

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

MINUTES

Date: November 15, 2023

Time: 9:30 AM – 11:30 AM

Location: Microsoft Teams

DATCP Division: Food and Recreational Safety

Welcome and Introductions

Call to order: At 9:35, 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, and members offered no objections to their comments being recorded.

Introduction of members:

Voting members present include:

Hsing-Yi Hsieh, Festival Foods; Steve Louis, Oakwood Fruit Farm; Jeffrey Mears, Wisconsin Tribal Conservation Advisory Council; Josh Rimmert, Alsum Produce; Lavern Zeiset, Zeiset Farm, Communities and Cultures Coordinator; Corey Miller; Organic Valley for Jenna LaChance, Organic Valley; Sara Ecker, Ecker's Apples; Wayne Geist, Wisconsin Apple Growers Association and Bushel and a Peck Market; Venice Williams, Fondy Farms; Charnice Anderson, Supporting Healthy Black Agriculture/Urban Triage Inc.

Voting members not present include:

Jay Ellingson, Kwik Trip; Susan Quam, Wisconsin Restaurant Association; Daniel Cornelius, Intertribal Agricultural Council

Non-voting ex-officio members present include:

Jill Cholewa, DATCP; Joanna Kahvedjian, DATCP; Krystal Martin; Andrea Northwood, DATCP; Lisa Wipfli, DATCP. Kristin Krokowski, University of Wisconsin Madison, Division of Extension.

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

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

Josh called for a motion to approve the minutes of August 16th. Steve motioned and Hsing-Yi seconded the motion. With none objecting, the minutes were approved.

Membership Management

Wayne stepped in as lead for the Education, Outreach and Strategic Planning Subcommittee. Joanna reminded the council that the nomination form for vacant seats is up on the advisory council website.

Approved February 21, 2024

Josh shared that some changes are coming and wants to talk with the Compliance, Statute and Rules Subcommittee since they will be assigned the bylaws to review. Krystal elaborated that the council has been previously informed that changes are needed, that DATCP is trying to align all councils; and with that, there will be new policies and procedures as to what the councils will look like. Krystal provided new information regarding the timeline for receiving and implementing these changes, noting that the subcommittee will likely hear something before next quarter's meetings.

It was noted that some people will be terming out November 2024. It is critical to start grooming new members by providing a background. Additionally, nominations for a new vice-chair should be considered.

Agency Reports (DATCP)

Program and Inspection report

Krystal began by announcing that DATCP may be requesting input between meetings to break up the three-months-long gap between meetings and allow more continuity of thought and hopefully contribute to connectedness in the interim. "I want to build momentum across the board."

Krystal shared a general overview of items from the program's biannual monitoring call with the FDA project manager and project oversight team during which DATCP reviewed all of year two and summarized the program plans for year three. The project manager was overall very happy with the program's reports and objectives. She did not have a lot of questions for DATCP, rather DATCP had a lot for the FDA team. One area discussed was how to identify and connect with farms which are essentially hiding or avoiding this regulation. DATCP asked regarding other states where the FDA conducts the programming, how the FDA is dealing with farms where they do not have enough information to put the inventory-to-regulatory puzzle together and concluded that, with the task this council's Compliance, Statute and Rules Subcommittee is working on to address that specific area, the DATCP processes are more advanced than what FDA has in place.

Quarterly reporting is due December 1st and includes aggregate data numbers and narrative reports. DATCP is on track with its projected goals for this report. In the areas where there is currently less to report (e.g. education, outreach and technical assistance), there will be more to report once the season shifts after the holidays and therefore no concerns exist in the meantime.

The National Association of States Departments of Agriculture Consortium took place last week. In determining who to send, DATCP looked at who it really needed to attend and determined that all staff can be considered key personnel: Jill with education and outreach, Lisa with inspections; and Joanna with inventory - all key components of the program. DATCP approved sending the entire staff.

Though FDA did not confirm this with absolute certainty, one of the biggest take-aways from the consortium was that they anticipate when this Cooperative Agreement Program (CAP) expires, they will continue into a third CAP. What exactly that would look like was not provided. Right now funding is evenly split between the regulatory and the outreach side of the program and is budgeted for five years. What FDA heard from a number of states and the Association of Food and Drug Officials is that education is a key element of the funding. Krystal opened up the topic to other colleagues who attended to share perspectives and to the council to ask questions.

Joanna shared one take away-namely that all of the components of the program matter for relationship building, for preventative approaches and for building a culture of food safety.

Josh asked Krystal what is DATCP's vision for this program in 2026. Krystal shared that Safe Wisconsin Produce (SWP) fill a critical need as the first step to ensuring safe food from field to fork. She reiterated that regardless of the specific direction, a restructuring is necessary and therefore SWP continues to move in parallel with Ohio's program which incorporates produce into the Manufactured Foods (MF) program while continuing with the CAP.

Next, Krystal transitioned into the inspection season report. "In the second quarter meeting (August 2023), we mentioned, that Stefan, Andrew, Jake and Caroline began working with our group. We cross-trained the three MF inspectors along with Jill and also trained Lisa as our new primary inspector. We saw inspections come to a halt last spring with the departure of Amanda and Bridget, and myself going on FMLA. It was a busy time not to be doing inspections, especially with a goal of 49 inspections by the end of June. We had zero completed as of the last day of August; however, from September through the middle of October, 21 inspections were completed. Each one was completed as a joint inspection and training opportunity. We were not only doing work with growers, we were bringing our program to a more sustainable place. This spring, Lisa will lead the charge in independent work followed by one of the manufactured food inspectors. We will be able to finish our last half of inspections in the May and June timeline. We have already identified a good number of farms to be able to fill those final places we inspect. We are starting to document more observations, not just egregious, including water violations on large farms and did have a report where we wrote observations and shared it with FDA." Some other states are documenting a lot.

DATCP collaboratively conducted three inspections with Minnesota this season, inspecting three locations of one farm collaboratively. Minnesota is a Path C state under the CAP, having their own state regulation, so what they could document and write was different than what DATCP could under FDA guidance. Krystal shared that her hope in moving forward is that there may be more flexibility with states doing risk-based inspection and documentation.

In moving out of inspection season, the program is now thinking about surveys. Last year the process was adjusted. People who had never responded to the survey, or had not responded in more than three years, were sent a full survey in long form. If a farm had responded to a survey within the last three years [or were verified via another means], they received a renewal document prefilled with their farm information that they only had to verify for accuracy and fill in any blanks. The program received quite a bit of positive feedback. That said, with the hopes for continuous improvement, Krystal is asking that the council provide some input (e.g. "this is confusing" or "we do this and suggest you do x"...). Unfortunately, there also continues to be a lower number of responses and more incomplete responses. The Council will hear from SWP between now and the February meeting with requests for input. Hsing-Yi asked if there are some incentives to share with the survey such as a gift card or other give away and if members can donate towards that. Josh agrees that may help DATCP get a better response. Lavern suggested to list some of the council members to contact and asked what method DATCP uses to prioritize farms for inspection (e.g. largest to smallest or are they randomly picked)? Krystal shared that it is a mix based on FDA guidance and program requirements (e.g. seasonality, location, etc.).

Outreach Update

Jill shared that she learned a lot during the consortium and took away how each state program is vastly different, depending on how much buy-in there is and under which Cooperative Agreement Program path each state operates. "It was also great to meet with everyone with that same understanding and passion to share resources."

This week Jill attended the Food Entrepreneurship Ecosystem Development (formerly called Edible Start Ups) FEED Summit. It is the food systems program through the Division of Extension for food and farming businesses throughout Wisconsin starting small businesses. She was able to share resources alongside of the licensing team.

Most of the people liked that they get two pieces of information at the same place/time. What was surprising was how many people asked questions from the buyer's perspective. They asked about trainings and when asked, for example, "I have someone working in my business wanting to purchase from local producers," this event offered a chance to share information about the Safe Wisconsin Produce Registry.

Looking forward into early 2024, something new that DATCP will be able to offer is a Produce Safety Alliance Grower Training coinciding with the Growing Wisconsin Conference, formally known as the Wisconsin Fresh Fruit and Vegetable Conference. This will be the first training of the season DATCP is offering, and will be on Sunday, the first day of the conference which runs Sunday – Tuesday. That training will be tentatively followed by one virtual, two in-person trainings (in Wausau and Madison), and possibly one more in-person at the Fennimore auction house.

SWP will be working with the MN Extension education office to offer a workshop for creating and developing how to put together a farm food safety program at the Marbleseed Conference in LaCrosse and also attending the WI Potato and Vegetable Grower's Association Industry Show in Steven's Point.

Additionally, Lisa and Jill are starting work on improving the Safe Wisconsin Produce website; to do clean up, add new things, and reorganize it.

Member Updates and Issues/Further Discussion

State of the Industry

Josh, for the potato growing industry, shared that Alsum just finished harvesting potatoes at the end of October. It was a decent fall for harvesting, estimated as a best season in 8-10 years. The good news is that everyone should have plenty of potatoes for Thanksgiving! With a lot of drought further south affecting pumpkins, it was a good year for those in Wisconsin as well. "The future outlook is plentiful."

Wayne, for the apple industry, shared that it was a good year – maybe too good. Too much good quality fruit was hanging on the trees with too little time to remove it!

Steve, also for the apple industry, shared that his crop was more effected by the drought, but the overall quality was good. The crop across the US is big everywhere so wholesale pricing is challenging. The good news is that the market grew strongly in COVID and has remained strong.

Lavern, for the auction house, shared that Zeiset Farms and the Central Wisconsin Auction had a tremendous year: good crops, good quality, sufficient in water, not overabundant, just right. On the food safety end, when growers asked Lavern throughout the season "What do you hear, what is going on?" he usually told them not a lot has changed, continue keeping records, and that it is best to be prepared. Lavern reported that some growers decided only to grow things Rarely Consumer Raw just to get out from under the regulation, although those are probably the ones which were borderline egregious. Lavern concluded his report stating, "We are glad of this program's efforts to keep people aware because they are now aware."

Hsing-Yi, for retail grocery industry, shared they are gearing up for the holiday season. She stated that when it comes to recalls (e.g. cantaloupe and diced onion), it is amazing late this information comes to the retail grocery industry. Right now she isn't aware of any complaints of illnesses that come from cantaloupe that was purchased from Festival; however, they did have to remove potentially affected product from shelves. The traceability rule is coming and will be daunting for retailers. If a buyer gets a product found on the traceability list from a farmer who is exempt, that buyer is then responsible for creating the lot. Festival does buy local and anticipates that many of the producers will be exempt from the traceability rule. Krystal noted, while DATCP is close to those growers,

Safe Wisconsin Produce staff are not experts on traceability, and asked for input as Hsing-Yi learns more. Hsing-Yi shared how meeting the standard for traceability will be burdensome especially given that current technology is insufficient to meet the requirements of the rule. Hsing-Yi is partnering with a group of retailers to organize a tour with FDA of the warehouse to teach them how this is difficult for retailers.

Jeff presented briefly about the Tribal Food Safety Training series. Wisconsin Tribal Conservation Advisory Council (WTCAC) just concluded the traditional model food code training. The code covers more traditional things like venison, etc. so it can be sold and used in school or elsewhere. The series also has farmers market and elder food box training. The Great Lakes Intertribal Food Coalition started with three tribes and delivered 10,800 boxes in 2022 and this year, with 11 tribes in WI, 24,400 boxes were distributed.

Venice is happy to be with everyone, looks forward to learning and serving to come. She is the executive director of Fondy Foods Center and runs the Fondy Farms project of 24 small family farms. She is also the Executive Director of Alice's Gardens urban farms in Milwaukee, in their 51st year of urban farming on multiple acres in the city. Venice is also a grower of herbal crops, being of African American and Choctaw descent of Alabama, comes from a historical farming background. Venice pointed out that she thinks the herbal industry is not understood in terms of intention and supply chain. It has had a significant expansion and recognition over the past decades with COVID making the country aware of the power of herbs. In this position, she is interested in learning and sharing some of where she thinks we are and need to be progressing related to herb propagation and retail. It is an industry that should not and will not be ignored and has a lot of possibilities on a large scale. Even today following the meeting, Venice is looking forward to going to two such farms to continue to harvest. Regarding production, in the months to come, Fondy and other urban farming initiatives plan to spend a lot of time focused on cultural crops and the importance of cultivating them in the urban market.

For Organic Valley (OV) cooperative industry, Corey Miller shared how, like a lot of farms in Wisconsin, member farms have dealt with a lot of drought early on, but have been selling everything growers can bring in and at great prices. OV would like to expand their supply and grow the produce membership for year-round offerings. Made up of mostly Plain Communities farms, OV does education on farm, including helping farms with food safety plans, and updating all paperwork. At this point, all growers go through a third-party inspection (Quality Fresh out of OH), licensed by the International Fresh Produce Association to use their harmonized standard. All of those audits are wrapped up for the season and they are hitting the holidays with Brussels sprouts and squash.

Committees

Wayne opened the subcommittee report by discussing whether or not the Education, Outreach and Strategic Planning Subcommittee topics should be incorporated into the main meeting stating that a lot of the topics this group covers are repeat topics. Krystal added that this repetition in the conversations leads to confusion and that these meetings are a lot of effort for low output. Lavern shared that despite the variety of responsibilities associated with the group and slow progress towards accomplishing them, there is value in staying connected and would like the meeting frequency to strike the right balance of staying connected and the level of effort needed to achieve that. Josh agreed with the comments and further shared that at one point, the council expressed a preference to have subcommittees meet the week prior to full meetings. However, the issue with that timeline is that because the main meeting follows so closely on the heels of the subcommittees, members feel like they are meeting too frequently. In conclusion, Josh indicated that there would not be a vote during this meeting, but that he would have it discussed at our next meeting. Joanna noted, with the open meeting notice requirement essential for meeting, it is important to have a structured procedure in place for any meetings of the council, subcommittees included.

Steve opened the Compliance, Statute and Rules Subcommittee report expressing that he thought it was one of the most productive meetings the group has had in terms of attendance and discussion. The members talked about the project the group has been developing informally referenced as the "white paper." The group reviewed the first draft DATCP prepared for them and thought it was a good reference for the council members, but probably too

long for the intended audience. The members recommended to make it a short page, hitting the key point that all farms are covered in some way or another under rule (i.e. you have to be able to demonstrate that you are exempt because you could have an inspection performed on your farm otherwise). Krystal is going to provide a draft showing “here is what you have to do”...”here’s where you have to go”...”here’s how to comply” to the committee for review by December 1st. At the end of the meeting, Krystal brought the members up to speed in the meaning of CAP Path A, B, C, and where Wisconsin is within that range (Path B). Members also discussed the differences between USDA GAP and FSMA and how some farms felt they are in between those. Overall, the members felt the meeting was a good conversation and that the white paper project is a positive example of how a subcommittee can be effective.

Further Discussion

Lavern spoke on the topic of Traceability: “As an auction house order buyer, one of the first concerns they have is making sure traceability is in place. That is probably the number one point that insurance companies see as a liability.”

Josh introduced the dates for the quarterly meetings for the coming calendar year.

Next meeting will be in-person. The council discussed two possible central locations: Westfield Police Department/Town Hall and Madison at Alsum. Josh shared that the Council and DATCP will work details and get them out soon.

Summary of Action Items, Person/s Responsible

- Communications for survey input (December)
- Next draft of the “white paper” to the Compliance and Statute and Rules subcommittee (December)
- Review of bylaws when those come out (likely December)
- Brainstorm possibilities for subcommittees (for vote during February meeting)
- Next meeting Wednesday, February 21st 2024, 9:30 am -noon.

Adjourn

At 11:18 Josh called for a motion to adjourn. Lavern motioned and Steve seconded the motion. With no objections, the motion carried.