

Food Safety Advisory Meeting

January 13th, 2021

10 am to 12 pm

Meeting Summary

Attendees

Sarah Beachy-Oregon Department of Agriculture

John Burr - Oregon Department of Agriculture

Paul Cieslak – Oregon Health Authority

Joy Cusic- OSU, Food Science and Technology

Tammy Dennee – Oregon Cattleman’s Association

Azure Edwards – Public

Mark Fountain – Food Northwest David McMullen-Oregon Food Bank

Gail Greenman – Oregon Farm Bureau

Lauren Henderson - Oregon Department of Agriculture

Buck Jones – Columbia River Inter Tribal Fish Commission

Tami Kerr – Oregon Dairy Farmers Association

Jovana Kovacevic – Oregon State University

Rebecca Landis - Peak

Sharron McFadden – Oregon Food Bank

Shawn Miller – Northwest Grocery Association

Allison Neiderhauser - Safeway

John Noble - Oregon Department of Agriculture

Susanna Pearlstein - Oregon Department of Agriculture

Rusty Rock - Oregon Department of Agriculture

Karel Smit - Oregon Department of Agriculture

Isaak Stapleton – Oregon Department of Agriculture

Hillary Styles – Pacific Seafood Group

Governor’s Budget-Lauren Henderson and Isaak Stapleton

The Governor’s recommended budget (GRB) does not include fund shifts or fund sweeps for the FS program. There is a reduction in 1.8 million for the agency from the

general funds most of which was accounted for with eliminations of vacant positions within the agency. Some of it was shifting of funds from general funds to other funds.

There is a reduction in lottery funds proposed as a majority of lottery funds come from businesses that are shuttered due to COVID-19. There are fee increases in several programs within the agency including a brands and commercial feeds programs.

The agency asked for and was approved within the GRB a full time Emergency Management Coordinator which will assist in responding to emergencies and assessing industry needs in the event of an emergency. Also included was an Agency Equity Officer position and a full time Internal Auditor position. Funding was also included for the agency to do domestic market and soil health assessments.

There were eliminations of two managerial positions in the food safety program, one was Frank Barcellos' position and the other was the open office manager position. This will result in additional workloads for our current program managers.

The agency submitted a fee increase and a general funds increase request. Only the fee increase was carried into the GRB. The 30% fee increase is split between 2 years, 15% in 2022 and another 15% in 2023.

Budget- John Noble

If there is no additional fee increase beyond the 3% increase already in place or general funds restoration than the agency's operating reserve requirement will outpace the cash balance by 2024.

Should a 15% fee increase be approved for the years 2022 and 2023 along with the 3% fee increase in place until 2025, then the cash balance will not fall below the operating reserves. This will result in a 75/25 split in funding between other funds and general funds respectively.

If 1.8 million in general funds is restored along with the annual 3% fee increase already in place than the cash balance will exceed the operating reserves in 2025 and the split

between funding sources will be 60/40 for other funds verses general funds, respectively.

There was COVID-19 relief funds of about five hundred thousand that the program received for the COVID support work that the agency provided to the industry.

The further we put off increase in revenue either general fund or other funds the larger the deficit will be. There are just under twelve thousand licenses that will be affected by fee increases, with some firms holding multiple licenses.

Routine Work – Rusty Rock

When the new risk assessments were put into place many staff were pulled back from doing routine inspections. Virtual inspections have a lot of complexity to them so the main focus for staff has been COVID support in the form of COVID-19 consultations. We have had about 400 outbreak notifications, many of them being duplicates. Staff are reaching out and making sure that employers are talking with the county. ODA's task is to convey information, and connect stakeholders to the proper authorities.

30% of firms provided a COVID-19 consultation were unlicensed by Food Safety. These include farms, packing sheds, and nurseries.

Dairy and Shellfish – Karel Smit

Dairy and Shellfish staff have continued most of their testing duties. Food Safety does have the 90-day Emergency Considerations from the FDA, which grants the agency relief from all PMO inspections/audits and sampling activities through March 17th, 2021. This also gives the agency leniency if dairy requirements are missed such as sampling, pasteurizer testing and inspection deadlines during future FDA auditing. In many cases both dairy and shellfish sampling are low COVID risk activities, allowing staff to continue to do crucial work which benefits the industry and allows for the continued production of products.

Many dairy farms have plenty of space to easily maintain COVID-19 safety precautions including 6 feet of distance. Shellfish inspections and sampling is almost the same as it was prior to the COVID-19 Pandemic.

FDA – John Burr

This year staff got off to a good start. There were a lot of firms that FDA had put cover by dates on and staff worked hard to get them done quickly. With the change in risk assessments for counties staff has temporarily stopped doing any FDA work in Extreme and High-risk counties.

We do hope to finish as much FDA work as possible as FDA contracts bring money into the program of about six hundred thousand a year. This year's contracts contain fewer GMP inspections (200) but an increase in the more complex PC inspections (40). The agency was granted 7 staff members into the FDA Preventive Controls for Regulators training courses this year which takes place in February, March and May.

We also have several grants through the FDA for equipment. The Dairy equipment grant allows us to purchase lab and field work equipment. The lab equipment will allow the lab to be more precise and efficient in the tests it runs for the food safety program.

The ODA participated in the 2020 Cascadia Conference, the first Seattle District (Alaska, Idaho, Montana, Oregon, Washington) conference since 2015. The three-half day conference presentations included discussions on Intentional Adulteration, the Transportation Rule, Public Information requests through FDA, Recalls, and district compliance.

COVID-19 Risk Assessment – Isaak Stapleton

When the new risk assessments for COVID-19 were released the program evaluated our core functions. Low contact tasks are still allowed and includes water surveys along with dairy and shellfish sampling. The agency has attempted to provide a clear path to staff on what they can do and what they can't do; such as normal routine inspections can't be done in extreme and high-risk areas. The Oregon Health Authority's COVID

Risk Levels by County website is used by staff to determine what they can do in their various areas.

Vaccines- Isaak Stapleton

The Governor's office asked all government agencies a series of questions about work duties. OHA shows ODA's veterinarians at the top of this list due to their exposure risk to animals that can harbor the virus. All of Food Safety's inspectors and all ODA lab staff are also on the agency's list for consideration. The agency has not yet seen a vaccine distribution plan for staff.

State Meat Inspection – Rusty Rock

The state has seen a decrease in processing capacity leading to increase of travel for animals and in the COVID-19 pandemic the lack of capacity led to protein shortages. The agency is focusing on meat inspection and will not be including poultry inspection as rules are already in place addressing poultry.

The state meat inspection program will need to create rules equivalent with USDA laws to meet the "at least equal to" standard. This will limit the program to in state meat inspected meat only traveling within the state.

There is a possibility of being "same as" which is a higher bar to reach but allows for interstate shipping of meat products once you can achieve that designation. This would not allow for exportation to other countries. There are many moving pieces to establishing the program. Food Safety is the hub but it also impacts the agency's lab services as there is sampling and testing required of a meat inspection program. The idea is to not change fee structures. USDA does not charge for the service and the state won't either. There has been a lot of talk about legislative aspects along with upgrade loans/grants and marketing funds, which is all outside of our scope.

Food Safety is in the process of developing the rules with the Department of Justice (DOJ). The rules will be their own chapter separate from the rules for Food Safety and will be "at least equal to" the USDA rules.

There is a lot of training that has to happen. The optimistic time line is January of 2022. USDA has also not worked with a state on a state meat inspection program since 2009.

The governor's budget did approve funding for three positions for the meat program. There is funding for a veterinarian position, a microbiologist, and a NRS4 meat specialist. There was a package submitted for additional funding to support the initiating of the program which was not included in the GRB.

USDA will match/refund 50/50 the cost of time spent on inspections of approved species. The state will have to be careful in the accounting of that time to assure USDA matching. USDA inspections for non-amenable species is voluntary so producers have to pay for the inspection. These would not be covered by the USDA. However, the agency hopes to make the inspection of non-amenable species free to producers by having it covered by general funds.

Closure Authority Rules- Isaak Stapleton

With the passage of HB 2060 during the 2019 legislative session, ODA was given the authority to close a business if they refused to pay for licensing. There was a draft rule prepared but the pandemic hit and all the rule making got put on hold. The agency is reevaluating the rule and will get it moving through the process. The agency will go through all current steps to encourage enforcement before utilizing the closure rules. This will result in a long process before the agency could close down a business.

A doodle poll will be sent for the next meeting.