

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

MINUTES

Date: February 19, 2025

Time: 9:30 AM – 2:30 PM

Location: Prairie Oak State Office Building- 2811 Agriculture Dr., Madison, WI, 53718,
Microsoft Teams

DATCP Division: Food and Recreational Safety

Welcome and Introductions

Call to order: Official council business called to order at 10:00 AM.

Open meeting notice: This meeting is a public meeting subject to public records requests, and information was posted inviting public comments. No public comments were 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; 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; Corey Miller, Organic Valley; Lavern Zeiset, Zeiset Farm, Communities and Cultures Coordinator; Jay Ellingson, Kwik Trip

Not present: Hsing-Yi Hsieh, Festival Foods; Susan Quam, Wisconsin Restaurant Association; Venice Williams, Executive Director of Alices Gardens, Fondy Urban Farms and Food Center; Brandi Grayson, Supporting Healthy Black Agriculture/Urban Triage Inc.

Introduction of ex-officio (non-voting) members

Present: Veronica Kesner, DATCP; Krystal Martin, DATCP; Troy Sprecker, DATCP; Adam Brock, DATCP; Ryan Bennett

Not present: All were present.

Introduction of guests

Kobby Antwi, DATCP; Lisa Wipfli, DATCP

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.

Approval of the minutes of the November 20, 2024 meeting: Steve called for a motion. Jay made a motion, and Corey seconded it. With none opposed, the motion carried.

Council Membership Management

Election of New Council Vice Chairperson

Steph Teclaw stepped down from the council after the November 2024 PSAC meeting, which left the position of Council Vice Chairperson vacant. Krystal noted that DATCP would provide support to whoever took on the role, including training on relevant responsibilities for anyone new to the position. Sara had previously expressed interest in role; however, as Sara was still traveling to the meeting at the time of this agenda item, Steve called for a motion to table the election of vice chair until she arrived in person. Josh made a motion, Mike seconded, and the motion passed. Discussion then moved to the next agenda topic.

Official Council Transition Workgroup Progress and Status Update

The Official Council Transition Workgroup met twice following the November PSAC meeting to address initial action items identified in the transition plan. The group created draft bylaws, a council proposal, and letter to the secretary in accordance with the Retail Council's transition process. Workgroup members also raised important questions around the PSAC's mission and scope. It was identified that greater attention is needed in these areas to ensure that they still represent the council's aim and goals. However, further workgroup efforts have been put on hold due to the release of a new internal DATCP policy relating to the formation and operation of agency advisory bodies, hereafter referred to as Policy 105, and until Produce staff have a greater understanding of how the policy will apply to the PSAC.

Council Transition Plan Update

New DATCP Policy on Advisory Bodies

Due to the release of Policy 105, progress towards the transition has been put on pause temporarily as this will change how the PSAC needs to approach seeking official council status recognition. Policy 105, which was years in the making, outlines different requirements for advisory councils that will impact the PSAC's transition process. This includes the creation of an advisory body charter which must be completed by DATCP staff. Krystal explained that, despite the new requirements, the Official Council Transition Workgroup's efforts will still help the council to move forward towards obtaining official DATCP advisory council status. The charter will be largely informed by the documents that the workgroup volunteers created.

Discussion of PSAC Mission and Vision, Considering Council Membership

Krystal shared that Ryan has been exploring the formation of an advisory council for Manufactured Foods. Since Produce has been absorbed into the Manufactured Foods section to support the program's long-term sustainability, this brought up considerations for potentially combining the PSAC with a manufactured foods council. Krystal identified crossover in key topics amongst both parties, including water and traceability, and potential benefits to Produce such as additional support for their efforts and/or concerns. Options moving forward include maintaining two separate councils or creating a combined council, with the potential for a produce specific subcommittee. Though Hsing-Yi could not be present, she had shared her strong support for a combined council with Krystal prior to the meeting.

Ryan provided an overview of what Manufactured Foods covers, including licensing and inspections of warehouses, distribution centers, and food processors large and small. Given the amount of produce farms that also hold food processing licenses, a combined council would support greater integration of food safety systems. Wayne and Lavern expressed their concerns around Manufactured Foods inspectors completing Produce inspections, relating to understanding of how regulations realistically apply in each situation and inspectors potentially lacking education or understanding of farming.

Lavern added that this is a significant concern amongst the Plain Community. Krystal acknowledged their concerns and explained that, with Manufactured Foods inspectors already covering Produce inspections, the inspectors do maintain awareness of their jurisdiction in each situation. Safety and trust are essential to DATCP's work, and the inspectors work to build trust, know the regulations and resources, and are authentic and empathetic in their interactions. Wayne added that this comes back to figuring out how to educate all produce growers so that everyone knows how to communicate potential disputes they may have with inspectors.

Circle back to the council and concerns that exist there, member were primarily focused on the dilution of produce specific membership (i.e. produce growers) and loss of produce voices, though, by joining with Manufactured Foods, this would also expand industry knowledge and resources. Ryan discussed additional benefits to a combined council including greater market understanding which could support new product development. Josh and Mike agreed with the advantages of a combined council, noting that pursuing this direction would require intentional planning to bridge Produce and Manufactured Foods. Jay similarly supported this option and added that it could help to protect and support Wisconsin's public health, industry image, and agricultural reputation.

Member discussion then turned to combined council membership and with a desire for a 50/50 Produce and Manufactured Foods representation, making sure the right people are present and engaged in the work, and creating an environment that will support Produce voices. To address the concerns around losing a space for Produce specific efforts, members also discussed the idea of creating a Produce subcommittee within the combined council, which would be allowable under Policy 105. Krystal then initiated a short activity for council members to share their thoughts and comments on PSAC membership, scope, and the pros and cons of forming a combined council.

After the activity was completed, Steve circled back on the agenda to the election of Vice Chair as Sara was present. Sara noted that – considering the interest in a combined council – it might be better to nominate a Vice Chair who was higher up the chain towards manufacturing. Mike expressed his interest but added that he had some concerns as he was still new to the council. Regarding members' hesitancy relating to the uncertainty of the PSAC potentially pursuing the combined council route, Krystal added that Policy 105 would create additional changes (e.g. frequency of elections noting that voting for Chair and Vice Chair would occur annually) but for that, the PSAC should focus on the present.

Wayne nominated Corey as Vice Chair. Corey agreed and said he would be comfortable with being Vice Chair for the PSAC in its present form. Jenna seconded Corey's nomination as Vice Chair. None were opposed and the nomination was successful. Wayne asked to have a vote of support for the formation of a combined Produce and Manufactured Foods advisory council to determine where members stood. Steve added that this was not an official action item, and that it would just serve to gather information. Wayne motioned for a vote of support for the PSAC to transition to a combined council with Manufactured Foods and Mike seconded the motion. All were in favor, none opposed.

Agency Reports

Program Administration Update

Veronica will be departing from her role as Program and Policy Analyst with the Produce program in the beginning of March to pursue a full-time opportunity outside of the agency. Following her departure, Krystal will be covering the position of DATCP facilitator to the PSAC.

Program Funding Status Update

Krystal reported that the status of funding for the Produce program for the next fiscal year is unknown currently, but program operations are proceeding as planned with scaled back outreach and a greater focus on inspections moving forward. With the ongoing uncertainties around funding, DATCP remains in a position to meet the essentials for produce safety.

Inspection Updates

Winter Inspection Numbers and Findings, Plans for Growing Season 2025

Krystal shared that there have not been many inspections since last quarter's meeting; however, there are four or five off-season inspections planned for hydroponic and mushroom operations, with more traditional inspections slated to begin in the April timeframe. A full tentative list of farms to inspect has been drafted and inspectors have been assigned. The produce inspectors will meet again before the growing season for reminders, updates and calibration purposes. Farms to be inspected include those that have yet to receive an initial inspection, large operations and others with higher risk commodities and/or activities.

Enforcement of the Water Rule

DATCP inspectors will not be enforcing regulation for pre-harvest water but will be enforcing regulation for post-harvest water. Krystal noted that the new water rule doesn't explicitly require testing, but that the water assessment component will require produce growers to understand and report on their water systems. Grower must consider how things change, and all the factors involved in and around their water systems. This is likely not possible without testing, which remains incredibly important for understanding water quality. Steve agreed, adding that the shift to assessments means growers need a deeper understanding of their water systems [which can be very complicated] rather than focusing on water testing as a sole factor/solution. This should promote planning of agricultural growing activities with safe water practices in mind.

FDA Training for Inspectors Coming Up, Regulatory Training Updates

FDA's training for state employees on the updated Water Rule was canceled. Therefore, inspectors will be focused on learning and education rather than enforcement of the new Water Rule requirements for this growing season and potentially beyond.

PSA Supplemental Learning Opportunities

Following the February 2025 PSAC meeting, members will receive a follow up email containing information on upcoming PSA supplemental learning opportunities. Krystal noted that there are limited PSA training opportunities planned through the Produce program this year and encouraged anyone interested to register for these trainings.

Outreach Updates

Growing Wisconsin Conference Highlights

Outreach at the Growing Wisconsin Conference went well, attending staff had a lot of good interactions and were able to get into each grower track to introduce the Produce program and important produce safety information. Kudos was given to Sara Ecker who contributed to the successes at Growing Wisconsin; this is a prime example of PSAC and DATCP collaborations working for the betterment of WI growing communities.

Plans for the Marbleseed Conference

Staff will also be attending the upcoming Marbleseed conference-the nation's largest organic growing conference, with plans to continue sharing a booth with the Division of Division of Agricultural Development, who generally draws in attendees with their grant opportunities and information.

Inventory Updates

2025 Produce Survey Renewal

Preparations for the 2025 Produce Survey Renewal are ongoing, and the survey will be sent out around the end of February. In previous years, produce staff sent out a survey to all operations of all statuses (i.e. covered, sales exempt, qualified exempt, RCR, unknown, etc.) of the farm inventory. This year the group is continuing with a renewal which streamlines completion on the growers end and also processing on DATCP end, plus is only sending to select statuses this year, focusing on covered and likely covered groups.

Member Updates and Issues/Further Discussion

State of the industry

Steve reported that there was a good crop of apples this year. The wholesale prices were up, and weather was good. He added that some buyers are wanting sustainability plans from growers. Krystal noted that this is becoming more common.

Corey reported on food safety at Organic Valley (OV), noting that their growers are transitioning audit programs, and OV is working to ensure they're meeting all those standards. They're currently trying to see if the USDA can support cost sharing to reduce out of pocket costs for growers in regard to food safety certifications, training, and microbiological assessments – this is up in the air at the moment due to federal funding uncertainties.

Lavern reported that it was a good year and he had attended the western truck patch event in the Kingston area, along with hundreds of other Plain Community growers. Jill conducted outreach at the event in the form of a brief 5-minute talk and distribution of a lot of food safety handouts. The next truck patch won't be in Wisconsin, but Lavern added that he is still involved in food safety and will be able to answer questions from Plain Community members.

Wayne echoed Steve's statements.

Jenna shared that Organic Valley growers experienced heavy insect pressure as year, primarily from flea beetles and cucumber beetles due to the mild winter. Given the recent snowfall and cold temperatures, she is hopeful for better conditions this spring.

Jeff added that he experienced great turnouts in bringing different groups together throughout the year. He's currently looking for a lead trainer for a training at Ho-Chunk in April; trainers are out there, but lead trainers are hard to come by. New grant funding has opened up farming apprentice opportunities for all 11 tribes in WI.

Josh reported that the harvest wasn't terrible but there were some issues with storage crops this year. Mid-summer will probably be tight in terms of supply, and prices may rise. Fall and winter were tough – the harvest starts in mid to late July and, due to last year's wet spring, there have been ongoing fungus issues with potatoes in storage.

Sara shared that they are a small farm at 25 acres, looking for more retail opportunities.

Mike reported that the ginseng supply is good, however, there are ongoing issues relating to the global economy and impending tariffs. There's increased industry competition with ginseng growers in Canada, as Canada has a better relationship with China. In addition, their government is investing more into research and supporting farmers.

Joe shared that there have been some supply issues in the last few years as they grow larger. He also noted that the overlap with audit programs and agencies in terms of inspections and requirements can scare growers.

Subcommittee Reports

Compliance, Statute and Rules

Both subcommittees discussed the council transition plan and the workgroup's progress. Krystal noted that traceability does apply to the qualified exempt farms whereas the Produce Safety Rule (PSR) does not; educating this group, which is larger than the covered farming number, will be difficult especially as outreach is more limited and a traceability plan from FDA has yet to be released. Prompted by a question from Lavern, Krystal added that farms can be exempt from the pre-harvest agricultural water requirements only if they are sales exempt or if they use groundwater and are testing it for post-harvest reasons. There is not a list of separate exemption related to water under the PSR, mostly just the standard exemptions that apply to the entire regulation.

Education, Outreach and Strategic Planning

Both subcommittees discussed the council transition plan and the workgroup's progress. This group also briefly discussed the development of a resource identifying other options and contacts for produce safety since the Produce program at DATCP is having to scale back on outreach. Wayne requested that members of the subcommittee start pulling together ideas for resources now so that everyone comes to that meeting prepared to start.

Summary of Action Items, Person/s Responsible

The next full meeting is in person on May 21st.

Let Steve or Krystal know if you have an agenda item to add for a future meeting.

Adjourn

At 1:53 pm Jenna motioned to adjourn, Corey seconded the motion, and the meeting was adjourned.