

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

DAIRY RULES ADVISORY COMMITTEE (DRAC)  
MEETING MINUTES

**Date:** November 30, 2023

**Time:** 9:00 a.m. – 11:00 a.m.

**Location:** Center for Dairy Research-Madison, WI and Virtual Teams Meeting

### Welcome and Introduction

**Call to order:**

Adam Brock called the meeting to order at 9:04 a.m.

**Open meeting notice:**

Adam Brock stated the meeting is a public meeting. The open meeting notice has been posted.

**Roll Call:**

Members in attendance: Gloria Joseph, Andy Johnson, Dawn Walter, Bob Wills, Jessica Hansen, Ben Shibler, Nelson Schrock, Pete Hesprich, Adam Brock, Kristen Houck, John Umhoefer, Jason Mugnaini, Mick Homb, Daniel Smith, Shelly Mayer, Alex O'Brien, Scott Rankin, and Laura Traas

Others in attendance: John Haag, Janet Foust, Kristen Strohmer, Brandon Johnson, Dean Hines, Max Huebner, Kate Angeles, Andrea Northwood, Jim Pikka, Tyson Villarreal, Troy Sprecker, Mary Rollins, and Michelle Steinmetz

**Approval of agenda:**

Pete Hesprich made a motion to approve the agenda. Motion was seconded by Alex O'Brien. The agenda was approved.

**Approve previous meeting minutes:**

No corrections to the previous meeting minutes for the DRAC September 7, 2023 meeting. Pete Hesprich made a motion to approve the meeting minutes. Motion was seconded by Bob Wills. Meeting minutes were approved.

**Public comments:** There were no public comments made.

**Membership Updates:** There is no member updates currently.

### DATCP Update

Laura Traas presented the DATCP Update (**see slides from DATCP Update 11-30-2023**) and started with sharing the personnel changes within the Dairy Section. Steve Ingham was serving as interim Administrator and has left the department. Breanna Fritsch is the newest sanitarian and Randy Hassenfelt has accepted the Advanced Sanitarian position. The MSRO vacancy will be filled by January 2, 2024. There are two sanitarian vacancies in the southern area of the state. There are six sanitarians, one MSRO, and one LEO still in training.

DATCP has a lot of new staff, and many with less than five years of experience. DATCP will be striving for consistency with staff. If you have any concerns, please reach out to Laura Traas.

DATCP and the ATCP 82 committee have begun working on revising ATCP 82. ATCP 82 will be revised to include new technologies and the group is working with these manufacturers. The ATCP Committee members are:

- Adam Brock
- Andy Johnson
- Mick Homb
- John Umhoefer
- Helen Schmude
- Tony Lampman
- Alex O'Brien
- Laura Traas

These ATCP 82 committee meetings are public meetings and anyone can attend.

There has been a proposed Raw Milk Bill (LRB-3053/1) to change the state statute 97 to allow the sale of raw milk and raw milk products. DATCP encourages you to look at the bill and voice your opinion to your legislator.

Committee members shared their thoughts on the proposed Raw Milk Bill. CDR will be posting their thoughts and research on their website. Wisconsin Cheesemakers Association is strongly opposed and their goal is not to have the bill be voted on. There was discussion of the 2010-2011 task force that discussed what type of regulations would need to be in place if a raw milk bill passed. It was suggested that DATCP revisit those notes from the prior task force.

The testing of soft Hispanic style cheese for *Listeria monocytogenes* in Wisconsin complete. After two years of testing, there has been one sample that tested positive for *Listeria innocua*.

The FDA multi-drug residue surveillance testing is still on going. FDA has stated that the results won't be published until all three years of testing has been completed.

The committee had a discussion about PFAS. USDA is taking samples from 4D cows (down, dead, dying) at slaughter and testing for PFAS. Jason Mugnaini discussed a proposed senate bill 312 the addresses protecting a farmer if PFAS is present on their property and receiving grant money for clean-up. It is uncertain if this bill will pass. There is a need to protect the farmer who is accepting biosolids from wastewater treatment facilities who don't know what is contained in the biosolids. There are currently no PFAS limits in food products so there is no regulations.

### **Re-nominations for Members with expiring terms**

Peter Hesprich made a motion to approve the following ballot for the following members with expiring terms. Gloria Joseph seconded the motion. All members on the ballot agreed to another two-year term.

- Andy Johnson
- Bob Wills
- Dawn Walter
- Gloria Joseph
- Jeff Kirschberg
- Helen Schmude

### **Subcommittee Updates**

John Umhoefer reported that the Pasteurizer sub-committee met on September 27, 2023. It was discussed that ATCP 65 needs to be updated to fully integrate the certification of emergency resealers program. There was a presentation by Anderson-Negele on the first FDA approved paperless process recorder. John can share their PowerPoint with anyone who is interested.

CDR is in the process of making guidance videos on how to perform the PMO tests listed in the broken seal report. Industry can access the videos on YouTube.

Alex O'Brien gave an update for the phosphatase sub-committee. Alex reached out to Hygiene to see if they had any interest in validating a method for cheese. Alex also looked internally at for any grants that may be available. A few people have sent Alex studies but the test methods have not been validated against the FDA BAM method.

### **Impact of expanded FDA/CDC inspection on CAFO**

Adam Brock discussed the article: <https://www.foodsafetynews.com/2023/09/legislation-would-give-fda-cdc-power-to-collect-samples-from-animal-farms-during-outbreaks/>

Adam wanted to spread awareness on this legislation since it is written in broad terms. Currently if a recall happens it stops at the plant. If the source can't be determined at the plant, would this allow testing to be done the farm? Would the farmer be liable if the farm is determined to be the source? Would they be able to shut down a farm?

### **Member Concerns**

John Umhoefer made the committee aware of a group that has been put together to move forward to gain FDA approval for the research that using hydrogen peroxide makes the raw whey and brine safer. This would be beneficial for the smaller plants and expand opportunities for them. John can share the research for anyone who is interested.

Question: For federal survey, what happens when a plant/farm fails on enforcement but passes on the sanitation score?

DATCP: There will be a resurvey done within six months. Depending on what type of enforcement issue was cited, the resurvey can occur within a few months or might take closer to the six month due date.

Question: How come certain plants can unload outside?

DATCP: If a plant was built prior to 1994 and hasn't had a change of ownership, they are exempt from having an enclosed intake.

Question: If a truck containing milk slides into the ditch, who should the hauler call?

DATCP: They will need to contact DATCP's Rapid Response Team.

Phone: (608) 224-4714 .Email: [datcpfoodcomplaintsemergencyresponse@wi.gov](mailto:datcpfoodcomplaintsemergencyresponse@wi.gov)

The group discussed the need to add the FDA Food Traceability Rule to the next meeting. FDA has put together a Question and Answer document. This will apply to cheese producers. The rule will require traceability from the processor to the retail customer. If dealing with any fresh produce then the traceability needs to go back to the farm.

### **Summary of Action Items and Person(s) Responsible**

Wisconsin Farm Bureau will be hosting the next meeting in February. Jason will check on availability and set a date.

Meeting ends at 10:57 a.m.