



FOOD AND DAIRY DIVISION

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TABLE OF CONTENTS

04	Letter from the Division Director
05	Dairy Safety and Inspection
07	Emergency Response and Enforcement Unit
09	Food Safety and Inspection
11	Food Safety Modernization Unit
13	Food Service and Quality Assurance
15	Nutrition and Food Safety Outreach



LETTER FROM THE DIRECTOR

The primary responsibility of the Michigan Department of Agriculture (MDARD) Food and Dairy Division (FDD) is to inspect the roughly 26,500 licensed food and dairy establishments within the state. This includes processors, warehouses, retail food establishments, milk trucks/haulers and dairy farms. The division also responds to complaints, recalls, disasters, food security events and other food emergencies. The authority for food service establishments (restaurants, schools, hospitals) is delegated to the 45 local health departments across Michigan. MDARD staff oversees the delegated food service programs through consultation, training and program evaluations. All these efforts help to ensure the safety of food produced and sold in Michigan.

While 2018 was a time of change and transition for the division, the main theme for 2019 was implementation. FDD implemented several items to meet the requirements of the Food Safety Modernization Act (FSMA):

- A new produce farm inspection program was implemented. Produce farm inspections are the latest addition to the Produce Safety Program, which began in 2016. After providing outreach, education and on-farm technical assistance for several years, the division has now started regulatory inspections at produce farms.
- FDD initiated a new type of inspection -- a Full-Scope Preventive Controls inspection -- at some food manufacturing facilities. These inspections are taking place nationwide and in foreign facilities regulated by the FDA. In Michigan, FDD has implemented similar inspections, which take a more proactive approach to assessing the plans food manufacturers should have in place to prevent food safety issues.
- A new set of regulations for food manufacturing firms was also implemented. FDD staff works closely with our federal, state, local, tribal and industry partners to ensure we are using the best tools available in our role to protect Michigan's food supply.

I hope you'll find this year's annual report useful in understanding and appreciating the important safety and prevention work provided by the hundreds of MDARD and local health department professionals dedicated to keeping your food and dairy products safe each day.

Tim Slawinski
Division Director
Food and Dairy Division



Dairy Safety and Inspection Program

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The Dairy Safety and Inspection Program ensures the milk and dairy products produced by Michigan's dairy farms and dairy processing plants are in substantial compliance with Michigan's milk laws, thereby allowing the state's dairy industry to market Grade A milk and dairy products in interstate commerce and providing consumers with the safest milk and dairy products possible.

IMPACT FOR MICHIGAN:

Michigan ranks first nationally for pounds of milk produced per dairy cow at 26,655 pounds annually; second nationally for the number of artisan dairy processors; and sixth nationally for total pounds of milk produced annually, with a total of 11.3 billion pounds of milk produced in 2019. Total milk production has almost doubled since 2000 (11.3 billion lbs. compared to 5.8 billion lbs.) while cow numbers have increased by 40 percent (304,000 cows vs. 428,000 cows). Michigan has 1,319 permitted dairy farms, with 50 of those using robots to milk their cows; and 106 licensed dairy plants. Michigan's dairy industry has a \$15.7 billion impact on the state's economy and exports \$332.3 million in products primarily to Canada, Mexico, Japan, South Korea, and China.

ACCOMPLISHMENTS:

- Developed a temporary dairy farm inspection database to allow dairy inspectors to complete and print inspection reports at dairy farms with uploads of the reports to permanent electronic storage via an internet connection.
- Managed the distribution of almost \$1 million in Dairy Farm Grant funds to the state's permitted dairy farms as part of legislation that was passed in December 2018.
- Revised the training program for new dairy program staff to include updated training modules that focus on dairy plant inspection, sanitation, and safety issues.
- Received a satisfactory review by the U.S. Food and Drug Administration Milk Safety Branch.

MEASURING SUCCESS:

Metric	2018	2019
Percent of audited milk safety inspections that meet the national enforcement standards. (90 points out of 100 minimum required)	95.4	95.7
Percent of of dairy farms complying with regulatory requirements on routine inspections*		85.8
Percent of dairy farms complying with regulatory requirements on follow-up inspections*		86.3
* metric established in place in FY19		

PROGRAM GOALS:

- Ensure the safety of Michigan’s milk and dairy product supply through efficient evaluation of dairy farms and processing plants and timely investigation of complaints.
- Prevent milk and dairy products that are misbranded, adulterated, or unwholesome from entering commerce.
- License, inspect, and approve a large-capacity milk processing plant within the state by October 2021.
- Acquire a fully functional electronic dairy inspection and licensing system by October 2021.
- Improve the bulk milk hauler/sampler and tanker compliance for inspection rates by October 2020.
- Revise dairy policies to meet the needs of Michigan’s expanding dairy industry and develop a dairy inspector’s field guide by October 2021.



KEY STAKEHOLDERS:

- Milk marketing cooperatives
- Dairy processing facilities, receiving stations, transfer stations, wash stations, and single service manufacturers
- Michigan dairy farmers
- Bulk milk hauler / samplers and milk transportation companies
- Consumers of milk and dairy products

LEGAL AUTHORITY:

- Michigan Grade A Milk Law, Public Act 266 of 2001, as amended
- Michigan Manufacturing Milk Law, Public Act 267 of 2001, as amended



Emergency Response and Enforcement Unit

PROGRAM MANAGER: April Hunt | 517-449-8172 | [hunata9@michigan.gov](mailto:hunta9@michigan.gov)

The Emergency Response and Enforcement Unit integrates the Food and Dairy Division's response and enforcement activities. Staff responds to and coordinates foodborne illness investigations and food recalls and tracebacks, including those identified by local, state and federal partners. The program develops the capacity of government (local, state, federal and tribal), private sector and academic partners to rapidly respond to food emergencies; analyzes regulatory program activities and past food emergency responses to develop, refine and implement policies and procedures to better prevent and respond to food contamination incidents; and shares best practices and lessons learned with department staff, response partners and the public to improve collective food safety efforts.

IMPACT FOR MICHIGAN:

The leading causative agents of foodborne illness outbreaks reported to MDARD in 2019 were Norovirus and Salmonella species. Reducing the burden of foodborne illness in Michigan requires effective coordination of food safety efforts of multiple stakeholders to increase consistency and reduce duplication of effort. Preventing foodborne illnesses combined with rapid detection and response to contamination incidents enables the division and our response partners to better utilize available resources to protect the health of Michigan residents.

ACCOMPLISHMENTS:

- Helped plan and deliver, and participated in, the MDARD Sampling Team exercises held in eight locations across the state. Teams practiced sampling techniques and tested a variety of products for metals, pathogens and label claims to demonstrate capabilities, utilize incident command system principles and evaluate marketplace risk.
- Investigated a spice distributor and facilitated curry spice sampling by field staff in response to a local health department report of elevated blood lead levels from spices in a home. After MDARD's samples revealed elevated lead levels, the department worked with the U.S. Food and Drug Administration (FDA) to recall the spices. FDA issued an import alert to prevent this product from entering the U.S.
- Coordinated responses after identification of *Listeria monocytogenes* in cheese, *Salmonella* in bagged baby spinach and elevated lead in cinnamon during routine sampling. MDARD worked with industry and federal partners to quickly recall the products from the marketplace, preventing any illnesses from occurring.

MEASURING SUCCESS:

Metric	FY2018	FY2019
Total Number of Incidents/Activities	16	24
Incident Type		
Outbreaks	8	9
Recalls	4	6
Product Contamination	2	7
Training Exercise	2	2
Results of Activities		
Incidents with Control Measures Implemented	12	18
Incidents with Consumer Advisory Issued	10	11
Incidents with Recall Audit Check Conducted	2	3

PROGRAM GOALS:

- Improve the health of Michigan residents by reducing the burden of foodborne illness through effective and efficient government food regulatory services and food emergency responses.
- Collect and use foodborne illness data and response efforts to investigate emerging threats, identify trends, adjust risk-based controls to prevent future illnesses, and ensure accurate reporting at the state and national levels.
- Provide capacity building training to local health department staff, MDARD food safety staff, and federal partners focusing on multi-disciplinary and multi-jurisdictional responses to food emergency events.
- Utilize a progressive enforcement approach when education and voluntary compliance cannot be achieved to ensure a level playing field.



KEY STAKEHOLDERS

- Michigan residents
- Michigan food industry associations
- Michigan State University
- Local, state and federal public health and regulatory agencies

LEGAL AUTHORITY:

- Michigan Food Law, Act 92 of 2000, as amended
- Michigan Grade A Milk Law, Public Act 266 of 2001
- Michigan Manufacturing Milk Law, Public Act 267 of 2001
- Public Health Code, Act 368 of 1978, as amended



Food Safety and Inspection Program

PROGRAM MANAGER: Jim Padden | 231-590-0889 | paddenj@michigan.gov

Food safety is MDARD’s top priority. The inspectors, specialists and support staff of the Food Safety and Inspection Program (FSIP) ensure our food is safe by conducting routine inspections, investigating complaints, and issuing food establishment licenses. FSIP staff also conducts outreach activities for consumers and industry. MDARD food inspectors evaluate retail and manufacturing establishments for compliance with both federal and state requirements. FSIP staff also collect food samples for analysis at MDARD’s laboratory, facilitate recalls, and conduct enforcement activities.

IMPACT FOR MICHIGAN:

The Food Safety and Inspection Program looks at food establishments in a way that consumers cannot. Inspectors evaluate the kitchens, processing facilities, bakeries, storage areas, and many other food handling areas that the consumer never has a chance to see. FSIP staff members are highly trained in evaluating production practices and detecting conditions that promote foodborne illness. Inspectors evaluate food establishment employee illness policies, sanitation programs, cooking and cooling procedures, recipes and processes to ensure the production of safe food. Program staff also enforce food laws and regulations to ensure uniform compliance statewide, from Ironwood to Monroe and everywhere in between.

ACCOMPLISHMENTS:

- Maintained full conformance with the U.S. Food and Drug Administration (FDA) Manufactured Food Regulatory Program Standards.
- Conducted six full-scope inspections under the Preventive Controls for Human Foods regulation and 308 limited scope and specialized inspections.
- Conducted more than 18,000 inspections, follow-up inspections, consultations, and investigations, including several large investigations, and responded to over 1,200 complaints. Food safety inspectors also collected 1,040 food samples to be analyzed for pathogens or food safety parameters.
- 600 environmental monitoring samples were collected and analyzed by MDARD’s lab.

MEASURING SUCCESS:

Metric	2018	2019
Food Establishment Compliance with Michigan Food Law (Initial Visit)	86	86
Food Establishment Compliance (Follow-up)	90	90
MDARD Compliance Rate with Manufactured Food Regulatory Program Standards (MFRPS)	95	100

PROGRAM GOALS:

- Ensure food safety at Michigan food establishments through efficient evaluation of food establishments and timely investigation of complaints.
- Respond to food-related outbreaks, food recalls and international food contamination events.
- Participate in national food regulatory uniformity through FDA's voluntary retail and manufacturing program standards.
- Prevent food that is misbranded, adulterated, or unwholesome from entering commerce and assure that recalled food is removed from sale promptly.
- Prevent fraudulent or deceptive food products from entering commerce.



KEY STAKEHOLDERS

- Consumers
- Michigan Retailers Association
- Midwest Independent Retailers Association
- Michigan Farmers Market Association
- Michigan Meat Association
- U.S Food and Drug Administration
- U.S Department of Agriculture

LEGAL AUTHORITY:

- Michigan Food Law, Act 92 of 2000, as amended.



Food Safety Modernization Unit

PROGRAM MANAGER: Amber Matulis | 517-930-8048 | matulisa@michigan.gov

The Food Safety Modernization Unit's primary role within the Food and Dairy Division is to oversee implementation of the federal Food Safety Modernization Act (FSMA) in Michigan. This effort requires development of a new produce safety program for the growing, harvesting, packing, and holding practices of produce farmers, as well as implementation of new rules in the existing food and dairy programs. Outreach, education and technical assistance are critical elements of current implementation efforts. The primary focus in 2020 will be performing inspections on large and small farms as defined by the Produce Safety Rule (PSR), using the "educate before and while you regulate" culture expressed by the U.S. Food and Drug Administration (FDA).

IMPACT FOR MICHIGAN:

FSMA implementation has broad and varied impacts on Michigan stakeholders. The new rules are designed to reduce risk of foodborne illness by taking a preventive approach to food safety. As a result, implementation will have a public health impact. FSMA compliance will ensure market access for Michigan food processors, farmers and others in the supply chain by aligning state and national requirements; and ensure certificates of free sale remain acceptable in the global marketplace. In 2020, Michigan will continue to take the lead for on-farm inspections under a cooperative agreement with the FDA.

ACCOMPLISHMENTS:

- Maintained a cooperative agreement with the FDA to allow Michigan to lead the implementation of an in-state Produce Safety Program and provide produce safety training courses and on-farm readiness reviews to farmers in partnership with Michigan State University Extension (MSUE).
- Maintained contracts with six conservation districts to support Produce Safety Technician positions, unique nationally to Michigan, to provide food safety technical assistance to farmers.
- Actively participated in national working groups to develop produce safety on-farm inspection protocols, on-farm assessments, and an overall approach to national Produce Safety Program implementation.
- Developed six produce safety videos (two in both English and Spanish), to help farmers and farm workers prepare for what to expect during an inspection, have knowledge of education and technical resources in Michigan, and understand other applicable regulations impacting their farm.

MEASURING SUCCESS:

Metric	2018	2019
Number of Produce Farm Inspections Completed	0	48
Number of On-Farm Readiness Reviews Conducted	25	49
Number of Farms Visited by Produce Safety Technicians (FY)	48	155
Number of Produce Safety Alliance Grower Trainings Conducted	12	20

PROGRAM GOALS:

- Maintain a cooperative agreement with the FDA to allow Michigan to continue to develop and implement a produce farm inspection program for the 2020 growing season and beyond; support education and outreach efforts; and ensure national consistency with PSR implementation efforts.
- Continue building resources for outreach, education and technical assistance for produce farmers in collaboration with MSUE and other key stakeholders.
- Work with conservation districts that house produce safety technicians to implement Michigan's Produce Safety Risk Assessment Program promoting on-farm food safety practices.
- Collaborate with MSUE and others to offer on-farm readiness reviews and Produce Safety Alliance grower trainings, and other education and outreach to help farmers prepare for regulatory inspections.
- Utilize MDARD's Processing and Emerging Issues Specialist position to support FDD staff evaluating complex processes; identify new and emerging food industry processing trends; and evaluate emerging issues that may impact food safety in Michigan.



KEY STAKEHOLDERS

- Consumers
- Produce farmers and food processors
- Michigan State University Extension
- U.S. Food and Drug Administration
- Conservation Districts of the following Michigan counties:
 - Marquette
 - Newaygo
 - Blue Water ((Macomb, Sanilac, and St. Clair)
 - Berrien
 - Genesee
 - Manistee

LEGAL AUTHORITY:

- Michigan Food Law of 2000, Act 92, as amended

FOOD SERVICE AND QUALITY ASSURANCE

PROGRAM MANAGER: Sean P. Dunleavy
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The Food and Dairy Division (FDD) provides statewide program policy, accreditation, consultation and training services to local health department food safety programs. Local health departments perform plan reviews, conduct evaluations, process license applications, take enforcement actions, investigate complaints, and conduct foodborne illness outbreak investigations. Local health department performance is evaluated by FDD's Food Service Program consultants every three years, in conjunction with the Michigan Local Public Health Accreditation Program. This program helps assure accountability for the nearly \$9.5 million in state funds utilized for the Food Service Program.

The Quality Assurance Program integrates FDD's auditing, continuous process improvement and response activities.

IMPACT FOR MICHIGAN:

Our state's 45 independent local health departments are responsible for ensuring food from Michigan's restaurants, schools and hospitals is safe. Local health accreditation gives a clear target and clear consistent standards to enforce food safety in a seamless manner. This benefits industry by providing consistency in regulatory processes and a clear target for all involved in protecting the food supply and providing safe food for consumers. These programs also provide food safety assistance as MDARD moves toward compliance with the Food Safety and Modernization Act (FSMA) and national standardization opportunities like the Public Health Accreditation Board.

ACCOMPLISHMENTS:

- Worked with local health departments and the Michigan Department of Licensing and Regulatory Affairs (LARA) on impact of legalization of marijuana to food establishments.
- Continued use of listservs and conference calls for standardized trainers, plan reviewers and local health departments enrolled in National Program Standards to increase communications with key program areas.
- Conducted several trainings for regulatory staff on: Specialized Processing at Retail, Food Code/Food Law, Standardized Trainers and Plan Review.
- Conducted over 226 standardization exercises throughout the state.
- Collaborated with the Michigan Restaurant and Lodging Association on industry training for conducting specialized processing at food service establishments.
- Convened an annual Standardized Trainer Conference trainers from local health departments and the State of Michigan.

MEASURING SUCCESS:

Metric	2018	2019
Number of accredited local health departments	45 (100%)	45 (100%)
Number of Standardized Trainers	70	71

PROGRAM GOALS:

- Work with the Michigan Department of Health and Human Services (MDHHS) on emerging leader training provided to local health departments.
- Continue to collaborate with local public health partners seeking mechanisms to coordinate and plan the use of resources more effectively.
- Conduct training as identified by local public health partners through an annual training survey.
- Provide expert training, consultation and accreditation reviews to the state's 45 local health departments.
- Collaborate with the Michigan Restaurant and Lodging Association to create training for restaurant businesses that want to conduct specialized food processing at their facilities.
- Continue to gather data from the food and dairy programs to drive decision making and program improvement.



KEY STAKEHOLDERS:

- Consumers
- Local health departments
- Michigan restaurants and other food service businesses
- Michigan Restaurant and Lodging Association

LEGAL AUTHORITY:

- Michigan Food Law of 2000, Act 92, as amended



NUTRITION AND FOOD SAFETY OUTREACH

PROGRAM MANAGER: Lori Yelton | 517-420-3249 | yeltonl@michigan.gov

The Nutrition and Food Safety Outreach Program provides consultation services for the department on topics related to agriculture, nutrition, food access and food safety. Program staff provides guidance and coordinates with Michigan agriculture partners, state agencies, local and state policy groups and other organizations to increase access to and consumption of safe Michigan grown and processed food products. Events and activities promote and educate residents and school-aged children on Michigan agriculture, food safety, food policy, Farm to School and Farm to Institution activities; and health and wellness.

IMPACT FOR MICHIGAN:

Michigan's leading causes of death are heart disease and cancer, as well as chronic lower respiratory diseases, stroke, and diabetes. Eating a diet rich in fruits and vegetables can help protect against many chronic diseases. Despite the health benefits, less than 12 percent of Michigan residents eat the daily fruit recommendation and less than eight percent meet the daily intake recommendation for vegetables. Michigan produces hundreds of varieties of crops each year. Promoting an increase in consumption of Michigan's fruits and vegetables may support a reduction these diseases, and provide economic benefits to farmers, processors and communities.

ACCOMPLISHMENTS:

- Fostered success of the National Farm to School Network as a Supportive Partner.
- Expanded Michigan Farm to School efforts in partnership with the Michigan Department of Education.
- Collaborated with other state agencies to improve food safety at schools through the School Food Safety Committee.
- Partnered with the United Dairy Industry of Michigan on outreach and education events for staff and school-aged children that focused on Michigan agriculture and nutrition.
- Partnered with state agencies and the Michigan State University (MSU) Center for Regional Food Systems, Food Bank Council of Michigan, Michigan Food and Farming Systems and Michigan Farmers Market Association, through outreach events on agriculture, food access, food safety, food policy, nutrition and health.
- Supported and coordinated educational opportunities on agriculture for visiting Fellows from Africa.

MEASURING SUCCESS:

Metric	2018	2019
Food Policy and Good Food Charter Related Events	30	20
Farm to School/Farm to Institution Events	33	31
Food Safety Events	14	14
Nutrition Outreach Events/Partner Collaborations	50	58

PROGRAM GOALS:

- Increase Farm to School efforts in collaboration with the Michigan Department of Education, MSU Center for Regional Food Systems and the United Dairy Industry of Michigan.
- Transition the Food Safety Education Fund grants program from a Fiscal Year cycle to a Calendar Year cycle to better manage workload.
- Continue involvement in the Michigan Food Policy Council Network and support policy efforts, as needed.
- Collaborate with partners on food safety, food access, increased consumption of healthy Michigan foods and growing Michigan agriculture through Farm to School and Farm to Institution program activities.



KEY STAKEHOLDERS

- Early childhood centers, schools, universities, hospitals and other institutions.
- Farmers, producers, processors and distributors.
- Michigan departments of Natural Resources, Health and Human Services, Education, and Environment, Great Lakes and Energy.
- Michigan agriculture organizations and commodity groups.

LEGAL AUTHORITY:

- Farm to School Procurement Act, Act 315 of 2008
- The State School Aid Act, Act 94 of 1979, as amended.
Section 388.1631j, *Purchase of Michigan-grown fruits and vegetables.*