

**DEPARTMENT OF AGRICULTURE, TRADE, AND CONSUMER PROTECTION  
(DATCP)  
DAIRY RULES ADVISORY COMMITTEE (DRAC)  
MEETING MINUTES**

**Date:** October 19<sup>th</sup>, 2022

**Time:** 9:00 AM – 11:00 AM

**Location:** Center for Dairy Research in Madison and Virtual Teams Meeting

### **Welcome and Introduction**

**Call to order:**

Alex O'Brien called the meeting to order at 9:01 AM

**Open meeting notice:**

Alex O'Brien stated the meeting is a public meeting. The open meeting notice has been posted.

**Roll Call:**

Members in attendance: Andy Johnson, Bob Wills, Jessica Hansen, Gloria Joseph, Jeff Kirchberg, Nelson Schrock, Helen Schmude, Jacquie Papple, Dean Hines, Adam Brock, Tim Neubauer, John Umhoefer, Jim Schwartz, Alex O'Brien, Laura Traas, Joe Myers, and Norm Monsen

Others in attendance: Floyd Bontrager, Elmer Schumacher, Rebekah Sweeny, Justin Jafferis, Kristin Strohenger, Kate Angeles, Jim Pikka, Amy Millard, Tyson Villarreal, Mary Rollins, Troy Sprecker

Members not in attendance include: Lisa Torkelson, Dawn Walter, Ben Shibler, Daniel Smith, Shelly Mayer, Kristen Houck, Joe Miller, Karen Gevfert, Mick Homb, Tom Crave, James Baerwolf.

**Approval of agenda:**

The agenda was approved.

**Approve previous meeting minutes:**

No corrections to the previous meeting minutes for the DRAC June 8<sup>th</sup>, 2022 meeting. Meeting minutes were approved.

**Public comments:**

There were no public comments.

**Membership Updates:**

The committee welcomed back Jacquie Papple for Saputo.

### **DATCP Update**

Laura Traas presented the DATCP Update (**see slides from DATCP Update 10-19-2022**) and started with sharing the personnel changes within the Dairy Section. Tim Anderson, Chris Theder, Steve Stoner, and Courtney Bowman have left the division. Margot Dahling, Josh Fangmann, Craig Warminski, and Laura Traas have accepted new positions within the division. There are 3 sanitarians in training with 4 vacancies that need to be filled. Due to personnel changes within DATCP, plants may have different sanitarians filling in. The Dairy Technical Specialist (DTS), Milk Sanitarian Rating Officer (MSRO) and Laboratory Evaluation Officer (LEO) positions have been filled and those individuals are in training. DATCP is currently

recruiting externally and internally for the Dairy Technical Specialist Supervisor. Anyone interested in this position can apply on Wisc.Jobs.com. DATCP will hopefully start training a new multiple products grader. When training new and existing staff, DATCP seeks out external training from different sources (CDR, Dairy Practices Council, World Dairy Expo, and 3-A Sanitary Council).

The ATCP 82 Scope Statement is still in progress. We were hoping to get approval in July, then September and now are unsure if approval will come by the November deadline. We can't work on the rule language until the scope statement has been approved. There were several issues discussed by the ATCP 82 scope statement sub-committee. There is no guarantee that we will be able to address all the concerns into the new rule. Some of these issues might need to be solved in a one-on-one situation.

The DATCP Emergency Sealer Pilot Program was initiated in February 2022. There are 7 organizations participating (4 Grade A dairy, 3 Grade B dairy, and 1 tech service company). All participants have been enrolled in the UW virtual training course. DATCP has received three applications that have been processed. On the Job Training (OJT) has been started by the division with the applicants. A couple issues that industry has discussed is plants are having trouble obtaining the equipment needed and the cost of the equipment. There has also been challenges with the participants learning the new process and skills.

The National Conference of Interstate Milk Shipment (NCIMS) is scheduled for April 3-7, 2023. Any proposals that were submitted last year will not need to be submitted again. January 13<sup>th</sup>, 2023 is the deadline for submitting any new proposals.

There is a FDA grant that is funding work on the testing of soft Hispanic style cheese for *Listeria monocytogenes*. There are trends with recalls on this type of cheese. This also involves Spanish language training. They are also working with chefs to find a food substitute for different type of cheese that may be less of a risk for pregnant women to consume.

FDA is also looking at multi-drug testing. The old pilot program was not an efficient method for investigating 19 different drugs. The sample protocol would be that the state collects blind samples and send those samples to a clearing house and freezing the samples for at least 1 month. Then random samples will be pulled and tested by a laboratory. This will protect any product from being placed on hold due to a positive test result. FDA is hoping to start in January 2023.

### **Subcommittee Updates**

John Umhoefer reported that the Pasteurizer sub-committee met in April 2022 and hasn't had a meeting since. John asked if the pilot program has been paused due to Tim Anderson and Steve Stoner leaving.

DATCP: There has been a pause due to the OTJ training. We are finding that the individuals need more time to work with their equipment and are not ready for the DTS to do the training. Michelle Steinmetz is overseeing the program right now.

John U: Do you think there needs to be more of a group training with the hardware or are the pasteurizers too different to do that?

DATCP: Since each pasteurizer is different, the training needs to be individualized.

John U: That aspect will slow down the program. Would DATCP be willing to do industry training with the broken seal report form? Maybe help from CDR or WCMA?

DATCP: Yes, DATCP would be open to that.

John U: Can you give use an update on the FDA approval of the new electronic pasteurizer recording hardware/software? Will ATCP 65 need to be updated before they will be allowed?

DATCP: While waiting to update ATCP 65, DATCP can write some guidance documents on using the new technology. DATCP will need to look at the old language of the rule to make sure the new technology is meeting all the requirements. In the past, some of the new technology doesn't have a way to document unusual results/events.

John U: The guidance document that DATCP send out on missing and incomplete pasteurization records was a very helpful document which was asked for by the sub-committee. We may need to have the sub-committee meet again to brainstorm more ideas on how to get more individuals through the sealer program.

Alex O'Brien gave an update for the phosphatase sub-committee. DATCP recently sent out a guidance document on phosphatase testing and submitting reports to DATCP.

DATCP: Prior to the DTS resealing the pasteurizer, the DTS needs the broken seal report in-hand within 5 days. The rule states the pasteurizer can't be used after 10 days. The guidance document also clarified testing for phosphatase. Besides taking a sample every 4 hours, a sample needs to also be taken at the start-up and the end of pasteurization.

Alex O: There is a simplified flowchart with very basic interpretations of the guidance document on the CDR pipeline (Fall 2022, Volume 34 Number 3) and on the Dairy Safety Alliance website for plants to use. CDR is also working with Katie Tuchalski to make videos for doing the pasteurizer test procedures. Currently the sub-committee is still looking for grants and any chemicals that would be better. We are narrowing in on one particular chemical and are hoping to have another meeting in the next quarter.

## **Member Concerns**

Tim Neubauer: How is the Piper system look?

DATCP: The system on the truck looks good and may get approval. That is one of those systems that doesn't allow the documentation of unusual events. This may require a hauler log form for documentation.

Tim N: What about putting drip samplers into the intake?

DATCP: We have seen those in-use in another state. The issue is if it is a direct ship, the sample can't be used for drug residue testing (Appendix N). It can only be used for quality purposes unless the intake has a segregated tank that can be used.

Andy Johnson: I have seen concerns and issues with DATCP farm inspections and the differences between farm inspections and NCIMS surveys. From our customer's perception, they are wondering why the farms are failing on the enforcement failures and if the state sanitarian program is up to the PMO standards. It is very stressful for us to have to explain this to our customers. It would be better to be in line with the PMO and follow the PBFi rules. Also not

knowing when the re-inspection is going to happen is adding stress to being short staffed, scheduling vacations etc.

The state not allowing rolled on ferrules and having to update those on a farm when the next generation takes over is very expensive and a huge stress on the farm.

Adam Brock: We don't want outsiders to get the perception that government is trying to shut-down the industry. We need to think about the big picture to make sure that doesn't happen.

Dean Hines: Every farm should have Grade A status all year. We should have inspections two per year. Rolled on ferrules are allowed in other states.

Nelson Schrock: What is the concern with rolled on ferrules with raw milk? Is there a way to bridge that gap?

DATCP: Overtime, there becomes a gap which creates a point for harboring bacteria. This is the point of the committee and we will discuss this issue further and see if we can find some solutions.

Elmer Schumacher: Instead of having to do the update all at once, it would be better to have a two-three year time frame to get the changes done. Just because there is a new license on the farm doesn't change the quality of the milk.

Jeff Kirchberg: There needs to be something to protect the younger generation and won't end their operation.

Bob Wills: I have a concern with the health screening exemptions of the sanitarians at the plants. We are having issues during our SQF audits because we aren't documenting the health screen. I also hear other plants are having issues with not wearing footwear etc. and it's putting the plants in a tough position.

DATCP: With COVID, HR had issues with recording employees' temperatures which violates HIPPA. We decided that plants can ask the questions but can't record the results. We should be able to find some middle ground here. One of our Laboratory Evaluation Officers was documenting on their report that the self-assessed for COVID symptoms.

Bob W: With IMS coming up in the spring, it would be beneficial to identify what issues are IMS related and what are ATCP 65 related in regards to the automated pasteurization recording systems. I would urge the pasteurization sub-committee to meet soon so we can write a proposal to NCIMS if it is needed.

### **Summary of Action Items and Person(s) Responsible**

CDR will be hosting the next meeting will be Wednesday February 8<sup>th</sup>, 2023 from 9:00 am to 11:00 am.

DFW will be hosting the next meeting on Wednesday June 28<sup>th</sup>, 2023 (tentatively)

John Umhoefer will check with processors to host the October/November committee meeting

Nelson S motioned to adjourn meeting. Adam B seconded. Motion passes.

Meeting ends at 10:32 am.