

DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION (DATCP)

RETAIL FOOD SAFETY ADVISORY COMMITTEE

January 27, 2023

Kalahari Resort 1305 Kalahari Drive, Wisconsin Dells and Microsoft Teams Meeting
9:00AM – 12:00PM

Call to Order:

Jay Ellingson called the meeting to order at 9:00 am

Roll Call:

Jay Ellingson, John Chastan, Brian Hobbs, Cheri Schweitzer, Kirsten Homstad, Courtney Kempfert, Michael Nordos, Daniel Tew, Laura Temke, Jessica Hoover, Wahajuddin Syed, Todd Drew, Susan Quam, Julie Hults, Hsing-Yi Hsieh

Ex-officio: James Kaplanek, Kara Paul, Carrie Pohjola, Jean Finger, Joseph Myers, Amy Millard, Reed McRoberts

Guests: Charles Clark - DHS, Evan Powell - KT, Andrea Northwood - DATCP, Dianne Handsaker – WAMP, Jim Beix-DATCP, Michelle (capgroupwi.com)

Additions to agenda/change of order:

Jim K requests the addition of WI Association of Meat Producers to the RFSAC committee.

Hsing-Yi requests addition of poisonous materials during inspections to membership issues.

Consideration of Minutes: Todd Drew would like to be added to roll call. Add Kara's name to handout committee. Cheri S. will help with attendance for each meeting. Minutes from previous meeting will be updated to reflect the changes. Motion to approve by John Chastain; seconded by Hsing-Yi Hsieh

Public Comment/Input:

None

Disclosures and Recusals:

None

Membership Updates:

Subcommittee update:

Discussed WAMP entering as a RFSAC member. Dianne Handsaker dianne@wiamp.com spoke regarding WAMP. Since meat producers are entering the retail world the industry would like to be involved in this group and it's discussions. Jim K agrees that this would be a good addition to the group. They have a vested interest. Many meat establishments are obtaining retail food licenses and suggest to have them as a standing member on the RFSAC committee.

Would need to amend the bylaws/guidelines to add an additional seat. Propose language change and approve at the next meeting. We are currently at the max of 15 seats. We will also need to make changes when trying to move from a committee to a council so maybe do it all at once.

Could we just make a motion for committee approval? Bylaws don't prohibit it.

Susan Q motioned to add Wisconsin Association of Meat Producers, WAMP, to the committee. Courtney seconded the motion. All agreed and none opposed. WAMP will need to provide official contact information for this new seat member. We now have 16 seats on the committee.

Subcommittee update:

Plan is still to move this committee to a council. Laura is heading up the subcommittee and has worked on a draft letter which she will send to the subcommittee for a rough draft to get out to the group. There is no timeline at this point for creating the council.

Member Issues:

Poisonous storage in retail facilities

Background from Hsing Yi: facility was written up for batteries above candy bars and lighters hung above candy bars. The liquid posed a higher risk so yes this would be a violation according to the inspector in that agent county. Retail Food Scientists stated packaging intact it would not be a violation.

Carrie – discussion at length with agent county. We want inspectors to focus the inspection on risk. Technically it is a violation, however, must consider risk. This is a training issue with so many new staff.

Mike – The code is there if you see a violation that creates a risk. If it wasn't in the code you couldn't write it. Does it mean you have to write everything? No. Everything is meant for inspectors to assess risk. I would guide them away from writing this as a violation because the risk is so low and there are bigger concerns to focus on in a retail setting. But yes, they could write it as a violation.

Other topics:

Susan – Yelp now does their own grading system for establishments. They go into public inspection records and review available reports/data and assign a score to the facility. The State doesn't support scoring/grading but there is nothing to prevent them from doing it. This makes reporting writing and uniformity in report writing critical.

Susan – I have heard that food manufacturers cannot guarantee cross contact between products so they are putting sesame flour in products to just cover themselves. This may limit the availability of sesame free products.

Jay – Frank stepping down the end of February. Food safety culture is coming over the next years. 2022 food code came out, good things included, such as employees taking responsibility for food safety. Also, include water temperature for hand washing.

Cheri – NY Times article regarding the ServSafe class and restaurant associations etc. keeping wages low yet requiring food handling training – see link:
<https://www.restaurantbusinessonline.com/operations/restaurants-standard-defense-against-food-poisoning-drawing-fire>

WRA utilizes funds for career building programs. There are also 7 providers for CFPM exams available.

Risk Factor data provides information on importance of employee training.

Conference for Food Protection (CFP) Update

Issue submission was on Monday. WI submitted 3 issues: First, better clarification on V/D clean up procedures. Request that the procedures are put in rule if it is that important. Second, chemical test strips have an expiration date and the code should indicate that they may not be used after expiration. Third, an e-commerce committee needs to be created. Provide language in the code regarding e-commerce.

Carrie-Council 3: guidance document for safe use of reusable containers was finalized. Proposed language changes and definition for “reusable”.

Susan – CFPM committee (standing committee) Goal is maintain the Standard. This only addresses the exam development. Nothing to do with training of managers. Four issues were submitted. Addressed that question regarding certification should be 4 years and not 5 and should match up with the release of the new food code every 4 years. Committee does not support the change

Food Safety Management Systems committee – look at pros and cons of retail food establishments creating a food safety management system. Requesting this become a standing committee due to it being a high priority of FDA and modernization efforts.

Hsing-Yi- Employee training committee updated the 2016 document.

Julie – submission committee. 81 issues were submitted.

DATCP Issues/ Updates

1. Manufactured Food:

Jean Finger – technical specialists have worked on many educational materials regarding sesame and getting the word out that it is a new allergen. This included sending out multiple gov delivery messages.

2. Retail Food:

Jim K – AFDO (association of food and drug officials) came and visited the Department. AFDO is coming out with an active managerial control program for retail food industry. AFDO is also trying to gather nation wide inspection data. Visit AFDO website for additional information.

Recreational code and pool code have been assigned committees. Waiting for governor to sign the scope statement for the lodging code. Food code (75) revision will hopefully start fall of 2023.

At the end of December Cottage Food Ruling. DATCP may not provide an interpretation or guidance to the public. We may only refer them to the judicial ruling. DOJ feels DATCP should appeal. We are waiting to see what DATCP will do.

State Committee Updates:

1. Retail Policy Committee

Jim K – working on what qualifies as a food item in a vending machine.

2. Handout Committee

Kara P - Since our last meeting we have released on updated fact sheet for allergens (to include sesame) and bare hand contact with ready to eat foods. The committee will continue to work on updating any of the older documents on our website and producing new documents as needed.

3. Equipment Committee

Jim K- New company that is meeting ANSI standards so the equipment brochure is in the process of being updated. Other equipment may be added to the brochure too that may not need to be reviewed by the committee and would be included as acceptable equipment.

4. Other Outstanding Committee work

Jim K – Risk Factor work group. Jim presented to the committee the survey and the results of the survey. Data was taken from 2019 retail food establishments and did not include prepackaged or transient facilities. This data was used to create the intervention: hand washing.

National Committee Updates:

FDA Food Safety Retail Partnership group meeting next week

Legislative Updates:

Susan - Cottage Food ruling discussion. Trying to get something into statute to provide some authority over cottage food. Supported by WRA, Bakers Association and others.

Action Items:

Guideline Review: Discussed earlier in the meeting

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Future Agenda items & Dates

Next Meeting April 21, 2023, will be hybrid again.

Additional comments:

none

Adjourn:

Jay adjourned the meeting at 12:08 pm.