



## **Food Safety Advisory Committee Meeting**

**August 04, 2022**

**10:00 a.m. to 12:00 p.m.**

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**Facilitator:**

Rustin Rock, Oregon Department of Agriculture

**Attendees:**

Valerie Aliski – Oregon Health Authority Food Pool & Lodging

Josh Baruch – Oregon Food Bank

Bob Beck – Northwest Foods

John Burr - Oregon Department of Agriculture

Paul Cieslak – Public Health Physician Oregon Health Authority

Tammy Dennee – Oregon Cattleman’s Association

Azure Edwards – Public

Craig Geddes – Oregon Health Authority Food Pool & Lodging

Tammy Keer – Oregon Dairy Farmers

Jenny McCool – Oregon Department of Agriculture

Shawn Miller – Northwest Grocery Association

Timindra Pratico – Oregon Department of Agriculture

Kirsten Ringen – Food Northwest

Paul Sherman – Oregon Department of Agriculture

Karel Smit – Oregon Department of Agriculture

Erica Vaness – Oregon Health Authority Food Pool & Lodging

Claire Waggoner – Oregon Farm Bureau

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**General Program Status & Budget – Rusty Rock**

Program cash balance was roughly 6.2 million at the end of June. Higher than the program wishes to maintain. Causes contributing could be the covid funds and the program was down 3 positions, which saved money.

The goal is to maintain 5.5 million in cash reserve. Next fiscal year the program could have about 6.8 million in reserve. Due to the excess, there is no need for the 7% allowable fee increase. If the program went with a 7% increase the cash balance would hold at roughly 6.9 million, which is much higher than the goal. The program doesn’t want to go with no fee increase, it wants to maintain the expectation and pattern of small increases. By 2027 the authority to increase by

3% expires. 3% may also be too high with the cash balance the program currently has The program is considering a small 1% increase in lieu of the 7% or 3%.

There are reasons to maintain a 5.5 million cash balance. 8 years ago, 1.5 million was taken from the program and it took 4 years to recoup those funds. Historically if the cash balance is too high there is a temptation to take funds away from the program and disperse elsewhere.

There are 2 new additions to the inspection staff, both in training. There are also 2 new management staff, the office manager started in February and the new program manager will start August 24<sup>th</sup>.

Aged inspections are currently down to 3,800 from 4,900. The high-risk inspections are down by almost half to 673 from 1,280. Staff are making these a priority and working hard to achieve this.

Asked for \$254,000 to add 1 FTE and resources to conduct and analytical review and develop changes to ODA's Food Safety program. The goal will be to examine how ODA's Food Safety program can best support BIPOC and immigrant-owned food establishments to consider cultural food practices, reduce language barriers and maintain access to safe food.

The North Valley Complex is a new statewide investment in state laboratory infrastructure and resiliency. ODA will consolidate our existing labs into a state-of-the-art facility with an additional 12,905 sq ft of space. This will allow for agency wide modernization and be a centralization for the Regulatory, Plant, Seed and Insect/Pests labs. The facility will be shared with Oregon OSHA.

### **Dairy and Shellfish program status – Karel Smit**

Dairy inspections are back to pre-COVID levels. Oregon is losing 1-2 dairy producers every month, despite this milk volume is increasing. There is a rise in small producer/distributors and many of the larger dairies are investing in new equipment. Oregon State University is building a new dairy plant that will be a teaching institution.

The Food Safety program received \$25,000 from the 2022 Association of Food and Drug Officials AFDO Grant. With those funds the program purchased:

- Digital levels for accurately measuring slopes of pasteurizer holding tubes
- One (1) HTST pasteurizer timing system
- Folding hand trucks used for dairy sampling
- Nine (9) pasteurizer test thermometers
- Two (2) pasteurizer hot pots
- One (1) ODA dairy lab refrigerator
- Sampling coolers

Total cost of equipment was \$25,000 excluding shipping and handling.



Oregon Dairy Farmers Association (ODFA) has asked ODA to work on reducing Somatic Cell Counts in cows from 500,000/ml to 400,000/ml. This is with the hopes that it will get Oregon's milk and/or milk products into overseas markets and it aligns Oregon with neighboring states Washington and Idaho. Within this process Oregon will also increase the SSC for sheep milk from 500,000/ml to 750,000/ml.

There continues to be a push for legal consumption of raw milk and milk products. There was a Raw Butter Bill proposal that did not make it through the rules process. A herd share approached ODA wanting to hand out free <2.0 oz. samples of raw milk to the public attending a public farmer's market. They were told no and ODA consulted legal counsel at DOJ to solidify the stance.

The American Cheese Society (ACS) conference was held in Portland, OR this July 21<sup>st</sup>-23<sup>rd</sup>.

The Shellfish/Crab program received the 2022 AFDO Grant for \$25,000 and purchased:

- Two (2) Emergency Position-Indicating Radio Beacon (EPIRB)
- Five (5) 35 qt. Rotomolded Cooler (super-insulated)
- Five (5) 50 qt. Rotomolded Cooler (super-insulated)
- One (1) Salinometer

Total cost of equipment excluding shipping and handling was \$3,000.

On July 15<sup>th</sup> the City of Newport alerted of a sewage spill into Yaquina Bay. 340,000 gallons of raw sewage was spilled into the bay. ODA follows the National Shellfish Sanitation Program (NSSP) to determine closures and this spill required a 21- day closure. There are 2 oyster growers/harvesters in that area that were affected. August 6<sup>th</sup> is the potential date for them to be able to operate again. The City of Newport and DEQ posted signs around the bay informing recreational harvesters not to consume shellfish due to the spill.

Recreational razor clam harvesting is closed from the Columbia River to Tillamook Head and open from Tillamook Head to the California Border. The annual razor clam conservation closure does not apply south of Tillamook Head.

Recreational mussel harvesting is open from the Columbia River to the California border. There is no approved commercial mussel harvesting for human consumption in Oregon, only small commercial bait mussel harvesting operations through ODFW.

Recreational bay clamming is open along the entire Oregon coast, from the Columbia River to the California border.

Oysters are not included in the opening/closures notices because there is no recreational harvest of oysters in Oregon. All oysters are grown by aquaculture and belong to licensed shellfish operations.



Commercial and recreational crabbing is open along the entire Oregon coast, from the Columbia River to the California border. Commercial Ocean Crabbing season tends to run from December 1<sup>st</sup> to August 15<sup>th</sup> each year. If crab test OK for Domoic Acid (DA) and the crab meat testing results are good, the crab season opens on December 1<sup>st</sup>; if the meat content is low or DA is high, the opening could be delayed.

### **FDA and Retail program status – John Burr**

The program is going back to normal pre-COVID inspections. No longer calling every firm ahead of time to schedule.

Reusable containers are still a topic of discussion. Currently the food code does not allow it. A group of members from industry and the public was assembled to re-evaluate the code. Washington state code regarding reusable containers is being used as a basis for new rules. Their rules are favorable for Oregon and are being adopted and rewritten to fit Oregon's style better before being submitted to the committee. If the committee agrees they will be presented to the Legislature. It will allow consumers to bring in a visibly clean container & refill from gravity flow fillers. This will be voluntary, not all stores will be required to do this.

Continuing routine, two (2) times monthly calls with Oregon Health Authority (OHA).

Meeting with OLCC on August 11, 2022, to discuss recalls and high-risk cannabis processing. There were some labeling issues that should have resulted in a recall; ODA had to help OLCC with the process even though OLCC regulates cannabis labeling.

In the upcoming year the FDA is reducing the amount of contracted inspection work through ODA Food Safety. They are dropping from 200 GMP inspections to 150, which will result in \$30,000 less revenue.

Doing less inspections will make ODA workload lighter, but the FDA contract inspections help make the inspectors better at inspecting as they are more in depth.

Many variance requests are coming in. Molluscan tanks are a concern, so a team is being assembled to assist with getting all the tanks onto a variance, for quality control.

All inspectors will be learning to do PC inspections. Twenty-one (21) are currently fully trained, five (5) are taking the course this year and three (3) more next year. The course is seven (7) full days in person or five (5) hours a day for ten (10) days if virtual. The hope is that all training will eventually transition to being virtual, it is easier for inspectors to complete the training while being able to work a few hours a day on their current load.

The Oregonian released information about aged inspections. Any that are more than 90 days past due. As mentioned earlier the number of overdue inspections has decreased substantially.



Program managers are working with staff to get back into the groove of doing inspections pre-covid.

The amount of time inspections take varies depending on the type. For example, routine inspections take no longer than a day, while PC inspections take 1.5 to 2 full days.

### **State Meat Program – Rusty Rock & Paul Sherman**

The State Meat Program has a separate budget from Food Safety; that budget is \$821,725 GF. We hope to have four (4) meat inspector positions phased in over the biennium. The program may be eligible for federal fund reimbursement that may reduce the general fund expense.

The goal of the Oregon Meat Processing Infrastructure and Capacity Building Grant was to expand meat processing statewide for Oregon-raised livestock. ODA chose six (6) Oregon meat processing businesses to receive a portion of the \$2 million allocated by the Oregon Legislature.

July 25, 2022, ODA's cooperative agreement was put into effect and the formal sign off documents from the USDA Food Safety and Inspection Service (FSIS) program were received.

July 27, 2022, ODA completed the permanent filing of the meat rule: Oregon Administrative Rule (OAR) Chapter 603 Division 29: State Meat Inspection Program.

The first establishment operating under the State Meat Inspection (SMI) Program will be a charcuterie firm licensed by a County Environmental Health Department. The firm wants to wholesale their products throughout the state and hopes to start operating under the SMI program by the end of August 2022. USDA will reimburse up to 50% of cost after the firm demonstrates they are equal to the USDA standards. The other 50% will come from the SMI program budget.

Information regarding the SMI Program is on the website at the following link:

<https://www.oregon.gov/oda/programs/FoodSafety/Pages/MeatInspectionProgram.aspx>

The Food Safety automation specialist is working with the Meat Specialist to add inspection purposes and violations of the SMI into the Be Food Safe (BFS) inspection program while still working with the USDA FSIS on using their inspection program.

Existing field staff have been offered the opportunity to serve as backups (to the yet-to-be determined) dedicated staff for the SMI program and received four (4) candidates. These four (4) existing FSP staff members will get trained to start new firms wanting to operate under the SMI program since the program has just started and there are no dedicated staff yet.

Next steps include:



- Getting the first SMI facility started under the program
- Visit the six (6) Oregon meat processing businesses that received grant money
- Work with new interested facilities wanting to operate under the SMI program
- Buy equipment for the four (4) backup field staff
- Train the four (4) staff members and much more

**Closing remarks/questions – All**

What is the definition of “meat” as it applies to lab created meat? Latest update is that the lab created industry is imploding. Financing for the industry is falling as well. The FDA is not going to change the definition of meat at this point. (Tammy Dennee answered this question)

Future Food Safety Advisory Committee meetings will have both an in person and virtual option for attendance. Virtual meetings proved successful during COVID times and provide the ability for as many people to attend even if they can't make it in person.

**Adjourn 11:35 a.m.**

