

# Bush Grant Advisory Committee Meeting

September 21, 2015

401 Hayes Hall, St. Paul Campus, University of Minnesota

## **Agenda:**

Lunch

Licensing presentation by Val Gamble and Sarah Leach

Discussion of case studies prepared by Karen Lanthier and Stephanie VanDyke

Next steps discussion; include whether Karen & Stephanie should work on MDA fact sheet revisions

## **Members present**

Chris Kudrna

Jan Joannides

Lauri Clements

Lisa Wetzel

Sarah Leach

Val Gamble

Cecilia Coulter

Bruce Savage

Tim Jenkins

Jane Jewett

Jennifer Dierkes

Wayne Martin

Karen Lanthier

Stephanie VanDyke

Eric Sannerud

Phone: Colleen Paulus

## **Licensing presentation by Val Gamble and Sarah Leach**

Val and Sarah presented their "Poo Fighters" train-the-trainers modules for Certified Food Manager trainers.

Questions and discussion:

- Catering. If an event is truly catered, the same entity procures, prepares, delivers, and serves the food. In that case, the event host does not need a license.
- Food Code definition of “potentially hazardous” food:
  - Foods can be “risky” without being “potentially hazardous foods”
  - Temperature logs are not required by the Food Code, but are strongly recommended. Sometimes the MDA asks for this documentation, especially if a unit has been having trouble with temperature control.
- Plan Review would look at whether there is a proper match between size of facilities and number of people to be served. That is a common issue that caterers run into: their business outgrows their facilities. They may have started out working in a kitchen that was fine for serving 30 people, but then they get an event with 300 people and that kitchen just isn’t big enough.
- Norovirus control requires a certain type of sanitizer; not every sanitizer on the market will work.
- Licensing vs. risk
  - Colleen noted that over time, risky situations get corrected through interaction with inspectors through the licensing process. For example, in MN the most common cause of an illness outbreak now is Norovirus. It used to be Salmonella, but improved food handling practices have made Salmonella outbreaks more rare.
  - Insurance is not likely to cover the costs of an outbreak for a business entity that \*should\* have a license but doesn’t.
- What’s up with the licensing exemption for chili and soup cook-offs? – This was a politically-driven item that was added to the farmers’ market sampling bill. The wording specifically mentions soup and chili, so rib cook-offs or other types of cook-offs are not exempt.
- The new Cottage Food Exemption: question about why the two-tiered dollar limit? The original bill proposed had a single dollar limit, but people already operating at <\$5,000 year in sales under the Pickle Bill and non-potentially hazardous food exemptions objected to paying the \$50/year registration fee included in the bill, so it was split and only people doing \$5,000 to \$18,000 per year in sales have the \$50/year fee.
  - The dollar limit is gross sales, not net
  - This new law eliminated the separate Pickle Bill and non-potentially hazardous food exemptions; both are now contained in the Cottage Food Exemption.
- Product of the farm: the trigger for farmers needing a license is the adding of off-farm ingredients. The MDA/MDH fact sheet on sales of locally grown produce presented two triggers for a license requirement: addition of off-farm ingredients, or processing. However, processing as a trigger for licensing is not supported by the wording of the statute.
- Egg sales: this was clarified in conversations after the meeting. There is an exemption from candling and grading requirements for farmers who sell eggs directly to individuals from their farm premises. Any wholesale sales or sales off the farm premises – including CSA drop sites or farmers’ markets – are subject to the candling and grading requirements.

- Hazard = something that creates risk. Food establishments are put into a risk category:
  - High risk = inspection every year
  - Medium risk = inspection every 18 months
  - Low risk = inspection every 2 years (these are mostly sales of pre-packaged items that fall under MDA rather than MDH)

## Presentation of Interview Findings by Karen & Stephanie

Discussion of key points:

- Consistency was flagged as highly desirable.
  - Zoning is done by county and is not related to food inspections; this is a source of inconsistency that cannot be remedied within food inspections.
  - People want answers to all of their questions – zoning, food regulations, etc. – they are all wrapped together in the business owner’s mind. It’s easy to see why people want that, but that is not the way that regulatory agencies are currently operating.
    - In the City of Minneapolis system, all departments are involved at once in the same space.
- Risk and business costs:
  - There’s a perception among the farmers and food entrepreneurs that smaller business = smaller risk, and so there should be less regulation.
  - As businesses get closer to impacting health, safety, and wellbeing, the regulations get more complex.
    - Example: banking – very complex regulation – we have decided as a society that we want people’s money protected.
  - Food businesses are not special or unique in facing costs to start up or to scale up. There are similar scaling-up difficulties for any type of business once it outgrows the back yard.
    - However, lots of food businesses start out as hobbies. People getting into a food business by the hobby route are not as familiar with the business community and the support available within that community. There’s a lack of business knowledge.
- Having a person or resource as a mentor made a big difference to people starting a food business.
  - Who should the mentor/coach/advocate be? Suggestion that this should be a government employee; someone that other government workers can relate to and respect.

## Discussion of what could be helpful to people trying to start or expand a food business

- Inspectors giving advice on equipment? This gets into questions of inspection vs. advocacy; there is potential for harm if a recommended piece of equipment doesn't work as the business owner expected; potential to magnify personality conflicts.
- Plan Review in Olmsted County is navigated in a communal fashion: Public Health sends people to plumbing, zoning, etc. as needed.
- In navigating the system, there are multiple agencies that need to sign off and they might have different timelines – how do you avoid hitting a wall?
  - This can't be dealt with just within MDA and MDH, when there are also zoning, plumbing, electrical, other building code requirements.
  - Maybe a different/larger agency could be the navigator?
  - Can MDA or MDH inspectors refer people to other agencies, or flag requirements for the people they are working with?
    - Could MDA's new liaison position do this? This would be more advice than is typically given by inspectors.
  - Could the MDA liaison have a complementary person in Extension?
  - How broad would this be? What questions would a liaison answer?

## Summary & Next Steps

There are two broad themes coming out of the interviews:

- 1) Consistency
- 2) Innovation

Noted that these things have been discussed at the agency level over two decades. People have been tinkering with regulations rather than looking at the whole system.

Mapping of existing resources

- Create annotated list of available materials, resources, information; identify gaps.
- The Come & Get It! Manual for on-farm food service could serve as a model.

Attention to timing and phases of business development

- Start-up of a business is more complex than maintaining the business.
- You need the right information at the right time in the process.

- There's a glut of information. There needs to be an infrastructure for delivering the right information to people when it is needed.
- People pay attention to stories. Create 5 to 7 scenarios to show people the steps they need to take. Concentrate on smaller businesses.

#### Mapping of possibilities

- Explore the City of Minneapolis 311 system. This includes intake and referral, and information management. The 311 referral system uses adaptive software designed to learn over time.
- People want answers to the "why?" of regulations. Is there a way to set up a Q & A forum at the MDA or MDH?
- Department of Labor and Industry (DOLI) may have process information that can inform this group. DOLI itself represents a merger of regulation of various trades – electrical, plumbing, etc.
- What if you could do a chat in real-time with a knowledgeable person and get your answers?
  - More responsive than a static map or list of resources
  - Unclear how this would work when crossing geographic or agency jurisdictions
- What about farmer-to-farmer networking?
  - Concern about the blind leading the blind

#### Marching orders:

- Produce annotated map of information and information-delivery infrastructure
- Check into DOLI model, City of Mpls model
- Look at Come & Get It! Manual as a template
- Update fact sheets