

You Betcha Kimchi

Interview with Iman Mefleh

Summary

- Mefleh and Silberschmidt created You Betcha Kimchi to sell a healthy, fermented food to the broader community while also running Growing Lots Urban Farms. Their goal is to make their kimchi out of all locally grown ingredients.
- At the beginning of their kimchi production, Mefleh and Silberschmidt inaccurately believed they were operating legitimately after registering their business with the Secretary of State, but were shut down after discovering they needed to be licensed through the MDH and City of Minneapolis as well.
- Mefleh and Silberschmidt quickly outgrew home kitchen production scale and moved into a commercial kitchen space, but confusion on correct licensing still abounded. Mefleh is still unsure if they truly have the correct licenses.
- Kimchi presents unique challenges in that it requires bacterial fermentation, requiring food production processes that often go against traditional food safety recommendations.
- Mefleh feels a culture shift is needed among both inspectors and their broader agencies to have a more collaborative outlook on working with small food entrepreneurs - helping them identify alternative best practices when standard food safety practices won't fit their processing needs.

Introduction:

Iman Mefleh and her husband Joe Silberschmidt own and operate two businesses: You Betcha Kimchi, started in October 2013, and Growing Lots Urban Farms in 2014. Their plan was to start the kimchi business, test out the business plan using vegetables from an organic and local vegetable farm, and then start a farm that would allow them to grow all of the vegetables for their kimchi. Having no farming background but a desire to learn, they took the Farm Beginnings class at Land Stewardship Project and interned on a friend's farm before acquiring Growing Lots Urban Farms.

First Steps:

When Mefleh and Silberschmidt started You Betcha Kimchi, they registered their business through the Secretary of State's office and began their business. They tested their recipes with friends, scaled-up to bigger batches, and worked on standardizing the recipes. This initial work was done in their home kitchen with sales to friends conducted on Facebook.

One day, Mefleh and Silberschmidt received a call from the City of Minneapolis Health Department saying that they had to shut down because they were an unlicensed food business. This was a huge wakeup call for them; at the time, they were unaware of the need to also be licensed by the health department in addition to registering with the Secretary of State's office. Mefleh asked for information on the types of possible licenses, and they quickly applied for and

received a home processor license from the City of Minneapolis to continue to work out of their own kitchen. Sales continued to thrive and Mefleh and Silberschmidt quickly outgrew their personal kitchen space and began looking for a commercial kitchen space.

Moving to City Food Studio

Mefleh and Silberschmidt landed on City Food Studio, a commercial kitchen located in Minneapolis, MN. However, as this was in the middle of the year, they continued to operate with a home processor license until it was time for renewal; they had just submitted a payment for the home processing license before moving and didn't have extra money to spend on another new license. Although they suspected that the location change might be an issue with their licensing, they were confident in their food safety practices since these did not change between locations. Many licensing and inspection concepts became clearer after they moved to City Food Studio since other food entrepreneurs shared with them their stories of confusion and how these were resolved.

When the home processor license was close to expiring, the transition to a new licensing for a commercial kitchen space was confusing. Mefleh has copies of an e-mail chain of communications with City of Minneapolis Health Department regulators that is filled with conflicting answers about which license to obtain. Mefleh stated, "I could still be wrong. I've gotten so many different answers - multiple people in the same department told me different things." In the end, it was anticipated that the business's wholesale accounts were going to be much larger than their farmers market accounts, so they obtained a wholesale manufacturer license through the MDA and a farmers market license through the City of Minneapolis which allows them to sell at the Northeast Farmers Market. However, to them, it is puzzling as to why they need double licenses. "If we already have a license through the state, why do we also need another license to do the farmers market?" Mefleh and Silberschmidt stress that they work hard to make sure that their kimchi is safe to eat regardless of the venue in which it is sold.

Balancing Inspector Recommended Practices and Kimchi Creation Needs

One issue Mefleh and Silberschmidt have run into repeatedly is the fact that kimchi is a fermented food and it doesn't have clear guidelines and best practices specific to it in health code. "We *want* to keep our food at the danger zone, unlike other food businesses, because we are fermenting (which requires healthy bacterial growth). That's our strategy. We are depending on (healthy) bacteria to make our kimchi," said Mefleh. "It is interesting to balance what we know is right for fermentation and also almost teaching the state what fermentation means...while also having to comply with some things the state demands," says Mefleh.

An example of this challenge is that Mefleh and Silberschmidt cannot use the same commercial sanitizer that almost everyone uses in commercial kitchen spaces, because it turns their kimchi batches grey. Unfortunately, Mefleh and Silberschmidt have had difficulty finding alternative options and no one they've spoken with can advise on alternative sanitizers. Mefleh and Silberschmidt are at an impasse - "the health inspection system is not set up for this kind of [fermentation] processing. We could sanitize our equipment with soapy water, by boiling, or by

baking, yet our inspector's suggestion has always been to wrap the kimchi in plastic." They want to do whatever it takes to have a safe product, but their first and foremost focus is making a high quality product. Having regular plastic exposure to their kimchi compromises that quality, and they would like to work with their inspector to find other acceptable sanitation practices.

Furthermore, although their inspector relationship is a fairly amicable one, Mefleh feels her inspector doesn't "get" fermentation and is not able to think creatively with them on acceptable production solutions. In addition, during their last inspection, their MDA inspector used FDA inspection guidelines and was asking different questions to both Mefleh and Silberschmidt when they weren't in the same room - a tactic which Mefleh and Silberschmidt felt was possibly being used to test for conflicting answers. Mefleh found this use of FDA guidelines and questioning methods inappropriate. She's too small to fall under the FDA regulations they were being inspected for, and Mefleh had to say to her inspector multiple times, "This is an MDA inspection so please let's stick to that." Mefleh stated, "inspectors should be your ally - they should stop you from doing things that are bad for food safety, while also helping you be better." It feels to her, instead, that inspectors would rather shut down any business that does not fit simply into health code.

Ideas for Systematic Improvements

Mefleh had many ideas for what needs to be improved in the licensing and regulation system in Minnesota. One suggestion Mefleh had was for the Secretary of State's business filing website to ask you, when filing your new business, if you are starting a food business and recommend a number to call at MDA or MDH for those who are. This would increase the chances that anyone starting a food business also knows about the need to work with MDA and MDH. Secondly, Mefleh thinks that the web resources from the agencies need to be drastically improved. In a day and age when almost anything is accessible on the internet, it's puzzling as to why it's so hard to navigate and access government websites to get the right information. Thirdly, Mefleh thinks that it should be easier to navigate growing your business from small to medium-sized. She knows they want to head that direction with You Betcha Kimchi, but there's not a lot of supportive, incubating room for medium-scale businesses.

Lastly, to Mefleh, it feels like the state is resistant to assisting small, unique business models. It would be an improvement if the inspection culture and state statutes made room for innovative ideas, acted more as an ally than as an enemy, and were more open to assisting in developing food safety practices that don't fit into standard check boxes. "I value food safety and believe inspectors need to make sure people are using safe practices, but I do think that there are things that we do for the sake of 'food safety' which make food toxic to our bodies and have detrimental impacts on the environment (including micro-environments)," explains Mefleh. Some examples of what Mefleh means by this include, "using plastic wrap excessively, or using it to cover things that may leach chemicals from it, or using chemical sanitizer when we know that it kills good bacteria that are necessary to keep pathogens in check, and mostly pathogenic bacteria can survive when it is used."

Conclusion

Mefleh says that in general, food entrepreneurs are dissatisfied with the licensure process for startup food businesses. “If you go around City Food Studio and ask what people think about the licensing process, you’d get various kinds of responses and swear words. It’s just not easy,” says Mefleh. The people she knows who have food businesses and have stuck it out past a year are operating in a very hectic environment, and the licensing and inspection process does not make it any easier. Mefleh has actually consulted with a few people who want to start food businesses and recommends that they look up the licensure requirements before they start anything -- it’s too risky not to. “It should be so clear - abundantly clear - which license you need. Why should there be confusion or questions about which license you need?” If the state really wants to have safe food, finding and understanding the information to do so should be obvious and accessible to everyone.

For Mefleh, being part of the systematic change that needs to take place to allow room for innovative food businesses is worth the struggle. “I’m willing to go through a lot of the struggle because I think it’s worth it. The system is never going to change if people get shut down for trying. We are trying to persevere, even when things have been tricky and the government isn’t understanding of what fermentation really means,” concluded Mefleh.