



FOOD AND DAIRY DIVISION

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LETTER FROM THE DIRECTOR

The primary responsibility of the Michigan Department of Agriculture and Rural Development's (MDARD) Food and Dairy Division (FDD) is to protect public health by ensuring a safe and wholesome food supply. This includes regulating food 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, etc.) is delegated to the 45 local health departments across Michigan. MDARD staff oversees the delegated food service programs through consultation, training and program evaluations.

The year 2020 presented unexpected challenges for everyone. For some that involved shifting to a home-based work environment. However, FDD's field inspectors continued to go out and perform inspections at food and dairy establishments throughout the pandemic. COVID-19 is not a foodborne pathogen, but the means of transmission of the virus heavily impacted the operations of many food companies. While still addressing essential food safety concerns, FDD also took steps to help reduce the spread of the virus. Consultation calls were made to firms early on during the outbreak to share best practices and promote social distancing measures. A complaint portal was set up to receive and process complaints from the public for COVID-19 related violations. Follow-up was done at firms regulated by MDARD to promote voluntary compliance. FDD also took enforcement actions when it was determined conditions in firms were an imminent threat to public health.

While COVID-19 was the dominant topic of 2020, a few other things took place in FDD worth noting. The Food Program was audited by the U.S. Food and Drug Administration against the National Manufactured Food Regulatory Program Standards and was found to be in full conformance. A new licensing portal was implemented in the dairy program. This new system took some extra work this year but will make the process more efficient for both industry and MDARD in future years. Also, a new inspection system is now under development for our food and produce inspection programs. We are excited by the potential of this new system to create efficiencies and provide additional tools to our staff.

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 26,875 pounds annually and sixth nationally for total pounds of milk produced annually, with a total of 11.56 billion pounds of milk produced in 2020. Total milk production has doubled since 2000 (11.56 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 1,206 permitted dairy farms, with 55 of those using robots to milk their cows; and 92 licensed dairy processing plants. Michigan's dairy industry exports products primarily to Canada, Mexico, Japan, South Korea, and China.

ACCOMPLISHMENTS:

- Staff played a key roll in the inspection, United States Department of Agriculture certification, listing on the Interstate Milk Shippers list, and licensing of MWC, a state-of-the-art cheese and whey protein manufacturing facility in St. Johns, so they could begin operation in late 2020. MWC processes over 2.9 billion pounds of milk and will produce more than 300 million pounds of superior block cheese and 20 million pounds of value-added whey proteins powders each year. Employing nearly 260 employees, MWC makes world-class products of the highest quality to be sold throughout the world and provides a much-needed local market for Michigan's dairy farms.
- Implemented a new dairy licensing system.

Metric	2019	2020
Percent of audited milk safety inspections that meet the national enforcement standards. (90 points out of 100 minimum required)	95.7	98.2
Percent of of dairy farms complying with regulatory requirements on routine inspections*	85.8	84.6
Percent of dairy farms complying with regulatory requirements on follow-up inspections*	86.3	81.0**

* Metric established in FY19.

** Differences from FY19 to FY20 due to fewer total inspections completed under COVID-19 restrictions; a larger than normal number of farms going out of business; and skewed data due to fewer farms being put on reinspection.

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.
- Make enhancements to the current database used by dairy program staff to improve efficiencies in 2021.
- Implement a Dairy Analysis Standardization and Training Tool for manufacturing grade facilities in 2021.
- Revise dairy policies to meet the needs of Michigan's expanding dairy industry and develop a dairy inspector's field guide in 2021.
- Initiate procurement of a new electronic dairy inspection that is fully integrated with the Central Licensing Unit's Licensing Portal System in 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

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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 2020 were *Salmonella* species and Norovirus. 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 develop and participated in the MDARD One Bad Apple 2.0 integrated food safety system exercise held in Lansing. With over 120 attendees from local, state and federal agencies, this was a key awareness level activity for staff who work with produce farms but may not have previously known how a foodborne illness investigation works.
- Led MDARD's investigation during a multistate outbreak of *Listeria monocytogenes* by linking a Michigan case's epidemiologic data with mushrooms purchased at a local retailer. After samples collected by MDARD at the retailer were found contaminated with the same organism, staff worked with other states and the U.S. Food and Drug Administration (FDA) to identify the source. An international recall of mushrooms from the company resulted.
- Coordinated responses after identification of Shiga-toxin producing *E. coli* in bagged romaine lettuces, *Listeria monocytogenes* in smoked fish pate, and *Salmonella* in parsley during routine sampling. MDARD worked with industry and federal partners to quickly recall the products from the marketplace, preventing any illnesses from occurring.

Metric	FY2019	FY2020
Total Number of Incidents/Activities	24	29
Incident Type		
Outbreaks	9	12
Recalls	6	5
Product Contamination	7	11
Training Exercise	2	1
Results of Activities		
Incidents with Control Measures Implemented	18	6
Incidents with Consumer Advisory Issued	11	1
Incidents with Recall Audit Check Conducted	3	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

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The Food Safety and Inspection Program (FSIP) faced unexpected challenges in 2020. COVID-19 impacted our operations from March through the remainder of 2020 and beyond. While food safety is MDARD's foremost priority, the impact of the pandemic cannot be understated. FSIP accomplished many goals despite the global pandemic including conducting complaint investigations for non-compliance with orders to protect the public health. Inspectors conducted in-person inspections when possible, and under some conditions, conducted food safety phone surveys of food establishments. In addition, although the U.S. Food and Drug Administration (FDA) suspended contract work from mid-March until mid-June, FSIP completed all work obligated under the contract. The program continues to prioritize food safety work in accordance with guidance from the Michigan Occupational Safety and Health Administration, Michigan Department of Health and Human Services, the Centers for Disease Control and Prevention, and FDA.

IMPACT FOR MICHIGAN:

FSIP provided food safety oversight of regulated firms during 2020. Staff worked to ensure Michigan consumers had access to safe and wholesome food during the COVID-19 challenges. MDARD food safety inspectors were uniquely situated to provide assistance to operators who were challenged to provide essential services while striving to keep themselves and their staff safe. Food safety for consumers, the safety of the FSIP staff and COVID-19 safety for all were at the forefront of FSIP's work since mid-March 2020.

ACCOMPLISHMENTS:

- Maintained full conformance with the FDA Manufactured Food Regulatory Program Standards.
- Conducted 15 full-scope inspections under the Preventive Controls for Human Foods regulation and 308 limited scope and specialized inspections during an FDA contract period shortened by three months.
- Conducted more than 10,700 inspections, follow-up inspections, consultations, and investigations, and responded to over 1,300 food safety complaints. Food safety inspectors also collected 895 food samples to be analyzed for pathogens or food safety parameters.
- Procured and began development of a new electronic food inspection system.
- Processed over 1,000 COVID-19 related complaints, including follow-up with firms to gain compliance.
- Conducted over 2,500 phone surveys that included food and COVID-19 safety questions.
- Six hundred environmental monitoring samples were collected and analyzed by MDARD's lab.

Metric	FY 2019	FY 2020
Food Establishment Compliance with Michigan Food Law (Initial Visit)	86%	88%
Food Establishment Compliance (Follow-up)	90%	92%
MDARD Compliance Rate with Manufactured Food Regulatory Program Standards (MFRPS)	100%	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.
- Full implementation of a new electronic inspection system in 2021.



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

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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 required the development of a new produce safety program for inspection of the growing, harvesting, packing, and holding practices of produce farms, as well as the 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 2021 will be to conduct on-farm inspections at produce farms covered by the Produce Safety Rule, continuing to use 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 for 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 provide a positive 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 2021, 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 produce 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.
- Created a produce safety rule fact sheet for industry that includes specific information related to the rule and a section that answers frequent rule related questions.
- Created a Michigan On-Farm Produce Safety Participating Farm logo which can be utilized by farms that successfully complete and receive a produce safety risk assessment certification.

Metric	2019	2020
Number of Produce Farm Inspections Completed	48	52
Number of On-Farm Readiness Reviews Conducted	49	24*
Number of Farms Visited by Produce Safety Technicians (FY)	155	188
Number of Produce Safety Alliance Grower Trainings Conducted	20	8*

* Numbers for these categories were reduced in 2020 due to COVID-19 restrictions and temporary suspension of in-person activities related to FDA grant funded projects.

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 2021 growing season and beyond; support education and outreach efforts; and ensure national consistency with Produce Safety Rule 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:
 - Berrien
 - Blue Water (Macomb, Sanilac, St Clair)
 - Genesee
 - Manistee
 - Marquette
 - Newaygo

LEGAL AUTHORITY:

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



Food Service and Quality Assurance Programs

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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 \$11 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 (LHDs) 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 assist with the food safety effort as we move toward compliance with the Food Safety and Modernization Act (FSMA) and national standardization opportunities like the Public Health Accreditation Board.

ACCOMPLISHMENTS:

- Helped develop and maintain a COVID-19 Executive Order and Epidemic Order complaint reporting and response system.
- Worked with LHDs in Michigan on pausing Accreditation and Standardization requirements so that they could focus resources on COVID-19 response and recovery activities.
- Worked with LHDs and the Michigan Department of Licensing and Regulatory Affairs on the impact of legalization of marijuana to food establishments.
- Continued use of listservs and routine conference calls for standardized trainers, plan reviewers and LHDs enrolled in National Program Standards to increase communication with key program areas.
- Conducted several trainings for regulatory staff on Specialized Processing at Retail, Food Code/Food Law, Standardized Trainers and Plan Review.
- Worked with LHDs to conduct virtual evaluations and presented Michigan's method for virtual inspections at an Association of Food and Drug Officials national virtual training session.



Metric	2019	2020
Number of accredited local health departments	45 (100%)	45 (100%)
Number of Standardized Trainers	71	70

PROGRAM GOALS:

- Work with Michigan Department of Health and Human Services 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.
- Continue to gather data from MDARD’s food and dairy programs to drive decision making and program improvement.
- Complete Cycle 8 Accreditation update for the food program with a work group from local health departments.



KEY STAKEHOLDERS

- Consumers
- Local health departments
- Michigan restaurants and other food service businesses
- Michigan Restaurant and Lodging Association
- Michigan Association for Local Public Health
- Michigan Association of Local Environmental Health Administrators

LEGAL AUTHORITY:

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



NUTRITION AND FOOD SAFETY OUTREACH

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The Nutrition and Food Safety Outreach Program provides consultation services for the department on topics related to agriculture, nutrition, food access, food policy and food safety. This program oversees the Food Safety Education Fund grants program; supports Farm to School and food safety efforts with the Michigan Department of Education and other partners; and collaborates with Michigan food and agriculture industry partners on education and outreach projects and events. This year, COVID-19 brought on many changes and challenges. Events went online or were cancelled. Areas of particular focus included food access, supporting farmers, health and wellness and new opportunities in partnership.

IMPACT FOR MICHIGAN:

Michigan saw dramatic shifts in food production systems as well as challenges to food security and access due to the pandemic. Food assistance programs increased benefits. The United States Department of Agriculture provided Coronavirus Food Assistance Programs to help with food access and provide economic support to farmers and producers. Michigan's diversity in crops grown can provide a variety of nutrients to aid health. Individuals consuming well-balanced diets appear to be safer with better immune systems and lower incidence of chronic diseases and infections. Consumption of Michigan fruits, vegetables, dairy and protein foods can support health along with economic benefits to farmers, processors and communities.

ACCOMPLISHMENTS:

- Served as the principle contact for Food Safety Education Fund grants.
- Supported COVID-19 relief efforts to schools through the USDA Farmers to Families Food Box Program which strengthened Michigan agriculture and food access for families.
- Fostered MDARD success in health and wellness through the Governor's Poverty Task Force Project; opioid crisis response; Diversity, Equity and Inclusion Project; employee engagement; and emergency response training.
- Expanded Michigan Farm to School efforts in partnership with the Michigan Department of Education, Michigan State University (MSU), Early Childcare Education, and the 10 Cents a Meal Program to increase consumption of nutritious Michigan Agriculture products.
- Collaborated with partners on online events and education efforts, including Michigan Fitness Foundation, Michigan Family Farms Conference, Michigan Good Food Summit, and the MSU Product Center product guide.
- Provided support and guidance on food policy related issues and concerns.

Metric	2018	2019	2020
Food Policy and Good Food Charter Events/Meetings	30	20	46
Farm to School/Farm to Institution Events/meetings	33	31	23
Food Safety Events/Meetings	14	14	20
Nutrition Outreach, Partner Collaborations/Events and Meetings	50	58	120

PROGRAM GOALS:

- Continue to transition the Food Safety Education Fund grants program from a Fiscal Year cycle to a Calendar Year cycle. Follow 2020 Contract Amendments created for grantees to extend time of completing their grant due to the pandemic.
- Continued involvement in the Michigan Food Policy Council Network and other partner groups with food policy efforts.
- Increase Farm to School efforts in collaboration with the Michigan Department of Education through a USDA grant and 10 Cents a Meal Program, and support efforts of the MSU Center for Regional Food Systems and the United Dairy Industry of Michigan.
- 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.
- Partnership with the Michigan State University Product Center on Value-Added Product Guide Project
- Continued support on food access and health and wellness efforts.



KEY STAKEHOLDERS

- Early childhood centers, schools, universities, hospitals and 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.
- Food Bank Council of Michigan, farmers markets, and United Dairy Industry of Michigan.

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.*