

Food Safety Advisory Meeting

September 24th, 2020

10 am to 12 pm

Meeting Summary

Attendees

Azure Marie- KFK Seasonings

Frank Barcellos - ODA

Sarah Beachy - ODA

John Burr - ODA

Bonna Cannon - Food Northwest

Tammy Dennee - Oregon Cattlemen's Association

Gail Greenman - Oregon Farm Bureau Federation

Laruen Henderson - ODA - Assistant Director

Buck Jones - Columbia River Intertribal Fish Commission

Tami Kerr - Oregon Dairy Farmers

Jovana Kovacevic - OSU

Rebecca Landis - Oregon Farmers Market Association

Sharon McFadden - Oregon Food Bank

David McMullen - Oregon Food Bank

Shawn Miller - NWGA

Allison Neiderhauser - Safeway/Albertsons

Kathryn Nelson - ODA

Jack Noble - ODA

Susanna Pearlstein - ODA

Rusty Rock - ODA

Karen Semek - Darigold

Karel Smit - ODA

Isaak Stapleton - ODA

Hillary Style - Pacific Seafood Group

Kent Widdicombe - ODA

Mark Wustenberg - DVM

Budget- Lauren Henderson, Jack noble, Kathryn Nelson, Isaak Stapleton

Assistant Director Henderson provided an overview of the agencies budget situations and steps that were taken early in the pandemic to prepare for potential budget reductions.

Isaak Stapleton presented the 2020 2nd special session budget reduction document and highlighted the items that were specific to the Food Safety Program. Those items were;

- Elimination of a limited durations shellfish program position related to HB2574
- A one-time fund shift from general funds to other funds of \$41,785 in the shellfish program.

The next document discussed was the Agency Request Budget document. The Food Safety Programs budget request items were highlighted and the focus of the discussion was on the two program funding vehicles that the agency has submitted in order to maintain the programs current level of service and the stabilize the program cash balance. The program is requesting general fund dollars of \$1.8M and a companion request of a 30% fee increase. The program needs one or the other or a combination of the two to reach 1.8M to stabilize program funding.

The Agency budget reduction options were discussed. The agency is required to submit a 10% budget reductions list with the agency request budget. The items that directly impact FS were discussed.

The agency also had to rebalance the funds for our regulatory lab. The lab needed to be provided funds to support their current level of service to the agency programs. The funds that food safety provides to the lab increased 30%, from 900,000 to 1.3 million a biennium.

Jack Noble and Kathryn Nelson discussed the FS cash balances for the food safety program. Currently the cash balance is on the downward slopping yellow line, which includes the recent increase in lab funding. Services and supplies are stable. The orange line shows our cash balances if we receive a 1.3 million general fund restoration,

a 3% fee increase and FDA work. The blue shows where we will be if we get a 30% fee increase this year and 3% each year until it stops in 2025. Green shows if we do a 10% fee increase for the next two years and then 3% each year going forward.

If the agency continues on the current funding levels then Food Safety will need to reevaluate its core services and make reductions accordingly to maintain a cash balance above the 3 month operating reserve we are required to maintain.

Routine Inspection – Rusty Rock

The agencies aged inspections, which are routine inspections that are over due by 90 days was flattening out in March. As COVID-19 restrictions were being put in place the number of overdue routine inspections increases sharply. Although routine work is beginning to resume now that restrictions have been lifted the scheduling process is fraught with difficulties and delays. There is a COVID-19 risk assessment done before each inspection. Frank Barcellos has worked with the federal programs to provide waivers for mandated inspections so that Food Safety doesn't get flagged in the future for missing inspections.

COVID-19 tool kit – Rusty Rock

The COVID-19 tool kit is a consultation developed with Oregon Health Authority (OHA) and Oregon OSHA. The consultation is held jointly with OHA, ODA, and OR-OSHA's consultative division. The consultation is a non-regulatory visit to provide support to the industry.

There have been 280 outbreaks in ODA facilities. 75% have agreed to consultations. 30% of firms are unlicensed, 20% of those being farms and the other 10% being fresh produce packers. Food Safety has assisted the Produce Safety program in consultations when needed for farms and produce growers. 50% of firms have been food manufacturing related and 20% of firms have been retail.

Dairy/Shellfish – Frank Barcellos

In March when COVID-19 restrictions hit Food Safety managers foresaw there being difficulties in meeting all of the testing/inspection deadlines for both the dairy and shellfish programs. This would have resulted in Food Safety being unable to provide the needed documentation in two years. An emergency consideration gives the program 90 days of leniency when it comes to testing and inspection deadlines. The FDA was more than agreeable with waiving all deadlines. Food Safety is currently awaiting approval of our 3rd 90-day waiver.

With COVID-19 assessment protocols in place inspectors now test and inspect on pre-arrange appointments. Before it was an unannounced inspection/test and at times there wouldn't be product available to sample.

General updates – Isaak Stapleton

Frank Barcellos is retiring at the end of October. Frank has been with us since 2012 when he took over the dairy program. Frank has built the program into a fantastic dairy program. In the division of managerial duties, John Burr will focus on FDA contracts, food processing, and training. Rusty Rock will focus on retail, meat, and cannabis, and Karel Smit will focus on Dairy and Shellfish.

FDA Contracts – John Burr and Kent Widdicombe

The FDA program is very important not just for the funds it generates but also for the fact that the FDA style of inspection makes food safety inspectors better. In March the FDA issued a stop work order. At that time, food safety had completed 50% of our contracts. The program was looking at a possible shortfall of \$340,000. In June the stop order was rescinded and food safety resumed FDA inspections. Food Safety ended up finishing about 75% of FDA contracts and have a short fall of only about \$164,000 for the year.

Oregon performs FDA audits on our staff by our own trained auditors. It is required to preform two audits on each inspector every 36 months. Food Safety was scheduled to perform 20 audits this past year which was not achieved due to COVID-19 work restriction. However, the low number of audits this year has been forgiven by the FDA.

This contract year (starting Sept. 2020) food safety is seeing a decrease in GMP inspections from 332 to 200 but an increase in PC inspections from 16-40. Food safety is expecting to receive \$570,000 for the 2020-2021 FDA contract year. All of FDA inspections are to be pre-announced until further notice.

A concern this year is training. FDA training is very restricted this year. For the virtual PC training course, food safety asked to have 17 inspectors trained but only 7 are being sent.

There is a new emphasis on intentional adulteration. Part of the FSMA, subpart 121 lists intentional adulteration as a concern for the FDA. One facet is a concern about the impact of the product on a population. Firms over 10 million a year need to have a Food Defense Plan outlining possible threats to their products and a way to protect that product. ODA may register firms for the food defense plans but will not, at least for now, be doing any of those inspections.

This year Food Safety will also be investigating FDA complaints. Food safety is slated to address 33 FDA complaints.

For the next contract year, 2021-2022 there will be fewer GMP inspections with a possible slight increase in PC inspections

Wildfire Response – Isaak Stapleton

The agencies' response to the wildfires center around emergency animal care. ODA was all hands-on deck, setting up emergency shelters, tracking animals and setting up livestock pens.

A request to USDA for an Incident Management Team, IMT, was submitted and there are currently staff assisting ODA in the emergency response efforts. The USDA team is assisting in coordinating resources for counties that need them such as providing feed to animals that had to shelter in place and assessing damages.

ODA's IS program did amazing work. In just one weekend IS staff set up an animal tracker database where people can post animals founds, sheltered, or lost to help reunite them with their owners. There are currently only 25 animals left on the site.

Food Safety is working on creating a GSI map layer for all licensed firms in the state. This is to be used for emergency response in burned areas and to help pin point assistance to those food firms impacted. Food Safety estimates that we had/have 170 firms in a level 3 evacuation zones.

Miscellaneous - Isaak Stapleton

Next meeting to be held in January of 2021. A doodle poll will be sent out for input on dates.