prior to moving to the legislature. Most comments received were items for clarifications rather than requests for change. The change removing the requirement for cleaning the exterior of the tanker received the most negative comments, and it is likely that the language for this section will be restored to the

previous wording. Alternative language attempting to find a middle ground will be discussed.

Other Items: The proposals for the 2025 NCIMS Conference should be coming out shortly. Some of the proposed changes include seeking to clarify some Appendix N language, allowing farm employees to do certain tasks with on-farm in-line samplers without needing to be a BMWS, and a request to develop a Farm Practices Committee. The conference will be in Minneapolis, and the next conference will be in St. Louis.

Testing of raw milk cheese for salmonella, EHEC/STEC, L. mono have returned no positive test results to date. Drug residue testing has been paused at this time as laboratory resources have been shifted to H5N1.

Subcommittee Updates

John Umhoefer reported for the Pasteurizer sub-committee. We have a group currently working through the broken seal program, but they are still in the beginning phases. Laura mentioned we were hoping to see more participation in this program. We do not believe we will see a lot of interest until we see changes to ATCP 65 that makes this a requirement. DATCP's next FDA evaluation may change the priority of the updates to the chapter if the new FDA milk specialist puts a higher level of emphasis on this.

Q: What is the purpose of this requirement? A: It is only a requirement if you, as a member of industry, have to break a seal to correct something in your system. Trained staff would be required to complete tests to ensure the system is safe to return to operation.

Q: Is the department confident that milk is being pasteurized 100% of the time? A: Yes, if the system is properly timed and sealed, we are confident in this. There are also a number of different devices you can check to ensure that the pasteurizer was working appropriately during the course of milking.

Alex O'Brien gave an update for the phosphatase sub-committee. There was a plan to do a frozen milk sample study that is on pause – CHARM is looking to restart this, and Alex will be in contact with their representatives.

Alex O'Brien gave an update for the hydrogen peroxide subcommittee, who met yesterday. They are exploring use in whey, brines, the exterior of cheeses, and as an addition to the cheese milk. From an FDA standpoint, we are not sure how the current administration is going to look at the addition of any chemicals.

Chair and Vice Chair Nominations and Members with Expiring Terms

Gloria Joseph was nominated for Chair by John Umhoefer, and this was seconded by Pete Hesprich. John Umhoefer was nominated for Vice Chair by Alex O'Brien, and this was seconded by Pete Hesprich. The motions were approved by an anonymous ballot.

Member Concerns

An item noted by a member of the group:

- PBFi Conversation: Pete Hesprich discussed with Adam Brock and Laura Traas about meeting with the PBFi group again. Since reinstating the inspectional process as it was pre-COVID, we have not seen significant movements between categories. The PBFi group would be open to having new people join the group to hear the discussion. The DRAC approves of reconvening this group – the motion was recommended by Pete Hesprich and seconded by Andrew Johnson.

No other member concerns were raised at this time.

Summary of Action Items and Person(s) Responsible

Next Meeting- Gloria and Laura will discuss dates in June. The location is Organic Valley, One Organic Way La Farge WI 54639. A motion to adjourn was made by Tim Neubauer, seconded by Pete Hesprich. Meeting ends at 11:00 a.m.