

Food Safety Advisory Committee
June 19, 2018
10 am – 1 pm

Meeting Summary

Attendees

Advisory Committee members:

Shawn Miller, NW Grocery Association, Co-Chair

Jamie Wiggins, Food Northwest, Co-Chair

Bob Beck, NORPAC

Paul Cieslak, Oregon Health Authority

Rebecca Landis, Oregon Farmers Market Association

Anneliese Koehler, Oregon Food Bank

Karen Samek, Darigold

Buck Jones, Columbia River Inter-Tribal Fish Commission

Steve Ramsey, Safeway

Staff:

Isaak Stapleton, ODA

Mary Al-Telaihi, ODA

Jack Noble, ODA

John Burr, ODA

Karen Apiado, ODA

Rusty Rock, ODA

Kathryn Nelson, ODA

Other attendees:

Tracey Lowe

City of Salem drinking water update: Isaak Stapleton

City of Salem issued a water advisory on May 29th. ODA worked with OHA to develop a FAQ to provide information to the public and food establishments. Food service and retail establishments were advised that they can operate as normal, but should print out and post in prominent locations a drinking water notice in areas where customers would have access to ice, food, or beverages that contain or have been processed with tap water. Food and beverage manufacturing facilities were advised they may post-pone production or use an alternate source. ODA Food Safety has continued to be updated with OHA by having weekly meetings. City of Salem is working on a system to help remove toxins from water temporarily but are still looking for a more permanent solution. Last week the City of Salem held a meeting with Salem food processors provide additional information and here the concerns from food processors. City of Salem's water advisory is a nonregulatory advisory, therefore the water is still considered to be potable. ODA stated that it does not have a regulatory basis to deem products to be considered adulterated since they were

produced with potable water. ODA does not anticipate taking any regulatory action on product that was produced under the advisory. EPA guidance states that a person needs to consume two and a half liters a day of water in order to cause result in health effects. OHA is moving forward drafting rules on water testing. Some firms are using filtering systems and some have suspended food production until the advisory is lifted. Some retail firms that are posting the advisory notice and are still serving water or beverages that contain water, others have chosen to not use the water. City of Salem plans to lift advisory on the 25th when carbon treatment is in place. Once lifted, the City of Salem does not anticipate they will need to reissued the advisory.

Inspection Backlog Update Rusty and John

Over 20 percent of overdue firms have had visits for various, non-routine reasons. For example, consultations, complaint investigation, or plan reviews. To put greater emphasis on higher risk facilities, inspectors have been advised to conduct a routine inspection if they are at an overdue facility, even if it is not one of their assigned firms. Some significant factors contributing a lack of progress are that two inspectors are on an extended leave and that the month of May has more unplanned work due to the licensing season. New licensing work gets shifted to May to help businesses avoid having to pay their license fee twice. Additionally, inspectors that are caught up on their inspections have been asked to help others with their area. We have also reduced the administrative overhead by reducing the frequency of meetings, plan review, and retail standardization. In place of standardization we will rely on management visits with staff to accomplish an informal standardization process. We have reduced additional inspector training classes in the interim to focus on getting caught up on inspections. However, FSMA preventative controls mandatory training will be held 3rd quarter of this year and sometime in 2019.

Legislative Concepts and Budgets Kathryn Nelson and Jack Noble

The impact of the return of general funds shifted during the prior budget cycle was discussed. The long term fiscal health of the food safety program was discussed in conjunction with the effect of potential fee increases over the next 3 fiscal periods.

FSMA Adoption Draft Rule change/other rule changes

Proposed changes to OAR 602-025-0190 (adoption of federal rules by reference)
The federal rules governing food identity, food color additives, food additives, and labeling of or in food adopted by the Food and Drug Administration of the U.S Department of Health and Human Services, are hereby adopted as the rules governing this subject matter in Oregon. The Good Manufacturing Practices, Fish and Fishery Products, Low Acid Canned Foods, Acidified Foods and other federal programs contained in the Code of Federal Regulations as specified below are also adopted. The federal rules adopted by the U.S Environmental Protection Agency and Food and Drug Administration specifying pesticide tolerances are also adopted. The adopted federal programs and standards are those set forth in the 2017 version, Title 21, Chapter 1, Parts 1, 7, 70, 73, 74, 81, 82, 100 through 111,

113 through 199, and the 2014 version, Title 40, Chapter 1, Part 180 (subparts A, C, D, and E), of the code of Federal Regulations. We are not adopting produce rule 112. We will adopt these through administrative rules and we have a hearing date on July 24, 2018. If all goes as planned, we could have the most current version adopted by this September. To help educate on requirements, we are in the process of developing a series of newsletters. We have a contract with the FDA to do inspections on their behalf and we elected to do 8 PC inspections. Contract begin September 1st, 2018. Doing preventative control contracts will allow us to send inspectors to FDA trainings.

2017 PMO Adoption Draft Rule Change

PROPOSED REVISIONS TO OAR CHAPTER 603 DIVISION 24
603-024-0582

Bacteria, Coliform, Somatic Cell, and Temperature Test Violations

Whenever two of the last four consecutive bacteria counts, coliform determinations, or cooling temperatures, taken on separate days, exceed the limit of the standard for the milk or milk product, the Department shall send a written notice thereof to the person concerned. This notice shall be in effect so long as two of the last four consecutive samples exceed the limit of the standard. An additional sample shall be taken within twenty-one days of the sending of such notice, but not before the lapse of three days. Immediate suspension of grade shall be instituted whenever the standard is violated by three of the last five bacteria counts, coliform determination, or cooling temperatures. No action is taken if the last test is within the grade limit. Cultured products are exempt from the standard plate count.

Statutory/Other Authority: ORS 561.190, 621.060 & 621.073

Statutes/Other Implemented: ORS 621.060 & 621.073

603-024-0594

Drug Residue Test; Violation of Test

(1) Antibiotic tests on each producer's milk or on commingled raw milk shall be conducted at least four times during any consecutive six months. When commingled milk is tested, all producers shall be represented in the samples. All individual sources of milk shall be tested when test results on the commingled milk are positive.

(2) Violation of the drug residue test shall be cause for immediate license suspension, which shall be effective until a sample is received which shows a negative result. Such notice of suspension is subject to review in the manner provided by ORS 183.484.

(3) After a third violation in a twelve-month period, the Department shall initiate proceedings to revoke the producer's Grade "A" license pursuant to ORS 183.

Went to director's office to start process and hearing date is set for July 25th. June 14th we received electronic version of 2017 PMO rule and we will start the process to adopt the new 2017 PMO.

