

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

MINUTES

Date: February 15, 2023

Time: 9:30 AM – 12:15 PM

Location: Microsoft Teams

DATCP Division: Food and Recreational Safety

Welcome and Introductions

Call to order: At 9:32, Josh Rimmert 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:

Daniel Cornelius, Intertribal Agricultural Council; Sara Ecker, Ecker's Apples; Jay Ellingson, Kwik Trip; Christopher Fasching, Wescot Agri Products, Inc.; Wayne Geist, Wisconsin Apple Growers Association and Bushel and a Peck Market; Laura Temke representing Hsing-Yi Hsieh, Festival Foods; Jenna LaChance, Organic Valley; Steve Louis, Oakwood Fruit Farm; Jeffrey Mears, Wisconsin Tribal Conservation Advisory Council; Susan Quam, Wisconsin Restaurant Association; Josh Rimmert, Alsum Produce; Lavern Zeiset, Zeiset Farm, Communities and Cultures Coordinator.

Voting members not present include:

Brandi Grayson, Supporting Healthy Black Agriculture/Urban Triage Inc

Non-voting members present include:

Jill Cholewa, DATCP (*ex-officio*); Joanna Kahvedjian, DATCP (*ex officio*); Kevin Leroy, DATCP-USDA (*ex-officio*); Krystal Martin (*ex officio*); Joe Meyer, DATCP (*ex officio*); Amy Millard, DATCP (*ex officio*); Amanda Miller, DATCP (*ex officio*); Andrea Northwood, DATCP (*ex-officio*); Bridget Peck, DATCP (*ex-officio*); Troy Sprecker, DATCP (*ex officio*); Eleazar Wawa, DATCP (*ex-officio*).

Introduction of Guests: Carly Hegarty (City of Milwaukee Health Department) is representing Venice Williams who was nominated for a vacancy on the council.

Approval of Agenda: Jay moved to approve the agenda. Steve seconded the motion. With no objections, the agenda was unanimously approved.

Consideration of minutes: Josh called for a motion to approve the minutes of November 16, 2022. Lavern motioned to approve, and Jeff seconded it. Hearing no objections, the minutes were approved.

Membership Management

Annual Public Records Law Training

All members were notified that they will receive a notice to complete the annual Public Records Law training, which is required every year and is due in November. If members have completed the training due to attendance on other boards this year, they do not have to take it again. Accommodations, such as a verbal training, are available as well.

Nomination Status for Vacancies

Venice Williams has expressed interest in one of the open vacancies on the council, and all members received her nomination form in advance of the meeting. Venice is based in the Milwaukee area, provides a lot of education to smaller growers, and has a strong connection with the Hmong community. Josh stated his support for Venice to join PSAC. Lavern asked about her knowledge of the FSMA Produce Safety Rule (PSR) and if members are required to have taken the Produce Safety Alliance grower training. After many inputs, it was decided that members of the council do not need to be trained on the FSMA PSR, but it is recommended. Carly stated that Venice is well known within the Milwaukee community and is very well respected. She is passionate and would be an asset to the council in either the non-profit or underserved community vacancy. Lavern asked Josh to add a requirement that all PSAC members receive FSMA PSR training. Dan responded that this requirement should be addressed separately and stated his approval of Venice's nomination to the council. Lavern motioned to accept the nomination and Dan seconded. With none opposed, Venice Williams was added to the council.

Agency Reports (DATCP)

Short and Long Term Program Plans

Krystal provided staff updates including: Eleazar Wawa's position will end this week; Jill Cholewa started as the new Agency Liason for Safe Wisconsin Produce (SWP) this week; Andrea Northwood started as the new Program and Policy Analyst for the Division of Food and Recreational Safety since last meeting; Joe Meyer, the Division Administrator will be leaving his position shortly; and Krystal will be taking maternity leave over the summer months.

SWP created a report about the short and long term program plans that will be sent out in full after the meeting, but Troy and Krystal gave a quick summary. SWP started almost seven years ago under the initial five-year partnership agreement with the Food and Drug Administration (FDA) that focused heavily on education—specific achievements included the development of the farm inventory, the development of PSAC, and many grower trainings. The program is currently in the second five-year partnership agreement, which started in 2021, and is accomplishing many objectives such as solidifying our farm inventory, completing inspections, establishing relationships with harder to reach communities, continuing outreach, and working with FDA on compliance issues. As there is no state statute, all positions, except for Krystal's, are project positions, and much of the program direction comes from the FDA which causes some turbulence.

Troy advocated for a sustainable produce program in Wisconsin that has a balance between education and regulation and brings value to the growers. Troy laid out four future possibilities for the program. First,

SWP would remain in cooperative agreement with the FDA where FDA would continue to dictate program objectives, which most likely would not include education. Second, SWP would remain in cooperative agreement with the FDA and also pass a state rule—this is extremely unlikely due to lack of legislative support. Third, SWP would enter a contract model with the FDA, which is similar to what is done in the Manufactured Foods Program, where the program would be doing the work on behalf of the FDA on a contract basis. However, due to lack of statute, there is currently no structure for SWP to accept a contract from the FDA, so a contract agreement without a law change would not be a viable option. Fourth, SWP would enter a contract model with some sort of state authority, which would include a slight change to ATCP 70 (Manufactured Foods) to include produce. This fourth option would be the most likely outcome.

Krystal researched other programs and found that the program's structure currently aligns most similarly with Missouri. Missouri stated that after this grant ends their program will either still function as it is or will not be around. If SWP ceases to exist, FDA would service Wisconsin. For states FDA currently manages, they reach only 2% of farms annually and they do not respond to situations in a timely manner. There is value in having a local component to a program in our state—SWP is connected to local communities and can be an advocate for WI growers.

Troy stated that FDA has little interest in education and even less interest in educating non-covered Wisconsin growers. Ohio has the best model that SWP would like to emulate. This would include the modification of ATCP 70, which would require legislative action, and the program would be integrated into the Manufactured Foods Section. This type of legislative action would not provide additional funding or staffing, but would allow SWP more freedom to respond appropriately to situations as it would not be fully funded through the FDA. Troy expressed some urgency to this initiative and the need for continued support and engagement from PSAC and the SWP team.

Lavern stated that he understands why FDA is putting regulation ahead of education and is still uncertain about what the best path forward is. Troy responded that the current goal is to make sure the program is not 100% funded through FDA, and by inserting SWP into an existing program that would be accomplished. Josh agreed that getting funding outside of the FDA is important, because the FDA only cares about covered farms, but PSAC cares about produce safety on all Wisconsin farms. Lavern agreed stating that all farms are connected and the entire state could be impacted by an outbreak even if it comes from an exempt farm.

Inspection Program

Krystal clarified that the final agricultural water rule is what SWP uses to train growers and is the wording currently in the rule books. The proposed agricultural water rule had significant changes for pre-harvest water, but not post-harvest water. Compliance enforcement has already started for large covered farms on the post-harvest part of the final agricultural water rule. FDA has stopped the practice of initial inspections being educational. However, the part of the inspection specifically on post-harvest water will still remain educational. Onions will remain a priority commodity, however SWP will not be completing an additional onion assignment this year. Historically, SWP has completed inspections per an assignment given by the FDA. FDA is shifting away from the annual assignment to a compliance manual this year, however the manual has yet to be released. SWP will still have to follow the guidelines provided in the manual once released.

Farm Inventory

Surveys were sent out last week. This year SWP created a renewal survey sent out to all known produce farms in the farm inventory—about 36% of the inventory. The renewal survey shows the grower the details that we have on their operation, and growers need to update any mistakes or missing information. This new survey will be easier for growers to fill out and will decrease processing time for SWP staff. Lavern and Josh commented that the new renewal version is much easier to complete.

Outreach Update

There were 7 grower trainings scheduled for the 2022-2023 season. One virtual and two in-person trainings have already been completed, totaling 28 participants. This week there will be a virtual training for internal DATCP staff, and later this spring there will be three more in-person trainings in Baldwin, Plover, and Wausau. SWP has participated in multiple conferences and has a few more upcoming. The last SWP newsletter had over a 50% open rate, which was much higher than the DATCP average of 20%. Krystal asked the council to share ideas for articles they would like to see in the next newsletter.

Website Updates

The SWP website was a continuous improvement project for the team this year, with the goal of making it a more useful resource for growers. Both page time and unique views data were collected to analyze the website's effectiveness and see if certain program activities, such as the newsletter or verifications, led to increased website activity. Lavern asked if we can track who specifically has accessed the website, with a specific interest in buyer engagement. Joanna responded that it is not known who is accessing the website, just that it is being accessed. The most accessed page is the home page, followed by the PSAC page, events page, and then registry. Krystal added that tracking is possible for who opens the newsletters when sent to specific emails.

Member Updates and Issues/Further Discussion

State of the Industry

Josh stated that Alsum is currently prepping their potato seed for the upcoming season and are celebrating their 50 year anniversary with an open house for the public later this year. The Wisconsin Potato and Vegetable Growers Association will be hosting a PSR grower training, HAACP, and other food safety trainings later this spring. Lavern stated that the greenhouse flowers are growing and that he had a successful local growers meeting in January, including a few new growers who are starting this year. Krystal added that Lavern will be speaking at a regional produce safety conference in March.

Committees

With the goal of increased collaboration, Josh proposed that the four subcommittees combine into two—combining Compliance with Statutes and Rules and then Education/Outreach with Strategic Planning. Lavern agreed and asked that subcommittee meetings take place closer to the main quarterly meeting, to promote better engagement. Steve stated that having the meetings on the same day may not provide enough time to do research, but doing them one week prior or after would be a good idea. Josh agreed and proposed meeting within one week after the main quarterly meeting. Sara and Jeff both agreed that narrowing to two committees and meeting within one week of the main quarterly meeting would be good. Lavern added that it may be helpful for subcommittee members to switch committees periodically. Josh agreed that would be helpful to keep in mind as this shift is occurring. Josh asked if subcommittee assignments must be given or can be chosen by members. Joanna responded that there isn't much guidance on this in the bylaws, so that can be decided by the council.

Wayne motioned that Josh and Steve make whatever decision they think is best about committee assignments and timelines. Josh clarified that there will be two subcommittees including a Compliance, Statutes, and Rules subcommittee and an Education, Outreach, and Strategic Planning subcommittee. Wayne reiterated his motion to include the clarification, and Lavern seconded. With none opposed the motion carried.

Further Discussion

Wayne requested that SWP send out a document listing the four possible long term program options Troy spoke of earlier. Krystal stated that they will be listed as part of the report given to all members later this month. Lavern agreed that he would like to see the four scenarios in writing with more details.

Joanna asked if the council would like some DATCP ex-officio members to join in on the subcommittees. Josh agreed that greater DATCP participation would be helpful. Krystal cautioned that the subcommittees should be led and participated in mainly by council members.

Lavern asked what the inspection goals are for this upcoming growing season. Krystal responded that we have completed 46/56 inspections for this year, so 10 more inspections are needed by the end of June 30. From July 1, 2023-June 30, 2024 SWP will need to complete about 50 inspections. Second inspections will be more prominent this season, with many initial ginseng inspections being completed as well.

Lavern asked that at least one or two meetings per year be in-person. Josh responded that the November meeting will always be in-person. Lavern voiced that he thinks more in-person meetings would be better. Krystal also voiced how productive the last in-person meeting was. Sara stated that November in-person meeting would be great and that she would bring apples.

Summary of Action Items, Person/s Responsible

SWP will send out a final report discussing short and long term program plans by the end of February.

Josh and Steve will assign subcommittees and decide when the subcommittee meetings will take place.

Joanna will arrange welcome information for Venice Williams.

Adjourn

Steve motioned and Wayne seconded the motioned to adjourn. With none opposed, the motion carried and the meeting was adjourned at 11:41.