

Approved August 21, 2024

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

MINUTES

Date: May 15, 2024

Time: 9:30 AM – 12:00 PM

Location: Microsoft Teams

DATCP Division: Food and Recreational Safety

Welcome and Introductions

Call to order: At 9:32, Josh 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: Daniel Cornelius, Intertribal Agricultural Council; Josh Rimmert, Alsum Produce; Jenna LaChance, Organic Valley; Hsing-Yi Hsieh, Festival Foods; Jeffrey Mears, Wisconsin Tribal Conservation Advisory Council; Wayne Geist, Wisconsin Apple Growers Association and Bushel and a Peck Market; Susan Quam, Wisconsin Restaurant Association; Steve Louis, Oakwood Fruit Farm; Sara Ecker, Ecker's Apples; Felix Giboney for Brandi Grayson, Supporting Healthy Black Agriculture/Urban Triage Inc

Not present: Venice Williams, Executive Director of Alices Gardens, Fondy Urban Farms and Food Center; Lavern Zeiset, Zeiset Farm, Communities and Cultures Coordinator; Jay Ellingson, Kwik Trip

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; Jill Cholewa, DATCP; Adam Brock, DATCP;

Not present: Lisa Wipfli, DATCP; Keven Leroy, DATCP

Introduction of Guests

Ryan Bennet, DATCP, BFRB, MF Section, Sarah Chistman, Hunger Task Force prospective council nominee; Stephanie Teclaw, RPE LLC and council nominee

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

Josh called for a motion to approve the agenda. Steve motioned and Wayne seconded the motion. With none opposed, the motion carried.

Josh called for a motion to approve the minutes of February 21, 2024. Jenna motioned and Steve seconded the motion. With none opposed, the motion carried.

Upon request, Joanna responded that she did not receive anything for public comment.

Membership Management

Nominations: Josh presented for the council the two nominees, referencing the Operational Guidelines membership specification that there can be no more than 16 and they must be drawn from the specified representative groups. He highlighted that with seven existing members becoming ineligible for reappointment after November, both nominees can be appointed even if it adds to the number of seats at this time. “If we vote two members in, that will not be a very big concern down the road.”

Hsing-Yi motioned to nominate Stephanie, for her perspective of the retail side of the industry. Having worked with her for many years, and knowing her work ethic, she is excited for Stephanie to join. Steve seconded the motion. Josh called for any other discussion. None was presented. With none opposed to the nomination, the motion carries.

Josh called for a nomination for Corey Miller, emphasizing that he would also fit the produce business, and opened the floor for discussion. Wayne made a motion to nominate him. Jenna seconded the motion. Hearing no opposition, the council welcomed Corey Miller. Jenna asked if a cooperative would fit a non-profit realm. Krystal came to the conclusion that we can add him to a stakeholder group in any of the categories he would fit and add value. Chairperson Rimmer requested to table the decision on representation group for his nomination at this time.

Vice chair: With the end of the term for Chair, and following the order of the council guidelines for transitioning officers, Steve is becoming the new chair. Wayne Geist asked if Stephanie would be willing to accept the vice chair role. Stephanie asked Steve to share his experience as vice chair. Steve described his role: covers for meetings when chair is not available; and works with Krystal and Joanna between meetings. Josh asked if there were any other nominations for vice chair. Hearing none, he called for a second motion to nominate Stephanie. Hsing-Yi seconded the nomination. With none opposed, the motion carried.

Steve encouraged members who are terming out to actively seek new members, encouraging them to bring prospective members to a meeting.

Josh then turned to artificial intelligence (AI). Some members have utilized AI, a technology which records transcriptions of the meeting. DATCP has discouraged recordings of meetings. If justification is desired for allowance, we can get clarification on conduct and how to communicate that requirement. The council has a note taker taking official meeting minutes which are sent out to everyone. Krystal added that the purpose of the council is for member voices to be heard and participate rather than be in listen-only mode. So if you send someone to just document for you to circle back at another time, we do remove those individuals on the call. This can also be problematic for reaching a quorum. If possible, send someone to participate in your absence if you are unable to make it.

Reminder for existing members: welcome letters will be mailed out with background information. Subcommittee assignments are on the second Tuesdays of the month prior to the meeting. That has been better for participation and those have been going extremely well. New members, Stephanie and Corey, get into subcommittees. For Stephanie, Josh would consider placing her into Compliance, Statute and Rules subcommittee, because she is working with a lot of suppliers. Corey working with Organic Valley is assigned to Outreach, Education and Strategic Planning. Stephanie accepted her assignment. Josh will put Corey on other, and if he wants to change, we can revisit the assignment at a later time.

As he prepares to hand off the chair position, Josh thanked DATCP for the opportunity and for the dedicated work, and with Steve becoming chair, is confident he leaves the council in capable hands.

Agency Reports (DATCP)

Program Administration Update

Krystal lead into the report sharing some anecdotes of mornings in her role with her daughter saying, “you go to work in a vegetable garden.” There are big changes coming more and more quickly. Krystal touched on a few of them with outreach and inventory and the Agricultural Water Rule. Krystal assured members that DATCP will provide information to prepare members to advise within their roles. She reminded them of the restructure coming and how the staff have worked for years getting to a point where the program is sustainable. You are familiar with the concept of restructuring produce as an element of Manufactured Foods and referred questions to Ryan Bennet, a member of that team participating in the meeting. Yet, in inventory and outreach, the majority of the work we are able to accomplish is in the hands of people in project positions.

DATCP is sitting in a great position for inspection staff, with nearly all new inspectors signed off to conduct inspections. The areas where we know work is still needed is outreach, inventory and grant reporting. For that, we decided to have a Limited Term Employee (LTE) that will work with our program and assist with produce outreach, verifications, report writing and aggregate data. But one is not going to be able to come up to speed with what the whole team has been able to do. Program leadership will be adjusting some of the processes that have been staples and leaning more into the council for help getting materials into the hands of people the program has not been able to connect with.

Surveys: One of a couple of drastically changing things DATCP would like council’s input on are our surveys changing or going away or finding an alternative for verifications. We send out surveys annually to obtain verifications or reverify farms. We started in 2021 with 26% and we are down to a meager 9% response. We see a lot of the same people replying year over year and we need to start connecting with people we have not been able to connect with so far.

The SWP Registry: This is the public facing website. It is a list farms can select to be on. It was a product of this council, a component of a Specialty Crop Block Grant that we did not move forward with, but the council wanted us to move forward with this portion of it. The Registry lists if they have a SWP audit or inspection. A lot of resources are put into it, but we do not see the value high enough to continue to pursue it. We are bringing forward, as promised, our proposal to council. Josh inquired regarding the number of subscribers, which Krystal responded are 128 currently, with maybe a few more to be added in the post-survey update. Hsing-Yi inquired regarding the timeline DATCP is considering for discontinuation. Krystal responded that we could probably support one more update, but then phase it out after that.

On consolidating the Registry into other programs: One idea DATCP has is consolidating the Registry into other programs that have public facing lists that other groups such as Farmers Union promote. While Hsing-Yi approves of moving away from it, she thinks an assessment of its performance against the goals it set out to achieve is important, as is looking at new alternatives. She suggested that the Education, Outreach and Strategic Planning subcommittee look at that resource shift. Krystal added that while the FDA is renewing outreach funding for now, she believes they are beginning to steer away from it. To that end, DATCP is positioning itself to educate with inspections and anticipates deprioritizing outreach over time. Stephanie inquired what was the benefit to the farm, and does DATCP look at the number of hits on the webpage to understand if it is useful? Krystal responded that we do pull web metrics. Joanna shared that for the exempt farms which took advantage of the SWP audit, it is an easy place to direct their buyers to go to verify if they got the audit, and for farms which submitted a survey, to verify their status and to show potential buyers that they participated in the SWP survey. It shows that farms had some type of food safety connection, and that we are working with all farms across the state, not just covered farms. One of the desires was to be a market access tool so if buyers wanted to see what their requirements were, they could show it to the buyer to verify a status, especially if they are a small farm. Josh asked if, of the 128

listed, Krystal knows the percentage of those that would have had a GAP or higher audit. Krystal can pull the list and add in if they had an audit or not. Josh would like to see that statistic. If we are catching some of the ones at the bottom that do not have a lot of food safety experience or knowledge, it would be interesting to know which demographic of suppliers and size we are getting to. Hsing-Yi would ask if we can pull that for our next subcommittee meeting to provide direction moving forward. Krystal asked members to let her know if there are any other statistics members request. She will currently pull the percentage of covered or inspected farms and percentage which have multiple audits beyond just a SWP inspection.

Agricultural Water Rule

Krystal asked if member had any thoughts on the survey. Hearing none, she moved on to discussing how both agency and council need to get on our feet with the recent publication of the pre-harvest water portion of the agricultural water rules and provided a brief overview and recommendation to members to familiarize with it, the new rule and resources FDA provides on their introductory page, including an overview on the assessment tool, a fact sheet and a webinar. Krystal strongly encouraged members to spend some time going over and considering it. The assessment asks what your water system is, what is the source and distribution, how it is applied, and when and to what crops are you applying it. Environmental conditions, rain wind, what is happening upstream or at your neighbor's property. There is a lot to consider. Once you complete an assessment, there is an online tool, it does not spit out what you should do. As a result, you may want to use this outcomes fact sheet by FDA. Water testing comes in all the way down at the end, which does not give a determination, it is up to farms to determine. Krystal encouraged members to bring questions to us and to FDA – Krystal will share dates of public meetings FDA is hosting coming up. DATCP will stay tuned for what is next for training resources and wants to create resources. We see this as pivotal. Josh shared a webinar FDA is hosting on May 20th noon – 1. Stephanie shared the registration link to members

Inspection Update

Krystal shared celebrations that inspections are 70% completed, despite hiccups with staffing early in the year. Lisa believes the fiscal year 2024 inspections will be completed two weeks in advance of the FDA deadline on June 30th. DATCP will likely begin to see more debits this year for three main reasons: (1) the enforcement of water post-harvest is going into effect and people are using untreated surface water at ginseng operations and untested ground water at others. (2) On our monitoring call, even though FDA is telling us to write significant and egregious violations, we got the go ahead to write more. (3) That is something other states on a separate call agreed upon. In any other food program or audit we would. We looked at four different states, how are we debiting and if we are putting them on the report summary, and we saw similar trends and beliefs. Even if FDA is writing a lot of record keeping violations, we are writing more hand washing, and lack of toilet violations. Krystal feels good that we are conducting really good risk-based inspections.

Outreach Update

Jill provided a quick overview of what SWP has been doing over the winter; somenew things that have developed since the subcommittee meeting, and what is planned for summer and early fall. To recap, a lot of conferences occur in fall and are great for making connections with farmers. At the Growing Wisconsin Conference, with the help of Sara Ecker, we were able to offer a grower training. Registration, participation and feedback was great. Growers liked the efficiency of having the training at the same time as the conference. We got an invitation to attend a day of an Organic Production conference in central Wisconsin with the Division of Agricultural Development at DATCP. This was an opportunity to make new connections with folks who had no idea about SWP.

At Marbleseed, we had a 90-minute session to give growers a snapshot of resources they can take home and how to put together a food safety plan in collaboration with MN extension. There were a lot of speakers of other language participants. It helps let people know what they do not know.

DATCP provided a table and educational materials at the beginning of March at the Hunger Task Force.

Highlights coming up this summer: if this year is like last year, there will be a lot of field day events. Jill will have a chance to give a short and quick overview of the Agricultural Water Rule. While there will be a lot of questions without a lot of specific answers, she can let people know bits of it, the timeline and resources available.

Through making connections at Grower Trainings, the education team at Food and Farm Exploration Center in Steven's Point asked if SWP would be interested in putting together a series in produce safety. The Center wants to do a three-part series where families can be involved. Stay tuned for more details at our next meeting possibly.

Schools and colleges have reached out to learn how farms in WI have been helped, what resources are available. DATCP gets a lot of asks for how to get information to the people organizations work with; and hear a lot of feedback from markets of how we are going to be negative and stop them. As a result, . DATCP is being a lot more aggressive with outreach to farm markets which will be a big part of this summer. The Produce Farm Inventory involves the whole produce team. The goal is to let farms know how their farm is affected by this rule. There is no need to be concerned about something they are hearing second or third hand.

Member Updates and Issues/Further Discussion

State of the Industry

Josh asked Sara to share an update on the apple industry. In western Wisconsin, the orchards are moving ahead with a strong bloom. Most growers are still in the game. Eckers Apples is doing a summer field day that will be a good opportunity for DATCP to get in front of growers. She would like an update from DATCP on plans for the field day.

Wayne, also an apple farmer in the region, is cautiously optimistic given the long time until harvest.

Steve reported that, as most people know in the fruit business, it was quite a harrowing spring with sleepless nights through March and April. Most got through without adverse events. Industry was looking at depressed prices due to the high volume of crop in Washington state and is anticipating much lower prices again this year coming in.

Hsing-Yi reported from Festival Foods grocery stores that there is not much news. Sara had brought up concern with traceability to find out how we work with suppliers with items on the Traceability list. One sad thing is Festival is going to start phasing out the farmers markets that it holds in their parking lots. Festival was caught off guard with the state Department of Revenue (DOR) requirement of collecting seller's permit number or last four digits of their Social Security Number of all vendors on monthly basis. Festival was approached by the department last year with the requirement. It proved to be too much for their store team to do for all markets, so they are prioritizing a couple of communities that are huge, that have a farmer's market association that takes care of it. Hsing-Yi asked members to reach out to her if you know of a farmer's market association that would be interested. Krystal asked her to keep us posted with Traceability. It mirrors the PSR for exemptions except the Qualified Exempt one. She asked Hsing-Yi to let DATCP know what resources are needed. Sara thanked Hsing-Yi for doing everything she possibly can to keep the markets going.

Susan reported concerns over Traceability especially for small restaurant operators who definitively dominate the independent restaurant operators in the state. The biggest issue is related to food safety and produce. The industry is gearing up for tourism season. Hopefully it will be a better year than last. July and August are the biggest, June is ramping up training and hiring. H2B workers will be coming in from all over the world. Hopefully you will all see good trade through tourism.

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Jenna LaChance reported that Organic Valley is gearing up for vegetable season. Everything will be starting to be coming up soon. With 103 days of sunshine, it is a nice spring.

Jeff Mears reported trainings coming up in June with Tribal Produce Safety training at Saint Croix, field dressing venison training for the tribal model food code, and how to sell at wholesale markets for food boxes.

Stephanie shared that WI RPE is done planting. They are seeing an uptick in sustainability and social compliance requirements mostly coming from larger customers like Costcos and Walmarts. The requirements are impacting safety by creating stressors, financial overlap of resources and taking away from food safety resources. RPE is part of a task force with IFPA to understand how the requirements intersect, run in alignment or contradict each other. Both requirements and task force are ramping up. On the Traceability piece, RPE is impacted by a lot of blanket compliance requirements from buyers, regardless of exemptions in the rule. Kroger is taking that compliance approach. Traceability and Sustainability are on our radar together.

Josh shared for Alsum, we wholesale different fruits and vegetables from Canada following the FSMA rule for importing. He just had an FDA inspection on the Food Supplier Verification Program. There is always more compliance coming. Anyone in food safety knows it will always increase. New requirements for suppliers are requesting that you have to have a USDA GAP+ Audit, Primus, or SQF. Standards are getting more and more strict, requiring farmers to do more and more. That pushed down through the scheme where bigger suppliers are almost trying to edge smaller markets out. The value of this council is getting people aware. If growers are not starting out now, farm markets are going to be behind in the future. This program is a great steppingstone to get information out to those who have not gotten started or known about food safety. Planting is done, we have had timely showers and can see potatoes peeking out of the hills.

Dan Cornelius reported that the Tribal Elder Food Box program is making connections within DATCP's Resilient Roof Infrastructure program (ARPA) for intertribal applications. The connection to produce safety building infrastructure is big. With Wisconsin Tribal Conservation Advisory Council's more detailed food safety training, the Tribal Elder Food Box program is incorporating elements of food safety into it, identifying need, making sure there is training and bringing produce support to wash and pack.

Kristin Krokowski reported that because her participation was partly funded through produce safety North Central Region funding which she decided not to renew, this will be her last meeting. Extension has been hiring diversified state fruit and vegetable agents. Kristin will continue working with farmers who are exempt and will make sure to notify DATCP of anything that crosses over with agencies.

Sarah Christman, a guest on the call, was invited to share any remarks from her perspective. Sarah mentioned that she already provided Jill an update for the spring newsletter. Hunger Task Force (HTF) was pleased to be able to offer the space for the FDA NCR Cleaning and Sanitizing workshop. The event had a great group of people who were able to ask potentially scary questions. Winter is the best time for Sarah to participate in the council and thinks it could be a great fit. HTF is a nonprofit education organization. Before making a decision, she does not want to overpromise and is trying to get a sense of the calendar. For the season, greens are in and students have arrived for farm programming. As a food banking organization, HTF is complex. Sarah is the farm produce manager and also sits on the Farm To School Advisory Council with another year in that term. Passionate about day labor, she works with 4000 volunteers touching produce and is interested in figuring out messaging effectively. For now, she is happy to participate in the council unofficially.

Subcommittee Reports

Education, Outreach and Strategic Planning

Jill shared that while attendance was low, the participants had good discussions and great talks. The subcommittee discussed topics of interest to members attending. Wayne asked that the committee examine the subcommittee goals, purpose and what members want to learn, trainings they have attended, what they actually need, who we are reaching, and are we reaching them? The members talked about if we are understanding the strategic planning DATCP needs to do and the Produce Safety Rule clearly. Sara and Hsing-Yi talked about Traceability and how it will affect buyers. Jill, Lisa and Joanna shared takeaways from conference season and its impacts and PSR trainings offered. For action step at the end of the meeting, members talked about challenges and obstacles we are dealing with and how member can assist with the SWP Farm Inventory, Jill asked if members would share information with partners who they feel will benefit from DATCP's services and to really understand what DATCP's role is. Hsing-Yi agreed to share, other attendees agreed. The next meeting will be in July. Sara reiterated, as we are going into summer outreach, a quick traceability example and water rule resources, if you only have a half hour, do a 10-minute traceability mock recall and how you can get your water tested once a year if you are, say, next to a chicken farm. She stressed the need for DATCP to keep pushing events out to public so that they are easy to connect for people interested in attending. Josh and Krystal thanked Sara for her input.

Compliance, Statute and Rules

Steve shared they had low attendance, but it is a busy time in spring with everyone running to catch up. We were not able to do any action voting, but had really good discussion on the introduction of risk-based assessment for inspections. There is a tool on guidance for how states might look at doing that. What water types they use on the farm, how big the farm is, if they pass inspections or have egregious conditions; if they have other inspections like Primus or GAP could factor into how often they have inspections and how they move up the list; how we address those and prioritize based on best use of time/season and make sure to get the most important farms at timely intervals (every year or every other year); and compare with how other inspections prioritize. Some things to continue working out, still unknown are: things that were not in the tool that we will need to factor into the priority including some of the biggest areas inspectors are seeing on inspections: sanitation and training on sanitation; or if they have not taken a training course moves them up in the list; and the timeframe of putting the standards into effect. With training, some of the repeat things we need to highlight as we inspect more are how to get last farms to participate and do the trainings. Some of the last farms to do the trainings are those trying to stay off the list and hoping to be overlooked. Going forward, this is going to be the main topic the subcommittee will be looking at: how we want to develop that potential; come up with a point system; assign scoring and outline it clearly to utilize DATCP inspectors to optimize results. Krystal also chimed in that where this stems from is the requirement that produce standards get put in place like Manufactured Foods and Eggs programs have. Produce will have them sometime in the future. As those requirements need to be followed by states, one of the standards will be to establish a risk-based approach. The committee was looking at a set of standards the NASDA and FDA provided as a template. This group wants to avoid reinventing the wheel when there are good systems in place, and be cognizant of the reality of resources against the demands of the request to find a realistic model.

Josh asked that if anyone else has discussion items they would like to bring back to their respective meetings, that now is your time to add something. Sara added that she has a hard time finding and connecting into the meeting. Apple growers, a 90- minute training annually with what has changed, and then every few years offer that training for new managers, farms.

Further Discussion

Reminder to members terming out in November. Reach out to your groups and find someone to replace your group. We have a nice diverse group. Get a few people to sit in on meetings beforehand.

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Summary of Action Items, Person/s Responsible

- Steve will take over for council Chair.
- Stephanie will be Vice Chair for our next meetings.
- DATCP will provide statistics regarding the Registry for the Education, Outreach and Strategic Planning Subcommittee consideration and continue to provide information on water.
- Members will participate in sharing resources to their connections and learn about the agricultural water rule, and work on recruitment to fill departing seats for those terming out in November.
- August 21 is our next meeting.

Steve wanted to thank Josh for his leadership. As he takes over he will try not to crash the bus. Josh will step in as a guest now and then to keep up on how things are moving along.

Adjourn

At 11:33 Josh called for a motion to adjourn. Jenna motioned. With Wayne seconding the motion, the meeting was adjourned.