

Food Safety Advisory Committee
October 4, 2019
10 am – 1 pm

Meeting Summary

Attendees

Advisory Committee members:

Jamie Wiggins, Food Northwest, Co-Chair
Shawn Miller, NW Grocery Association, Co-Chair
Bob Beck, Norpac Foods
Shannon McFadden, Oregon Food Bank
John Lin, Pacific Seafood
Tami Kerr, Oregon Dairy Farmers
Karen Samek, Darigold/NDA
Jerome Rosa, Oregon Farm Bureau
Jana McKamey, Oregon Winegrowers Association
Rebecca Landis, Oregon Farmer's Market Association
Steve Ramsey, Safeway
Dave Martin, OHA, Public Health Division, Environmental Public Health

Staff:

Isaak Stapleton, ODA
Karen Apiado, ODA
Karel Smit, ODA
Jack Noble, ODA
Sabrina Martinez, ODA
Kathryn Nelson, ODA
Kent Widdicombe, ODA

Inspection Progress Update: Isaak

A copy of our Aged 90-day report was provided. Our report shows that high risk inspections are not getting lower than 200. Routine inspections take fifty-four percent of our staff's time. Remaining time is focused on non-routine work. We are looking at non-routine work and are trying to find creative solutions to reduce that work and be more efficient. Some things being consider are; can we have other programs within the agency do sampling assignments for us, have other staff members cover other work assignment areas. There are some areas (Eastern and Southern Oregon) that are hard to provide help.

A question was asked if the Secretary of State (SOS) office will do another audit. After a year, SOS did a follow-up, but will not be doing another audit. It was also asked, why do inspectors take six to eight hours in one retail store? Some retail store inspections can

take more time than other due to multiple license types and inspections associated with each.

Budget Update: Kathryn Nelson

A copy of the agency 2019-21 budget and financial outlook was provided. The charts show general fund budget and cash balances trending downward. Without a fund shift reversal the program is looking at a twenty percentage fees increase to maintain current service levels. HB2059 extended the programs authority to raise license fees 3% annually through 2025. The program will be increasing license fees by 3% for the next license year.

Unlicensed facility update: Isaak

Our program staff called the list of individuals who owed multiple years of license fees and were able to gain compliance from many on the list. Licenses, that were multiple years behind went from eighty-four to thirty-three. We drafted civil penalties notices, but did not have to use them yet. There are currently 189 business with late fees who have renewed their licenses for the 2018 -2019 licensing year and 591 business who have not renewed for 2019-2020 licensing year. The 591 number, who have not yet renewed is a small percentage from the total amount of licenses that have renewed.

Mobile food rules: Dave Martin

Mobile food unit rule revision started in 2010. Oregon Health Authority (OHA) oversees facilities for immediate consumption. Combinations of brew pubs and restaurants. A deli inside Safeway, would be licensed by Agriculture. Mobile food units must be mobile, they are not required to move at any particular interval. Mobile units do not require commissary. Food carts lack of movement and development of "pods" have led to issues. The issues became water supplies, waste, and refrigerator/ freezer outside. Local county health departments and OHA came up with a list of issues that needed to be addressed. The workgroup of regulators and industry met January and August 2018 to develop recommendation. The workgroup came up with fifty to twenty concepts changes to the rules. Mobile food unit inspections will be scored and enforcement will be the same as restaurants.

- By January 1, 2020, mobile units will need to maintain mobility.
- By July 1, 2020, cooling procedures and cooling logs.
- By January 1, 2021, storage violations will become priority.
- By January 1, 2023, off-unit water tanks will be required.

Mobile units are currently not allowed to cater from unit. If mobile units can approve by January 1,2020, they are able to function a catering operation out of the unit, they will be approved. Mobile units are operating out a licensed commissary for the catering portion of their business.

Temporary event rule will allow non-potentially hazardous food served at events will be exempt under the following conditions: the event is a that starts and ends. The event can be fall festivals or fundraisers. Your birthday is not considered an event. The events cannot be seasonal or farmers market. Exemptions could be soda, ice, and elephant ears. The revision for this rule timeline is: October 28. 2019, there will be a public hearing and rule will take effect on January 1, 2020.

FSMA PC Inspections and FDA Contact: Kent Widdicombe

Currently, we have thirteen inspectors trained for preventive control inspections. There will be twenty seats for the next preventive control training. The training is seven days, which goes over the weekend. The training includes group training, discussions, and onsite training at a facility. On job experience will include three inspectors at each training. By next May, we would like to have twenty more inspectors to complete the training. Nutrition labels will be required on products starting July 1, 2020 and or larger establishments January 1, 2020. We will not approve labels, but we will review the labels. Serving size is important on nutrition labels.

Returnable containers: Isaak

A stakeholders meeting was held with ODA, OHA, and industry about reusable containers and general concerns. A copy of meeting minutes was provided. The food code rules indicate no reusable containers are allowed. ODA plans to have draft rules around reusable containers and hopes to have a draft by the end of the year. A question was asked regarding who would oversee the containers and third-party companies providing cleaning and sanitation of containers, such as GoBox.

Custom Meats: Isaak

Slaughter processing facilities are slaughtering apala and bison marked not for sale and not inspected for retail sales. This is an ongoing conversation with industry and will require a statute change.

Dairy Update: Karel

Inspectors who have had the chance to go out with the FDA milk specialist during Check Rating Inspections are seeing how those are done. We will start having our routine inspectors start addressing Appendix T with our Grade A and larger sized non-Grade A dairy firms during routine inspections. This is to be pro-active in preparations for the FDA Check Rating inspections. FDA does not have enough dairy inspectors and also, we don't yet know who from the FDA will inspect our manufacturing dairy plants (non-Grade A).

Our inspectors are starting to see more Automatic Milking Installations (AMIs) or Robotic Milkers getting installed at dairies due to the high cost of labor and lack of

reliable workers. Also, with milk prices being low and costs high, some dairies have closed their doors for good.