

**DEPARTMENT OF AGRICULTURE, TRADE, AND CONSUMER PROTECTION
(DATCP)
DAIRY RULES ADVISORY COMMITTEE (DRAC)
MEETING MINUTES**

Date: September 7, 2023

Time: 9:00 a.m. – 11:00 a.m.

Location: Foremost Farms-Middleton, WI and Virtual Teams Meeting

Welcome and Introduction

Call to order:

Adam Brock called the meeting to order at 9:01 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: Dawn Walter, Jeff Kirchberg, Bob Wills, Jessica Hansen, Ben Shibler, Jacquie Papple, Peter Hesprich, Adam Brock, Kristen Houck, John Umhoefer, Jason Mugnaini, Mick Homb, Daniel Smith, Shelly Mayer, Alex O'Brien, Norm Monsen, and Laura Traas

Others in attendance: Kristen Strohmer, Brandon Johnson, Michelle Kuso, Dean Hines, Mary Rollins, Troy Sprecker, Max Huebner, Kate Angeles, Andrea Northwood, Laurie Sippel, and Michelle Steinmetz.

Approval of agenda:

Peter Hesprich made a motion to approve the agenda. Motion was seconded by John Umhoefer. The agenda was approved.

Approve previous meeting minutes:

No corrections to the previous meeting minutes for the DRAC July 6, 2023 meeting. Bob Wills made a motion to approve the meeting minutes. Motion was seconded by Pete Hesprich. Meeting minutes were approved.

Public comments:

Norm Monsen informed the committee that the DATCP Dairy Processor Grant is now open and accepting applications (**see Dairy Processors Grant 2023**). A total of \$500,000 is available for this year. The deadline to apply is October 13, 2023 by 5:00 p.m. Equipment purchases are allowed up to \$4,999.

DATCP will put together a list of equipment needed for the Emergency Time and Sealer Program. This will help processors if they would like to apply for grant money to help with the costs.

Membership Updates:

There is no member updates currently.

DATCP Update

Laura Traas presented the DATCP Update (**see slides from DATCP Update 9-7-2023**) and started with sharing the personnel changes within the Dairy Section. DATCP has sadly lost Environmental Health Sanitarian Sidney Kittelson. Nichole Abbott and John Fixmer have left the dairy section. There are three sanitarian and one MSRO vacancies. There are five sanitarians, one MSRO, and one LEO still in training.

DATCP has asked the Joint Committee for Review of Administrative Rules (JCRAR) for approval of the ATCP 82 Rule Advisory Committee. DATCP is still waiting to hear back from JCRAR. Once approved, the ATCP 82 Rule Advisory Committee can begin to work on the actual rule language

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

DATCP sent out a letter on July 27, 2023 informing farmers that re-categorization with 6 or more debits was resumed on August 1, 2023. DATCP sent out 5,500 letters and received around 55 calls from the letters. 40% of the calls wanted to check their farm's status and only one call was opposed to the change. DATCP will be collecting data for the PBF sub-committee moving forward.

The 2023 NCIMS Conference happened in April of this year. Currently, we are in the FDA review period. The FDA have until October to review the proposals passed in the conference and offer a response. Some items that have a chance of being approved by the FDA include:

- AMI- removing the separate room requirement.
- Pasteurization systems-manual override for testing and maintenance
- Rewrite of Appendix N- not to change requirements but to clarify
- Removal of the 5 points for milking time inspection for the enforcement score. The 5 points are spread out to each category.
- Option to make a negative control when no negative control is available. This helps goat/sheep farms or plants that shut down for a period of time and need a negative control to start-up again
- Milk plant inspection- FMSA section
 - Allergen control moved to "Protection from Contamination" 15a- 3 points
 - Animal Food Handling and Distribution 2 points
 - Dropped Surroundings from 1 point

The testing of soft Hispanic style cheese for *Listeria monocytogenes* continues. After four quarters of testing, there has been one total positive listeria test found – but not for *Listeria monocytogenes*. One more year of testing is set to be completed.

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

Subcommittee Updates

John Umhoefer reported that the Pasteurizer sub-committee will be meeting on September 27 and everyone is welcome to attend. Topics that remain include the recertification of re-sealers, broken seal reporting and the associated industry trainings, and the M-b-383 memo from the FDA which addresses developments from electronic pasteurizer recordings. There will be presentations at the September 27 meeting to outline the Anderson Negele system for those in attendance.

John stated that the Emergency Sealer Program is not gaining much traction. It seems to be a daunting process with equipment, specialized training, and turnover. John suggested maybe to switch the focus to Grade A or regulatory may need to set some sort of deadline for industry.

DATCP: ATCP 65 would need to be updated to include the emergency sealer program before any deadline could be set. It is estimated that in five to six years, the legislature would allow a re-write of ATCP 65.

Question: Why is FDA pushing this?

DATCP: This has been written into the PMO for decades. Pasteurization and cooling are FDA's focus and they are strict on the requirements for pasteurization. DATCP relies on phosphatase testing and the DTS getting out to the plant. Our lack of this program has come up previously on State evaluations, but it did not this time as we are receiving credit for making progress towards establishing the program.

Alex O'Brien gave an update for the phosphatase sub-committee. They are still looking for funding for the particular study they are working on. This study could potentially cost \$200,000. Most grants wouldn't cover this amount. The phosphatase method is not practical for each individual type of cheese, so the sub-committee is pursuing a separate method that is supposedly more stable. Additional testing will need to take place to verify this. It was suggested that Alex look into industry or equipment companies that might be willing to fund this process. It was also suggested to look into receiving a letter of no objection from FDA instead of having to re-write regulations after the study has been complete.

Peter Hesprich gave an update on the Performance Based Farm Inspection (PBFI) sub-committee. The sub-committee sent the scope statement for the Secretary's Office. The sub-committee will wait 12-18 months as we gather the PBFI data. Currently about 55% of farms are on the once per year inspection frequency. With the six or more debits being enforced, that percentage will likely decrease some.

Member Concerns

John Umhoefer: The committee should seek approval for the research that using hydrogen peroxide makes the raw whey and brine safer. This is helpful for the smaller plants that can't purchase the cooling equipment to cool the whey to make it safer. After the research becomes published, if DRAC, DATCP, and CDR can come together and send FDA a letter to accept the use of 100 ppm of hydrogen peroxide.

The committee thought it would be beneficial if Kathy Glass could present on her research at the next DRAC meeting so the committee can get a better understanding.

Adam Brock: There was a cheese curd recall in Iowa. There is concern that we don't want this recall to tarnish the WI cheese curd brand. The recall was due to the curds being positive for total coliform and E.coli. The cause has determined from an employee not following hygienic zoning.

Adam Brock: IDFA and Kathy Glass are in talks with looking at the cheese risk process. This would look at how pathogens get introduced during the manufacturing process of making cheese. This might also prompt future studies as well.

Adam Brock: FDA gave a presentation on PFAS at the NADRO conference. [PowerPoint Presentation \(wsimg.com\)](#). FDA has been testing animal feeds for PFAS. There are currently no regulatory limits so no enforcement can be taken on the sample results.

Question: How does homegrown feed get contaminated? The water supply. The water supply can get contaminated if close to an environment that is exposed to PFAS (airports, chemical plants, firefighting training zones etc.)

Shelly Mayer: Professional Dairy Producers of Wisconsin is hosting Stride Youth Leadership Conference. It will be held on September 23, 2023 at UW-Madison. The cost is \$100. It is a day program for high school kids (ages 15-18) which gives them exposure to different career paths in the dairy and agriculture sector. The kids will get to explore different labs at UW. Please help get the word out and help us recruit for the next generation. [Stride® Youth Leadership Conference | PDPW](#)

Summary of Action Items and Person(s) Responsible

CDR in Madison (tentative) will be hosting the next meeting on Thursday November 30.

Meeting ends at 11:02 a.m.