

**Food Safety Advisory Committee**  
**April 4, 2018**  
**10 am – 1 pm**

**Meeting Summary**

**Attendees**

Advisory Committee members:

Shawn Miller, NW Grocery Association, Co-Chair

Jana McKamey, Oregon Wine Growers Association

Tami Kerr, Oregon Dairy Farmers Association

Bob Beck, NORPAC

Antone Mickelson, Darigold

Paul Cieslak, Oregon Health Authority

Rebecca Landis, Oregon Farmers Market Association

Jamie Wiggins, Food Northwest

Jovana Kovacevic, OSU

Staff:

Isaak Stapleton, ODA

Stephanie Page, ODA

Mary Al-Telaihi, ODA

John Burr, ODA

Frank Barcellos, ODA

Karen Apiado, ODA

Rusty Rock, ODA

Kent Widdicombe, ODA

Karel Smit, ODA

**Inspection Backlog Update by John Burr, Karel Smit, and Rusty Rock**

The audit that was done by the Secretary of State in 2016 showed that there were 2,800 firms overdue for inspection, but after internal review of the overdue firms, we were able to administratively reduce the number to be around 1,500. At the end of January of 2017, the report was stating that there were about 600 overdue. It was found that there was a glitch in the system that was not allowing the inspections to age. Once the glitch was corrected, the true age of the inspections was able to refresh and it was learned that the amount of inspections overdue was about 2,300. The breakout by percentage for the firms that are 90 days past due is high risk 21.5%, Medium 42%, and low 36%. Management has taken action by monitoring the report closely and speaking with staff to have them prioritize their time by focusing on the higher risk firms that are the most overdue.

## **DRAFT Preliminary Staffing Needs Projections, Rusty Rock**

10,846 contacts were conducted in 2017 broken up between 37 inspectors. Existing license inventory requires 7,842 routine inspections each year. There is other scheduled work that will add an additional 2,000 contacts. 3,700 contacts were conducted for unscheduled work. 35% of the department's workload is unscheduled work. Unplanned work includes: new licensing events, consultations, complaints, plan reviews, recall activities, and enforcement follow-up. It is projected that 2018 would require an increase of 2,600 contacts to stay at pace to ensure inspections are on time. Achieving substantial improvement will require some major steps, such as: decreased educational emphasis or improving website/information distribution. Changes anticipated at this time are not looking like there will be a decrease in complexity. FSMA implementation, increased complexity of retail processing activities (variance work), and another new industry segment coming online (mint) point towards increased workloads rather than indicating relief.

Committee members encouraged the program to continue thinking of creative solutions to reduce the backlog, and asked them to bring back an update at the next advisory committee meeting in June.

## **DRAFT List of Program Legislative Concepts and Program Option Packages (POPs) for 2019, Stephanie Page**

There are two proposed legislative concepts for the Food Safety program for the 2019 legislative session. We have had several conversations with stakeholders and they have requested some follow-up information, so we are working with ODA's financial services section to compile the requested information, including a forecasted budget for the program if the fund shift is reversed. The law that currently allows a 3% annual fee increase sunsets in 2019. In addition to Food Safety, Weights and Measures and CAFO are also considering fund shifts (the CAFO concept will be submitted as a placeholder).

A legislative concept is also proposed to provide the program additional tools to address unlicensed food facilities.

One of ODA's proposed POPs is a request to reverse the prior fund shift. This fund shift reversal is essential for the program to be able to hold future license fee increases to 3% per year. Another potential POP would be to reclassify a NRS3 to an NRS4 to implement the data analysis position recommended in the Secretary of state audit report. Without the fund shift and 3% fee increase, all license fees will go up about 20%.

## **Working Lunch: - Review DRAFT Administrative Rules, John Burr**

Oregon has currently adopted the 2015 version of 21 CFR. At the Federal level, the 21 CFR 110 rules for food processing sanitation standards at the federal level are going away and

being replaced with 21 CFR 117 (preventive controls). Thus far ODA has sent 5 personnel to Training regarding the preventive controls (7 day course). In the fall the Dairy program rating officers have 4 full days of training specific to FSMA at dairy facilities mandated by FDA, plus additional training regarding 117. Later this summer all of the remaining food safety staff will have will doing the 2.5 day course. This 2.5 day course is necessary to precede the 7 day regulatory training at a later, undetermined time.

FSMA Regulatory adoption options:

Option 1 adds 117 subparts A, B, and F (all about records).

Option 1B adopts A, B, F, and adopts C, D, G, at a defined later time.

Option 2 adopts all of 117 at one time.

Current projections for FSD Staff needs includes full regulatory training for 27 out of 37 personnel. Every firm is not subject to preventative control inspection but specifically how many impacted are unknown at this time. Need to assess how many firms will be subject to preventative controls. Full federal implementation of 117 at all levels and size firms begins September 2018 and 110 goes away.

New license type; FSMA is bringing the mint distilling industry under food processing rules. A new license is being created to accommodate this industry: Mixed Farm Type. Targeting July 1<sup>st</sup> for new license types.