

Approved May 15, 2024

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

**MINUTES**

**Date:** February 21, 2024

**Time:** 9:30 AM – 11:30 AM

**Location:** Hancock Agricultural Research Station and Microsoft Teams

DATCP Division: Food and Recreational Safety

**Welcome and Introductions**

**Call to order:** At 9:34, Steve 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.

**Introduction of voting members**

**Present via Teams:** Daniel Cornelius, Intertribal Agricultural Council; Josh Rimmert, Alsum Produce; Jenna LaChance, Organic Valley; Venice Williams, Executive Director of Alices Gardens, Fondy Urban Farms and Food Center;

**Attending the early portion of the meeting only:** Jay Ellingson, Kwik Trip; Susan Quam, Wisconsin Restaurant Association

**Present in person:** Steve Louis, Oakwood Fruit Farm; Lavern Zeiset, Zeiset Farm, Communities and Cultures Coordinator; Sara Ecker, Ecker's Apples;

**Not present:** Hsing-Yi Hsieh, Festival Foods; Brandi Grayson, Supporting Healthy Black Agriculture/Urban Triage Inc.; Jeffrey Mears, Wisconsin Tribal Conservation Advisory Council; Wayne Geist, Wisconsin Apple Growers Association and Bushel and a Peck Market

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

**Present:** Joanna Kahvedjian, DATCP; Krystal Martin; Kristin Krokowski, University of Wisconsin Madison, Division of Extension; Troy Sprecker, Bureau Director, Food and Recreational Businesses

**Not present:** Jill Cholewa, DATCP; Andrea Northwood, DATCP; Lisa Wipfli, DATCP; Keven Leroy, DATCP.

**Introduction of Guests**

Corey Miller, Organic Valley and council nominee; Stephanie Teclaw, RPE LLC and council nominee

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

Steve called for a motion to approve the agenda. Jay motioned and Lavern seconded the motion. With none objecting, the motion carried.

Steve called for a motion to approve the minutes of November 2023. Lavern motioned and Venice seconded the motion. With none objecting, the minutes were approved.

## Membership Management

*Vice chair:* Steve shared that the Council needs a new Vice Chair as he will be moving into the Chair role. If someone is considering this opportunity for themselves or for someone else, he welcomed them to speak up now or in the coming months. Krystal added that this can feel daunting but welcomed Steve or Josh to share from their experience and welcomed any input on what DATCP can do to support. Josh shared his experience as beneficial as a way to work with his passion for food safety; great to work with the team at DATCP. Steve echoed the positive experience working with this council and facilitation. Lavern asked if we keep the council to hands-on growers for being able to share experience from the field. Steve added that all members can be an officer, that he would encourage a strong leader rather than a less enthusiastic member. Joanna will consult with legal regarding Lavern's nomination for Wayne Geist to see if he can qualify having been recent chair and being close to terming out. Sarah will offer to move to Vice Chair if others are not more interested. Others can email to share interest. There are no restrictions on members serving prior time, so new members can nominate.

*Nominations:* We have two vacancies. One for a nonprofit educational institution and the other a produce farmer.

*Corey Miller Introduction:* Corey shared an introduction of why he is interested. He has been taking part in community-of-practice calls with Wallace Center for Group Gap and is interested in keeping in touch with all things food safety. He started putting together a food safety plan during study at NWTC with Valerie D'Antoine which is ultimately what brought him to Organic Valley (OV). He has been with OV going on 8 years as sole manager of food safety, quality management system and conducting internal audits of that program; he updates food safety templates OV authored for member use. Corey started as a Group Gap member and works with Quality Fresh for audits.

Dan asked about the community-of-practice-what communities would you be sharing with and engaging in WI? Corey replied that it is predominantly growers at OV. Heavy Connect, a database for keeping records, is something we talk about, as well as different advances in the industry. I have taken PSA training, refresher courses and organic crop inspection. Venice expressed that this sounds wonderful and looks forward to learning from him. Produce industry representative is the role he would see himself in.

*Stephanie Teclaw Introduction:* Stephanie introduced herself to the council. She has 9 years at Festival on the grocery side and assistant director of food safety there. A year ago, she moved RPE working with both growers and buyers on the agriculture side. Hsing-Yi used to be leader and encouraged her to be involved. She would like the opportunity to get involved and educated about what is happening in the industry. She educates grower partners about regulatory, compliance concerns. As a representative, she provides resources to a diverse demographic in WI and nationally with 35 different states with sheds and pack houses, working with hundreds of retail partners in US and Canada. She has experience with Wisconsin Grocers Association, and three other associations. Her primary experience is regenerative agriculture and quality control. She is based in the Rhinelander area and is interested in the produce business sector representative as well.

Krystal shared that there is only one position for a produce farmer, but we can add a new position. Steve will bring the issue to consideration with Josh and DATCP. The chair needs to call for the motion and can discuss after the meeting. Sarah expressed that Corey sounds like a great member and, with interest in vice chair position, would be a great candidate.

*Bylaws status:* Troy shared that the department has the initiative to – with a lot of councils in the department – get them all aligned with statute and authority. Some have further to go than others. This group probably needs realignment of the bylaws and clarity of roles. In moving forward, assignments to the Council will route through the secretary; we have been doing them mostly on our own to date, which has been supported so far. The Retail Committee has been pioneering this effort and, once final, will circle back to this group.

The key point is making sure this is a stakeholder group that legislature would look at as representative of the produce industry. Krystal added that Troy has been great at sharing as he learns and Retail has been helpful in communicating about the prospective changes. When they do come, the council and DATCP will not be caught off guard.

In reference to the vacancies and introductions by new nominees, while any changes now would be subject to review along with the council realignment process, the council body in conference with DATCP is the current process for determining representation on the council. As such, Troy does not see any reason the council could not consider revising the educational nonprofit organization representative seat to an education organization, to allow both candidates to fill existing vacancies on the council. Either of these nominees could fill that voice and represent very well. Before the next meeting, DATCP and the council officers can resolve any issues with allowing both members to join. Jay also shared his desire to have both candidates join the committee sharing his perspective that 2026 is going to be a year in the produce industry that is focused on compliance. We need to push as hard as we can to get this into a council to allow DATCP to do what they do best.

Krystal added that once a member is voted in, they will be asked to join a subcommittee. Before next meeting, nominees should consider which subcommittees they are interested in serving on.

## Agency Reports (DATCP)

### Program Administration Update

Krystal started the updates regarding the future of the program and wanted to provide a preview of what is to come. Last year DATCP introduced the concept of sustainability and where to go after the cooperative agreement ends. Even with hearing about the potential continuation of the CAP model, specifics are very unknown. Given the uncertainty of the next term of funding, SWP wants to position itself best for changes down the line. We have about two years remaining on the current CAP. Between now and then, our staff, which is made of project positions, have end dates. Our project positions expire in early 2025 (currently Joanna, Jill and Lisa's positions). This left us wondering what do we do, where do we go from there? We are reticent to hand it back to the FDA. We adopted Ohio's model for Wisconsin, working produce into their Manufactured Foods (MF) section as a specialized area. As we have shared, that transition is already in process. Stefan is one of the staff of MF we have been working with. He knows and interprets technical regulation for us. We also cross-trained three MF inspectors. We brought in those inspectors to all 22 inspections last fall for training giving us the back up of trained staff, provided Lisa's position ends. Now the transition is being introduced across sections. By this summer, the sections will merge. Produce will no longer be a stand-alone program. SWP is looking for opportunities with produce staff in their final 8-10 months to get some cross-training into MF as well. Year 5, we will have trained inspectors. In terms of education, Stefan has been trained to teach grower trainings. He holds a full-time, permanent staff position. More of our education concepts need to be aligned with other Bureau and Division programs. We see more efficient opportunities occurring such as pre-conference offerings because resources will be reduced. The council can provide help in understanding how to utilize resources most efficiently. One benefit of this merge is the streamlining of MF and PSR inspection.

Corey shared positive support for the streamlining of inspections.

*Member discussion: Is Ohio the only state going this way; will the change improve the number of inspections by increasing them; and will a MF inspector be perceived the same way as a produce inspector? (Lavern)*

Krystal shared that she asked many other states, especially those in the north central region what their structures where and how they function. In MI, inspectors are cross trained into various other programs which was not a smooth process for leadership, funding or reporting. The attraction to the Ohio model is the achievability.

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The number of inspections will not be impacted by this change until the end of the current funding model (CAP), where funding from FDA and state will allow the division authority to inspect over and above the 20% FDA allots for inspections. Harder than training MF inspectors to inspect for produce is limiting the inspections to FSMA.

FDA is entertaining discussions of risk-based inspection frequency potentially impacting the frequency of inspections in the future, if they change their model. Troy stated that risk-based decision making aligns well with other programs.

*Can remote or “desk audits” be explored in some cases for inspections? (Corey)* Observation and in person communication of legal concepts are key to effective regulation. The difference between audits and inspections are audits are optional/buyer driven and inspections are required by law.

### **Survey Update**

Joanna shared that the surveys this year are slightly different than last with the two parts combined into one for the full version and sent to those who have not yet been verified. This allows new farms to verify and farms which are not growing produce to inform us of their status and preempt the need to visit to verify them saving resources. While they are paper, they are a very good verification of a farms’ activities not just for a snapshot, but for the whole growing season, and work well to prepare us for inspections. Issues we are having is farms which have transitioned ownership but are still active want us to take them off of the list, instead of sharing the survey with whomever has taken over the farm. The Renewal version was sent to everyone else who has verified in the past. It is slightly altered this year to try to obtain more complete answers than last year. They were sent the first week of February and have been coming in steadily with 200 already received. With the surveys, we sent the glossy gold insert with supporting statements by Josh, Steve, Jenna and Lavern along with contact information for help responding. Joanna asked if any of the members received requests from growers. Lavern reported receiving a few calls from Plain Faith Communities growers asking if they need to complete the survey, and helped guide them to complete it. No others reported receiving calls.

Joanna also noted that the 2022 USDA Agricultural Census has been released and will be reviewed in the coming months.

### **Outreach Update**

Krystal shared that we have a great season lined up, and highlighted that already the Growing Wisconsin conference was a success with diverse grower groups and new farms all represented at the conference training last month. This weekend we will be at the Marbleseed conference where we present a 90 minute “get to know PSR resources and GAP”-style workshop in partnership with Minnesota Extension. Coming up are two more grower trainings and LFPA local food purchasing assistance programs have asked us to give two additional customized trainings to their participants. We have high registration numbers already for those groups. Getting them in the door is the hard part so these are great partner training opportunities. The Produce Safety Alliance (PSA) future is unknown more than ours. Unless their funding is extended, they will shut down this year. Positives are we have trainers who can continue to put on trainings. We can still purchase manuals until they will shut down. It should be a consideration for FDA that the PSA is currently the only approved curriculum that meets the requirements.

The biannual FDA Monitoring Call is specifically focused on outreach and poses the following question “Why have your untrained inspected farms not been trained?” We are looking at a large percent of those from ginseng communities and because there are no repercussions for not taking it at this point and they think they can wait it out. One plain community in particular is resistant to us so far, they are a high percent of the untrained covered group as well.

Troy shared that there is a new administrator for the Division of Food and Recreational Safety.

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

### **State of the Industry**

Steve shared that apple growers' prices are depressed and expect to continue into next year, bigger crop, weather is a concern – warmer than like – huge concerns for spring frost coming. Sarah concurs.

Lavern shared that land prices are favorable.

Members discussed the status of buyers adopting the rule as a standard for safety; some buyers are requesting growers for a credential from DATCP in order to sell to them. Krystal shared an experience where that happened on a MF inspection and that some farms do call and ask to for training at the behest of their buyers. Corey asked about the standards for buyers like Whole Foods since they seem to be continually moving the goal posts. Because PSA training is not annual, the PSA Certificate is not usually enough to qualify a grower to sell to a larger buyer. Generally Harmonized GAP is the minimum. Lavern would like to explore the impact of Traceability on that decision.

### **Subcommittee Reports**

#### *Compliance, Statute and Rules*

Steve shared that this subcommittee meeting was another great example of attendance and engagement. The group continued their discussion of strategies for spreading the message that *all* farms must understand their place and associated regulations within the Produce Safety Rule. The group received the final version of a fact sheet on this topic and was asked for ideas for distribution. The Growing Wisconsin Conference was mentioned as an outlet with over 600 growers registered. Some members also agreed to take copies and share directly with their stakeholder groups. The conversation then switched to the concept of “hybrid” inspections where more pre-inspection activities are done virtually and less of the administrative work done onsite. The growers of the group liked this idea and believed that it would simplify the process and steer clear of the strange delay at the start of inspections and buyers indicated that no issues should exist with this alternative method. Guests from the main meeting had some thoughts on this topic as well, noting that it could streamline processes which would help with audit fatigue and also asking just how far you could take this? Even the walk-through done virtually?

#### *Education, Outreach and Strategic Planning*

Joanna and Lavern reported that the meeting was well attended, with four out of five members present and several ex officio members as well. Wayne encouraged members to go to produce safety rule trainings and to become knowledgeable about the rules on education, outreach and strategic planning requirements through DATCP. Jill asked the group to share ideas for delivery, novel methods and fresh concepts from conferences, events and meetings members have attended. Hsing-Yi described how polling questions and interactive devices are great tools to get to know the audience, and to avoid heavy regulatory language. Lavern shared with DATCP a handout he found helpful in his recent regional committee meetings he attended in Ohio. The handout is meant to prepare growers for key expectations for regulatory emphasis this year and is authored by a trusted and known community member out of Ohio. He suggested that SWP hand them out to growers along with contact information for SWP, especially in the situation of farms resistant to the rule. He reported his concern that higher occurrences of egregious conditions might be seen this year as SWP drills down to folks trying to stay off the radar and reminded the group that hearing positive reinforcement from other growers makes a difference. He concluded by emphasizing where he sees the greatest adoption of the rule with new starting growers and challenges in reaching those established growers. He anticipates a shift away from education with less funding dedicated toward education in the future as the program directs more toward regulation

### **Further Discussion**

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Krystal mentioned on Kristin's behalf the March 5<sup>th</sup> Cleaning and Sanitizing Workshop – please attend and share with your groups; DATCP will be present, but trainers will be a collaboration of FDA, NCR region extension and UW Extension

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

- The next meeting will be Wednesday, May 15<sup>th</sup>
- The next subcommittee meeting will be held Tuesday, April 16<sup>th</sup>
- Nominations for Vice Chair will be voted upon in May.
  - DATCP will review eligibility for former chair, given term nearing end.
- Vote on Corey and Stephanie's nominations will take place in May;
  - DATCP will work on getting both nominees eligible to join the council
  - Nominees should consider which subcommittee(s) they are interested in serving on.

### **Adjourn**

At 11:52 the meeting adjourned.