

Food Safety Advisory Committee Meeting Summary
November 15, 2016

Attendees

Stephanie Page	ODA
John Burr	ODA
Karl Smit	ODA
Amanda Wright	ODA
Frank Barcellos	ODA
Monica Durazo	ODA
Ivan Maluski	Friends of Family Farmers
Connie Kirby	NW Food Proc. Assoc.
Dave Martin	OHA
Tami Kerr	ODFA
Stephanie Dukovcic	Ever Fresh Fruit Co.
Anneliese Koehler	Oregon Food Bank
Steve Ramsey	Safeway/Albertsons
Jovana Kovacevic	Food Safety Extension & Research
Karen Samek	Darigold
Rebecca Landis	Oregon Farmers Market Ass.
Jenny Dressler	Oregon Farm Bureau
Jerome Rosa	OCA
Shawn Miller	NW Grocery Assoc.

Legislative concepts – review drafts and discuss feedback

- No questions about the PMO/statutory cleanup concept.
- The Dietary Supplement concept would add these supplements to the existing definition of “food” in the Food Safety program statutes.
- Jenny Dresler asked if industrial hemp oil considered a dietary supplement. Stephanie Page said it appears so looking at the definition in the concept, but will check. Dave Martin asked if this will be just for supplements produced in Oregon and ODA confirmed that this is the case.
- Jerome Rosa asked about the feed portion of the FSMA legislative concept and asked for an example of what could be exempt by rule. Stephanie Page will talk to Richard Ten Eyck for an example and get back to him.
- Karen Samek asked about the rules in place now related to commercial feeds. Stephanie Page explained we have feed statutes and rules in place in Oregon now. Commercial feeds register with ODA and ODA reviews the labels for

- feeds; ODA also conducts GMP inspections on medicated feeds but not non-medicated feeds.
- Ivan Maluski asked about the purpose of the language changes in the feeds bill – specifically, how will these changes help make ODA’s authorities consistent with the FSMA animal food rule? He is concerned for the smaller feed mills and how the new federal rules will affect them. ODA will provide a summary to the committee regarding these proposed changes.
 - Connie Kirby asked how human food by-products would be affected by the concept; ODA will include this information in the summary for the committee.
 - Several committee members expressed concern about human food by-product haulers increasing their hauling fee by 3X, the question; is that because of FSMA?
 - Connie Kirby explained the main concern of the processors is the animal food rule and its effects on by-products.
 - Rebecca Landis is concerned that the language “the supply chain” in the relating to clause of the FSMA concept could end up regulating marketing and not so much food safety. Producers would conclude that the price would be going in to marketing and not so much food safety. Ivan Maluski also suggested the wording be changed to “food safety” not “food supply chain.”
 - Jenny Dresler asked if Section 1(1)(c) and (f) of the FSMA legislative concept could be more clear in referencing outreach and education.
 - The next deadline to request FDA funds for produce rule implementation is April 2017. Has Oregon discussed providing funding for FSMA implementation? State Departments of Agriculture feel strongly that the federal government needs to provide funding for FSMA implementation rather than the states ending up with an unfunded mandate.
 - Rebecca Landis asked why Section 6 of the FSMA legislative concept is placed at the very end of the bill when it appears to belong at the front. It’s not only referring to animal feed. The rule making authority language is confusing. She also noted that she wants to make sure this does not give the state additional regulatory powers beyond what is needed to implement FSMA.

Produce safety rule grant update

- ODA received a \$3.5M grant over a 5 year period. Approximately \$700,000 is available for the first year.
- ODA applied only for funds for outreach, education, technical assistance, and inventory (not inspections). ODA prefers to get legislative approval for inspections prior to applying for those funds and would also like to see examples of what other states are doing prior to taking on this work.
- ODA will be working to bring on staff to this project. We see ourselves conducting outreach and cost-sharing grower training, but prefer to partner

with another organization to deliver the training rather than deliver the training ourselves.

- Jovana Kovacevic and Stephanie Page provided some background information on the organizations that have developed curriculum and are providing train-the-trainer trainings. The Produce Safety Alliance developed the curriculum; OSU will facilitate train the trainer trainings, and the participants in those trainings will deliver the grower trainings.

Food Safety Program Audit & Recommendations for Improvement –

- The Food Safety Program audit was published online by the Secretary of State's office during the meeting. Amanda Wright brought copies of the report that was initially posted online, which did not contain the agency's response. Several committee members were able to view the agency's response once the correct version was posted online.
- Rebecca Landis said she thinks there are some contradictions as far as backlog.
- Shawn Miller asked about the plan to address staff turnover and training. The staff is our budget. Who are we losing our staff to? County, FDA? Are inspectors not paid enough and how can you keep them? ODA staff explained that we have lost inspectors to FDA and to retirements.
- Rebecca Landis asked why FSP still doing dailies on paper. Stephanie Page explained that another platform is in development together with ODOT and DEQ and will be available in a couple years; in the meantime, the program plans to use a simple spreadsheet or database.
- Stephanie Page added that we are not going to radically change our approach and our mission will still be to educate our licensees.
- Over all consensus is that SOS should have spoke to Food Processors as well before this report was finalized. It is not clear if this happened.
- Connie Kirby asked why are we lowering the number of FDA contracts? Industry would rather Oregon inspectors show up vs. FDA.
- Karen Samek asked why was this report done? Who requested it? Stephanie Page explained that the Secretary of State's office conducts routine performance audits and had not conducted one of ODA for some time.
- Karen asked whether cannabis had anything to do with this? Who is responsible for all the cannabis? John Burr explained the process and responsibilities; the Food Safety Program is only looking at the food safety component.
- Connie Kirby said she would give kudos to the program and said this audit paints a darker picture than what's felt by industry.

The committee took a brief recess and then had a working lunch, resuming discussion on the program audit.

- Steve Ramsey asked if the backlog is due to the FDA contracts and is there a backlog in the FDA contracts? John Burr explained that there is no backlog on FDA contracts. Steve Ramsey asked if the program can conduct less FDA contract inspections and make the normal work a priority.
- Steve Ramsey said he would like to see consistency between ODA inspectors. Karel Smit mentioned that the program's new retail specialist has already made a lot of changes and is implementing many new ways of doing things so that inspectors are conducting retail inspections more consistently.
- Shawn Miller suggested meeting again in January to discuss the FSP/ODA response to the audit and ODA's plans to address the issues raised in the audit, as well as budget.

The committee set its next meeting for **January 18th 2017 at 10am**