

**DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER
PROTECTION (DATCP)**

FOOD SAFETY ADVISORY COMMITTEE

February 28, 2020
Department of Agriculture, Trade & Consumer Protection
Prairie Oaks State Office Building (POSOB)
CR 106 Board Room
Madison, WI
9:00AM – 12:00PM

Call to Order:

Carrie called the meeting to order at 9:00 am.

Roll Call:

Dana Skillrud, Cheri Schweitzer, Susan Quam, Kirsten Voss, Todd Drew, Brian Hobbs, Julie Hults, Hsing –Yi Hsieh

Joining by conference line: Tracynda Davis, Jay Ellingson, **Jessica Hoover**, Jessica Zetlua

Ex-officio: James Kaplanek (Jim), Carrie Pohjola, Kara Paul, Steve Ingham, Reed McRoberts, Amy Millard, Troy Sprecker, James Mack.

Guests: Andrew Schmitt – Saputo Cheese USA, Lisa Lucht - DATCP

Additions to agenda: No

Consideration of Minutes:

July meeting minutes: Dana motioned to approve, Todd second. Approved

October meeting minutes: Dana motioned, Jay second. Discussion – NONE. Approved

Public Comment/Input:

None

Disclosures and Recusals:

None

Membership Updates:

Rebekkah Plano has left, replaced by Kirsten Voss. Rebekkah was interim chair with Jay Ellingson for the term ending October 2021. Todd nominated Brian, second by Dana.

Discussion – None. Jay Ellingson and Brian Hobbs will be co-chairs.

Carrie: Open spot for a DATCP person in the spreadsheet and bylaws and if so who should we have fill this position? Jim Kaplanek will look into nominating someone.

Member Issues:

Susan Quam received information that DHS was developing a FBI online complaint form that is currently in testing mode. She is concerned over the content of the form and some of the questions on the form. She is unable to access it online at this time. Was this a collaboration with DATCP? Troy spoke with Jim Beix and yes DHS is the lead agency, there was a beta testing form, DATCP has had some input. DHS worked with CO Center of Excellence to create. It is in a formative process, possible topic for Jim Beix and Jordan to speak about at the next FSAC meeting. James Kaplanek added that the intent was a coordinated effort to encourage all local health departments to ask the same questions when investigating FBI outbreaks and allow for the collection of the same information at each health department. Susan stated it did not look like the CIFOR form – why would there be a difference? Carrie will add to the April meeting for further discussion

Todd Drew – concerns over food delivery companies advertising business that didn't even know that they were part of. Delivery company is using pictures and names of restaurants on their website without the knowledge of those restaurants. Operators are concerned about this. Delivery company is paying for the food and then reselling it to the customer – does this make the restaurant a wholesaler (unknowingly)? Susan Quam stated legislation is forthcoming – not this session. James Kaplanek stated DATCP believes this is still a retail sale and DATCP is working on how to approach this situation. If they contract with the restaurant then there is no problem. This is also an issue with retail establishments. Brian – requesting clear policy from DATCP. What if someone goes to Subway, buys a bunch of subs and then resells them at a different location? It is great if establishments could respond to Susan to show there is a large problem with this food delivery activity. Kwik Trip uses Eat Streets for delivery service and Festival Foods also uses a delivery service. Both have coolers and check the time from store to delivery to the customers. Both services are contracted by the company.

CONFERENCE FOR FOOD PROTECTION:

FSAC Committee could schedule a separate meeting to discuss specific issues if needed. There are over 100 issues. DATCP has had some preliminary discussions. DATCP would like to be prepared to support industry or make recommended changes at the conference if we can get your input. WI is submitting 7 issues. Kwik Trip is submitting 1 issue. Carrie will send out a doodle poll to see what day will work best – phone conference or skype meeting may work best due to busy schedules. Carrie will send out - 2 hour time slots for March 24, 25, 26th. Julie is on council 1, Katie Matulis, Arthur Ness, Jim Kaplanek, Carrie Pohjola (council 3) Julie Hults and Mike Otzelberger will be speaking on FDA VNRPS 2 & 9.

DATCP Issues/Updates:

Troy Sprecker – FDA created opportunity within a grant program for a Food Protection Task Force. Iowa has a similar program. FDA wants to promote all states to have a food protection task force – we already have this group formed it is our FSAC group. DATCP intends to take \$10,000 from the FDA grant for the purpose of this group. FSAC name is interchangeable with FPTF. FDA VNRPS Standard 9.

Reed McRoberts: equipment committee looking at outdoor smokers. A new guidance has been created. There are 7 criteria, food grade material, homemade or custom but not repurposed; enclosed, grease catch, no interior paint, safe fuel source, demonstration of knowledge on cleaning of equipment. More in the works from retail policy committee. James Kaplanek emailed out the new guidance.

Reed McRoberts: Retail mailbox receives a number of questions regarding pets in retail/restaurant establishments. Where does DATCP draw the line? Service animals allowed by statute. Emotional support animals have statutory rights in housing but not public places... tread lightly. Only 2 questions allowed. Is that a service animal and what tasks has it been trained to do. Only dogs and miniature horses are allowed as service animals all others are emotional support animals. Variances for vet clinics in retail establishments – separation, separate air ventilation, bathrooms (key card approach) staff at retail have SOPs in place to ask about pets and making sure people don't take pets from clinic directly in to the attached retail establishment. Hsing-Yi – therapy dogs too. Madison Civil rights site has some information on the 3 type of animals. Hsing-Yi Festival Foods offers to shop for the person to prevent the animal from coming into the store. Brian – how about an employee with a service animal? This is a food safety issue, cannot interfere with safe food practices. Susan Quam - Peter Berg at Great Lakes ADA is a good source of information. He knows both side ADA vs Food Code. Julie – City of MKE has a number of variances for dogs on the patio. Dog can eat on the ground with a single service dish. Todd in breweries without a retail license the inspector will have to use judgement – could cite it under sanitation. Susan – so a brewery with under 1000 barrels, licensed by DATCP no dogs allowed but a brewery with >1000 barrels then dogs can be allowed since there is no food license. Jim K - yes. Julie Hults – hotels have customers entering with the dog in the main entrance even when a restaurant is inside, but non-hotel customers must bring dog only onto outside patio. Bring FIDO app that lets you know which places allow dogs. Susan Quam – ADA is a federal law would trump WI law is this correct? Only dogs and miniature horses. There is a lot of false information on the web. Service animals in training must be ID and allowed.

Steve: ATCP 70 published. ATCP 75 back at legislature for second try. Brian - Meat plants that need retail food license is waiting on ATCP 75. Meat bureau will send notices to meat establishments once 75 passes about the change in licensing.

At last meeting: we discussed a letter of support for the Produce Safety Section. Rebekkah was going to do this but she is no longer a member. Table according to Steve Ingham this letter is probably no longer needed.

Listeria Surveillance Program (Department Swabbing Program), Lisa Lucht: Traditional agent swabbing has been put on hold. DATCP is considering tag teaming with NEARS outbreak investigations. James Kaplanek: Good Sampling Program for MN. Train the trainer training is in May 2020. Then hope to have a discussion with the group regarding targeting swabbing. Carrie: why we halted the traditional program? 3 agents/30 samples a month in retail and only 1 bad sample. Seemed like it was time to look at changing the program since results were always coming back good. Todd – is there a platform such as Share Point to have a discussion post about sharing sampling supplies? Menasha lost a lot of product due to expiration. Troy/Reed is thinking about keeping sampling supplies at Central Office and ship to the agent when they need them.

FDA VNRPS Program Standard 9: James Kaplanek. First risk factor subcommittee group meeting last week based on 2018 data retrieved from state restaurant facilities from Health Space. Looking at DATCPs opportunity to meet Standard 9. Running thru data chose the top 5

categories to concentrate on. Then picked 2 of the 5 violation numbers to do interventions on. Handwashing how and where and cross contamination issues surfaces and storage. Opportunity to provide consistency among our staff and provide industry handouts and information to distribute to their staff. Looking online for good documentation and kits available. Will meet in a month or 2 to see what has been found. Hope to not have to create documentation. Will develop a staff and industry training, bring that to the FSAC committee, then work to roll it out. Then look at data again to see if there was a change. Tracynda – resources available on food shield.

State Committee Updates:

Retail Policy Committee: James Kaplanek, Smoker guidance discussed earlier. Outdoor cooking policy will be revisited again. Using Conference for Food Protection Outdoor Cooking Guidance to create an updated policy. Outside is limited to cooking. The new policy is in the review stages. All establishments will be defined in the document and what is required for each type of establishment. Bulk of food processing should occur inside in the support kitchen. Could be a zoning issue in urban environments probably not in a rural area. No plumbing or ventilation issues most concerned that there is a licensed facility to support the outdoor cooking.

Handout Committee: Kara provided update on completed retail labeling handout in January 2020.

Equipment Committee: updating handout to address nescos, instapot and crock pots for hot holding only per retail committee request. Julie – can nescos be used for cooking? Jim – No. Brian – disagrees that most agents are allowing nescos for cooking. Looked at equipment brochure and they are allowed for reheating and hot holding only. Julie – could equipment committee add that you can use crock pot as a hot water utensil holder? 135 degrees F for hot water utensil holding.

National Committees:

Susan: No committees have met, busy submitting issues. CFPM is meeting at CFP (Conference for Food Protection). All committees will be looking for participation. Will know what committees are available for people to sign up for at our next FSAC meeting in April. FDA VNRPS Committee is also meeting on Sunday of CFP.

Legislative Updates:

Steve updated 70 and 75 earlier in the meeting.

Susan: Allergen bill is dead, it did not make the floor of the assembly. Susan gave written support. There was no opposition so unsure why it didn't make the floor. 2 bills – separated: One: require a statement in addition to consumer advisory regarding if you have a food allergy you must inform your server. Puts the responsibility on the customer. For example, I am allergic to cheese, does that burger have cheese on it? Second: mandatory poster hung for all employees to see outlining the 8 major allergens, call 911.

Hsing-Yi: bills on labeling non-meat products and non-dairy products. Steve: must pass at 10 or more of the 15 states (strength in numbers). The bills have passed the assembly. At the senate.

Action Items:

Draft for Approval

Carrie will talk to Jim and Jordan about the FBI reporting form and presenting next meeting.

Carrie will send out a doodle poll for the March meeting on CFP submissions.

Future Meeting Items and Dates:

The next Advisory Committee Meeting will be held on April 24, 2020 at 9:00 am.

Adjourn:

11:10 am Dana motioned to adjourn. Cheri seconded the motion.