

Approved February 19, 2025

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

**MINUTES**

**Date:** November 20, 2024

**Time:** 9:30 AM

**Location:** Microsoft Teams

DATCP Division: Food and Recreational Safety

**Welcome and Introductions**

**Call to order:** 9:31 AM

**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.

**Introduction of voting members**

**Present:** Sara Ecker, Ecker's Apples; Wayne Geist, Bushel and a Peck Market; Steve Louis, Oakwood Fruit Farm; Mike Klemp-North, Hsu's Ginseng Enterprises Inc, Hsu Ginseng Farms; Susan Quam, Wisconsin Restaurant Association; Josh Rimmert, Alsum Produce; Dan Cornelius, Intertribal Agricultural Council; Jeff Mears, Wisconsin Tribal Conservation Advisory Council; Jenna LaChance, Organic Valley, Joe Ferguson, Ferguson's Orchard.

**Not present:** Lavern Zeiset, Zeiset Farm, Communities and Cultures Coordinator; Corey Miller, Organic Valley; Jay Ellingson, Kwik Trip; Hsing-Yi Hsieh, Festival Foods; Stephanie Teclaw, RPE; Venice Williams, Executive Director of Alices Gardens, Fondy Urban Farms and Food Center; Brandi Grayson, Supporting Healthy Black Agriculture/Urban Triage Inc.

**Ex-officio (non-voting) members**

**Present:** Veronica Kesner, DATCP; Krystal Martin, DATCP; Jill Cholewa, DATCP; Jean Finger, DATCP; Ryan Benett, DATCP

**Not present:** Adam Brock, DATCP; Troy Sprecker, DATCP; Kevin LeRoy, DATCP

**Introduction of Guests**

No guests were present.

**Quorum:** Krystal verified that a majority of members are present to establish a quorum.

Approval of the agenda as presented: Steve called for a motion. Josh made a motion, and Corey seconded it. With none opposed, the motion carried.

Steve called for a motion to approve the minutes of the October 16, 2024 special meeting. Corey made a motion, and Josh seconded it. With none opposed, the motion carried.

Upon request, Krystal responded that she did not receive anything for public comment – nothing from Veronica or Joanna before her departure, either.

### **Council Membership Management**

#### *Transition into acceptance as an official council*

Krystal shared a brief overview of the Council Transition Plan and reiterated DATCP's motivation for this process: to promote consistency in the work being done across the various advisory councils supported by DATCP, and to ensure their work is in alignment with agency policies and procedures. Following the example of the retail council, the PSAC will acquire formal bylaws, an updated membership voting process, and different approval requirements through the transition, as previously discussed during the October special meeting. The next step for the PSAC to move forward with the transition is to create formal council bylaws, a council letter, and a proposal to the secretary outlining the plan for approval. The bylaws will be based on the council's operational guidelines, with a few key updates as selected during the October meeting – the extension from three to four terms for council members to maintain continuity through the transition as well as a new meeting participation requirement to maintain membership status. Krystal noted that, though there weren't enough voting members present at this meeting to establish the two-thirds quorum required to vote on changes to the operational guidelines, the council could adopt these guidelines without formally updating the language in the document and thanked the council members who would be serving a fourth term on the council. Steve, Krystal, and Veronica had agreed that the important thing to focus on was the PSAC's progress towards those initial transition plan action items through the formation of an Official Council Transition Workgroup.

#### *Formation of workgroup*

The workgroup still needed members to join as Steph and Steve had not heard from anyone after putting out a call for volunteers. Steve added that the workgroup would be able to refer to resources from the DATCP retail council's transition process for guidance. He recommended an initial workgroup meeting in December to create drafts of these items and send them out for review and feedback followed by a second workgroup meeting in January to finalize the documents for sharing in February. If the workgroup did not get any volunteers, he suggested that these action items instead be assigned to whichever council subcommittee they were more closely aligned with, which seemed to be Compliance, Statutes and Rule. Wayne, Jenna, and Mike volunteered to join the workgroup.

Regarding the council member term extension, Steve asked if members taking on fourth terms would need to be voted on or reappointed. The answer was no, and that once a member's term rolls over, they stay on and are automatically renewed, as long as people are interested. Jenna raised a question about the length of terms, and Krystal clarified that each term was two years with council members serving three, now four, consecutive terms. Jenna mused that increasing the term lengths from two to three years would extend members' time with the council. Krystal noted that this would contribute to longer continuity, however it would be hard to proactively change what was already done. The bylaws will change how things work down the road, so the updated operational guidelines are a temporary measure.

Krystal emphasized that we want to continue action on the transition plan quarterly as this process will take some time to complete. She also expressed her appreciation for everyone being on board with the fourth term extension, including Lavern who was unable to attend the meeting but called her in advance to share his agreement and thoughts on the agenda items. Krystal added that council members should keep an eye out for further communications. In alignment with the decision to extend the council member terms, new welcome letters will be distributed to all members in the coming weeks to ensure everyone has the changes in writing to maintain consistency.

## Agency Reports

### *Program administration update:*

#### *Staffing changes*

As previously shared, Joanna has left her position as Program and Policy Analyst (PPA) for the Safe Wisconsin Produce (SWP) program. Joanna had served the PSAC for almost its entirety and she is now moving on to a new position with the Department of Financial Institutions. As the SWP staff are in project positions, Joanna's position would have expired in January. This was also Jill's final council meeting as her position similarly expires in January. Jill was not with the program as long as Joanna, but she has been instrumental to program outreach and Krystal noted that ongoing education and making sure these resources exist are essential to so many industries represented by the council. In addition to staff departing from the program, Veronica joined SWP as a part-time PPA. Council members will be hearing more from her moving forward as she will be serving as the new DATCP facilitator. Krystal added that her own role is changing as she recently accepted an offer for Section Manager for Manufactured Foods.

Produce has become a subsection of Manufactured Foods to ensure the program's long-term sustainability, mirroring Ohio's produce program. This restructuring has resulted in six permanent staff that can contribute to Produce efforts. Krystal's former position, Environmental Health Services Supervisor for Produce, will not be filled moving forward. The program's inventory is moving from development to maintenance, so there will be fewer onsite visits and new entries. Veronica will be doing some inventory entries and Krystal will still be overseeing the team and technical efforts, however she will not be out doing inspections like in the previous year. Krystal's new role with Produce will involve a shift of tasks with less direct involvement. She noted that while there is a lot happening with the council beyond the program changes, she does feel good about where the council is at and wants to continue to push towards more member engagement.

### *Growing season 2024 overview:*

#### *Inspection numbers and findings*

The program's goal this year was 45 inspections and 30 were completed as of the date of this meeting. The inspection season does not align perfectly with the growing season, so there are 15 inspections left to complete with four that will be done in the off season. This leaves 11 inspections for spring and these have all been tentatively identified. Out of 30 routine inspections, there were eight sanitization-related violations with people not sanitizing or misusing sanitizing agents. There were six handwashing violations which identified a lack of training on this topic and 3 plumbing violations relating to backflow. In addition, there were a few violations on covered produce proximity to livestock and one with covered and uncovered produce being handled in the same space simultaneously. Dan inquired whether these inspection reports were subject to records requests and public record laws, and the answer to both was yes. Krystal added she feels that it's always worth it for buyers to ask about inspections and if they can see the reports, and further stressed the importance of buyer and consumer education.

#### *Water sampling assignment and plans for pre-harvest enforcement*

About 50% of all inspections completed this year included a water sampling element. Approximately 60 samples were collected from 15 farms. The sample sources varied, but included: surface water, source water, ponds, creeks, streams, open and closed holding tanks, groundwater, wells, distribution systems, sanitation lines, wash tables, bulk tank and batch tank washing water, hand sinks, and more. Moving into the next growing season the plan is to collect 60 more samples for a total of 120. As for the results of the sampling: 1) groundwater was found to be a great choice for a water source and consistently yielded good results. 2) Surface water was found to be very dynamic and could be impacted by weather and seasonal differences; each sample from the same source could produce a different result over time, so it's not possible to say with confidence whether a surface water

source is safe or not. While discussing this, Krystal shared examples of specific surface water sources that were sampled multiple times and yielded dramatically different results in the levels of *E. coli* in each sample. 3) Both the source and the associated distribution systems can influence water quality – it's possible for a water source to produce safe results and have a sample from the end of the distribution system that yields very different results.

Jenna followed up with questions on the revised FDA Water Rule relating to agricultural water. Under the new changes, greater responsibility is placed on produce growers, who will no longer have water sampling requirements; however, water sampling is important in helping growers make informed decisions and assess the safety and quality of their water. Krystal discussed how this tied into the need for more education and Dan asked about continued outreach and how we'll reach growers with updates. Relating to outreach, Jill has provided content for the program's biannual newsletter, with the fall edition centered on water quality and sampling. In addition to the newsletter, other upcoming outreach includes the PSA trainings, with a revised water portion focused on the new assessment process, and several events in the next year with program staff attending as presenters and exhibitors.

#### *Outreach updates*

Jill shared that she has truly enjoyed her time with the program and expressed that attending her final council meeting is bittersweet. Recent outreach events included attendance at a truck-patch meeting with current and new growers and producers from multiple Midwest states. Jill said that she is still mailing boxes to contacts from that November truck-patch meeting as there weren't enough handouts for everyone. Produce safety topics of interest for attendees included ways to deter wildlife, building your own handwashing stations, and how the information can be simplified as much as possible to promote compliance. The Food Entrepreneurship Ecosystem Development (FEED) summit was in October and the Produce program shared a booth with retail at the event.

In addition to these events, Jill conducted fall auction visits and distributed program materials (i.e. handouts, clipboards, and pocketbooks) to each auction house. There were a lot of new farmers in the Fennimore and Platteville areas and these visits provided a great opportunity to connect with them, hear specific questions they may have, and connect them with other growers. The Produce team also completed 24 on-farm readiness reviews (OFRR) from summer through early fall.

The Produce program will be represented at two major events in the next year – this includes the Growing Wisconsin Conference in January and the Marbleseed Organic Farming Conference in February. Produce will be working these events alongside other sections of DATCP, including the Division of Agricultural Resource Management and the Division of Agricultural Development. Krystal noted that, though the program's capacity has changed, we can still find innovative ways to reach people and be a strong program through this transition. Part of this has included finding the most efficient ways to connect with the masses, such as the newsletter and website, and how to share information on major topics. Krystal added that council members should reach out to herself or Jill if they would like copies of the program's latest newsletter, to distribute to anyone that may not be getting it but who could benefit from the information. Dan inquired about ways to share this information through other organization's newsletters, such as The Wisconsin Shopper and Marbleseed's Organic Broadcaster.

### **Member Updates and Issues/Further Discussion**

#### *State of the industry*

Steve started things off reporting on the apple growers industry. Harvest finished a month or so ago and pack houses will be running for about another month. The apple crop is smaller than last year's, which is favorable. Last year's harvest was a little too large to be manageable and it pushed down prices. In relation to the Food Safety Modernization Act (FSMA), he shared that apple growers have third-party audits and people feel fairly

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comfortable adjusting. Traceability seems to be the biggest issue moving forward and there will need to be more group discussions on how they'll handle that. Wayne and Sara agreed with Steve's report.

Jenna reported that the harvest season is almost over at Organic Valley. Organic Valley is moving to the U.S. Department of Agriculture (USDA) for third party auditor for 2025. The auditor will be attending their all farmer meeting in December to talk about what that will look like and go over all of the paperwork involved in the process.

Mike, representing the ginseng industry, said that harvest is over and they're waiting to see how the election results will impact their relationship with China. In relation to FSMA, they'll continue to work on this as ginseng as a produce is a challenge under this rule. Krystal added context for the council, explaining that ginseng is currently a covered commodity and that, due to how the crop is processed, it isn't considered exempt by the FDA. In 2020 or 2021, the FDA did open for public comment and ginseng was requested as an addition by the Wisconsin Ginseng Association for exemption. Ginseng goes through extensive post-harvest processing in many cases, and it's not necessarily just grown for food products. She added that ginseng farms, as a single commodity, are probably the largest portion of covered farms at this time and almost all of them are located in Marathon County.

Jeff reported on behalf of the Wisconsin Tribal Conservation Advisory Council, sharing information about an upcoming produce safety training for tribal producers from December 4<sup>th</sup>-6<sup>th</sup>. Krystal is the lead trainer for the event and it's a great opportunity for DATCP to participate in tribal outreach. Other topics for this event will include the Tribal Elder Food Box program which is growing and providing food for tribal elders and the model food code and field dressing.

Josh reported that the potato harvest is done, there was a smaller crop compared to last year, but the quality has been okay. The industry has been quite busy in recent weeks with the Thanksgiving rush. In terms of food safety, they're requiring all of their growers to become USDA Harmonized GAP Plus+ certified.

Susan reported on the restaurant industry, which is still kind of in flux with a lot of Wisconsin restaurants operating in a post-COVID-19 state and continuing to meet consumers where they are. Things are getting back to normal, but she shared that they are still seeing restaurant owners going out of business due to causes related to the pandemic. This includes changes to food prices and increases in labor cost. The restaurant industry is gearing up for a strong holiday season and optimism in the industry is pretty stable in accordance with reports from the restaurant index and other areas. It was a busy summer and, though inflation has kept some people at home, demand is still pretty strong. Operators are working to balance menu prices with increased costs while maintaining traffic. The 'What's Hot' survey just came out from the National Restaurant Association if anyone is interested in learning more about industry trends.

Dan shared that there's been lots of efforts going on and that the Regional Food Business Center has been picking up. They have Business Builder awards going out shortly. He added that there's quite a bit more going on, but these are some of the highlights.

Krystal thanked everyone for their valuable time, effort, and participation at the meeting. The February meeting is planned to be in-person, and Krystal added that she believes the in-person meeting format holds value and is beneficial to the council. She recommends that they occur at least once a year; everyone was encouraged to attend. Steve also thanked everyone for their attendance and for helping to make the council successful. He added that subcommittee meetings, which were suspended due to the October special meeting, will resume as normal in January.

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

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The next full meeting is in person on February 19<sup>th</sup>.

Let Steve, Krystal, or Veronica know if you:

- a. are interested in participating on the work group
- b. wish not to continue to a fourth term, or
- c. have an agenda item to add for a future meeting.

### **Adjourn**

At 11:45 am Mike motioned to adjourn, Jenna seconded the motion, and the meeting was adjourned.