



FOOD AND DAIRY DIVISION

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Fiscal Year 2021 Annual Report

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Food and Dairy Division Annual Report Cover Photo:

In celebration of MDARD's 100th Anniversary, this report's cover photo shows Michigan Department of Agriculture dairy inspectors inspecting an ice cream processor, 1923.



LETTER FROM THE DIRECTOR

Tim Slawinski
Division Director
Food and Dairy Division

On behalf of the Michigan Department of Agriculture and Rural Development's (MDARD) Food and Dairy Division (FDD), I'm proud to present the division's 2021 annual report. Protecting public health by ensuring a safe and wholesome food supply is the primary responsibility of the Food and Dairy Division. 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 past year was a busy one for the Food and Dairy Division. In 2021, MDARD played a key role in identifying the source of an international foodborne illness outbreak and preventing further spread of the illness by removing products from commerce. In addition to this and many other investigations, division staff spent the entire year developing a new electronic inspection system for the Food Safety and Inspection Program. The new system, implemented in early 2022, will improve efficiency and workload planning, and enhance the ability to create reports that aid in investigations.

The Dairy Safety and Inspection Program successfully passed a program evaluation conducted by the U.S. Food and Drug Administration (FDA). The evaluation shows that MDARD meets the national criteria needed for a dairy regulatory program to allow firms within the state to ship milk and dairy products across state lines. The Dairy Safety and Inspection Program also obtained and implemented use of a Mobile Milkhouse, which will help the department in a variety of ways, including education, outreach and inspections.

The Produce Safety Program successfully concluded the first five-year cycle of a cooperative agreement with the FDA. Another five-year cycle has now begun and allows MDARD to remain the lead regulatory agency for produce safety in Michigan. This effort, as well as several other activities among other FDD programs, continues to enhance alignments with the National Integrated Food Safety System. FDD continues to meet national standards and grant requirements and develop specific mechanisms to coordinate food safety activities with other local, state, tribal, and federal agencies.

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.



Dairy Safety and Inspection Program

PROGRAM MANAGER: Barbara J. Koeltzow | 517-749-5846 | KoeltzowB@michigan.gov

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, 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 27,110 pounds annually; and sixth nationally for total pounds of milk produced annually, with a total of 11.96 billion pounds of milk produced in 2021. Michigan is home to 434,000 dairy cows. Milk production has increased 45 percent since 2010 (11.96 billion lbs. compared to 8.2 billion lbs.) while cow numbers have increased by 20 percent (434,000 cows vs. 361,000 cows). Michigan has 1,083 permitted dairy farms, with 63 of those using robots to milk their cows; and 89 licensed dairy processing plants. Michigan's dairy industry exports products primarily to Canada, Mexico, Japan, South Korea, and China.

ACCOMPLISHMENTS:

- Obtained and implemented use of a Mobile Milkhouse to be used during MDARD Sampling Team exercises; public educational events like the Great Dairy Adventure and Bring Your Child to Work/Earth Day events; and FEMA Radiological Ingestion Pathway drills; and to assist with inspection of licensed bulk milk hauler/samplers.
- Successfully passed the Food and Drug Administration Milk Safety Branch triennial Grade A Dairy Program evaluation, receiving positive comments for the Dairy Inspection and Safety Program and its staff.
- Implemented the Dairy Assessment Standardization and Training Program to facilitate auditing of manufacturing grade dairy facilities, provide targeted training for dairy inspection staff, and standardize interpretation and enforcement of Michigan's Milk Laws.
- Initiated efforts to achieve compliance with Dairy Manufacturing Regulatory Standards Program Standards.

MEASURING SUCCESS:

Metric	2020	2021
Percent of audited milk safety inspections that meet the national enforcement standards. (90 points out of 100 minimum required)	98.2	95.8
Percent of of dairy farms complying with regulatory requirements on routine inspections	84.6	88.0
Percent of dairy farms complying with regulatory requirements on follow-up inspections	81.0	83.5

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.
- Initiate procurement of a new electronic dairy inspection that is fully integrated with the Central Licensing Unit's Licensing Portal System in 2022.



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

PROGRAM MANAGER: Abbie Rowell | 616-813-9207 | rowella@michigan.gov

Being prepared to respond to food safety incidents and take enforcement action to prevent future events is a key part of MDARD’s mission. Staff responds to and coordinates foodborne illness investigations, food recalls and tracebacks, including those identified by local, state and federal partners. MDARD 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 2021 were Norovirus and *E. coli* 0157. 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.

ITEM OF NOTE:
 Three food service establishments were issued court orders for violations of the Michigan Food Law in 2021. In all three cases, firms were ordered to discontinue operations and pay court fees. After compliance agreements were developed with MDARD and local health departments, each of the court orders was dissolved.

ACCOMPLISHMENTS:

- Helped coordinate the sharing of sample information from halva and tahini samples from 2019 and 2021 with CDC and FDA in relation to 2021 outbreak of *Salmonellosis* in Sweden. Collaborated with local, national, and international agencies and assisted with organization of clinical isolates with associated environmental isolates from samples.
- Coordinated with MDHHS Bureau of Laboratories on Whole Genome Sequencing (WGS) training for regulators to increase understanding and communication and aid in investigations.
- Initiated a specialty mushroom sampling project in response to recent multistate outbreaks associated with fresh mushrooms in 2019-20. Staff collected 45 samples of five species at retail stores across the state and tested for *E. coli*, *Listeria* and *Salmonella*. Four samples of fresh enoki mushrooms tested positive for *Listeria monocytogenes*, an organism that can cause severe illness or death. Staff worked with FDA and state officials to notify firms importing the mushrooms from Asia of MDARD’s findings. Two firms initiated voluntary recalls of affected mushrooms.

MEASURING SUCCESS:

Metric	FY 2020	FY 2021
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	8

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:

FSIP provided food safety oversight of regulated firms during 2021. Despite challenges presented by COVID-19 to FSIP staff, regulated firms and consumers, the FSIP provided effective oversight of the food industry in Michigan. Routine and focused sampling conducted by the FSIP identifies food safety issues such as microbial pathogens and consumer issues such as excess fat in ground meat and misbranded fish.

ACCOMPLISHMENTS:

- Maintained full conformance with the FDA Manufactured Food Regulatory Program Standards.
- Conducted 30 full scope inspections under Preventive Controls for Human Foods regulation and 293 limited scope and specialized inspections under contract with the FDA.
- Conducted 15,013 inspections, follow-up inspections, consultations, and investigations. Responded to 936 consumer complaints and collected 1015 food samples to be analyzed for pathogens or food safety and identity parameters.
- Continued development of the Food Inspection Regulatory System Technology (FIRST) electronic inspection software.
- Conducted 6 environmental sampling events where aseptic samples of food manufacturing facilities were sampled for the presence of *Salmonella species* or *Listeria monocytogenes*.

MEASURING SUCCESS:

Metric	FY 2020	FY 2021
Food Establishment Compliance with Michigan Food Law (Initial Visit)	88%	83%
Food Establishment Compliance (Follow-up)	92%	91%
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.
- Fully implement a new electronic inspection system in 2022.



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 Service

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 \$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 Modernization Act (FSMA) and national standardization opportunities like the Public Health Accreditation Board.

ACCOMPLISHMENTS:

- Staff completed CLEAR National Certified Investigator/Inspector training.
- Offered two sessions of Michigan Modified FDA Food Code/Food Law courses virtually to sanitarians and food inspectors statewide.
- Actively participated and served in several leadership roles at the Conference for Food Protection virtually.
- Staff member assumed the role of Chair for the Conference on Food Protection.
- 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 they could focus resources on COVID-19 response and recovery activities.
- 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.

MEASURING SUCCESS:

Metric	2020	2021
Number of accredited local health departments	45 (100%)*	45 (100%)*
Number of Standardized Trainers	70	70

*Accreditation on pause due to COVID-19 pandemic.

PROGRAM GOALS:

- Work with Michigan Department of Health and Human Services on emerging leader training provided to local health departments.
- Continue collaboration 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

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

The goal of the Nutrition and Food Safety Outreach Program is to support partner organizations and provide consultation and guidance on food access, food policy, nutrition, and food safety. This program manages Food Safety Education Fund grants, supports the Governor’s Poverty Task Force, and participates in projects and training to promote farm to school and farm to early childcare education. Food access and supply chain issues have been problematic with the pandemic. This program worked with partners at the Food Bank Council of Michigan and the Michigan Department of Education to support grant efforts to address these issues, which will continue into 2022.

IMPACT FOR MICHIGAN:

Michigan continued to see challenges to food security and access due to the pandemic. This program worked with partners on grants to increase healthy food access. USDA provided new grant opportunities for food assistance programs to food banks to help with food access and provide economic support to farmers and producers. Food safety remains a top priority. A farm to school food safety training video was created for school staff to reduce the chances of foodborne illnesses. Food Safety Education Fund grant projects were created to provide training and awareness to staff and Michigan residents.

ACCOMPLISHMENTS:

- Served as the principal contact for Food Safety Education Fund grants.
- Supported COVID-19 relief efforts to schools through industry and Town Hall meetings.
- Fostered MDARD success in health and wellness through the Governor’s Poverty Task Force Project, Opioid Crisis Response training, Diversity, Equity and Inclusion Committee projects, employee engagement efforts and Emergency Response training.
- Expanded Michigan Farm to School efforts in partnership with the Michigan Department of Education, Michigan State University and Groundworks, and produced seven farm to school training videos to support schools and early childcare education centers and the Ten Cents a Meal Program.
- Collaborated with partners on events and educational materials, including the Michigan Good Food Summit, MSU Product Center Product Guide, MiSTEM Education and USDA producer training.
- Provided support and guidance on food policy related issues and concerns

MEASURING SUCCESS:

Metric	2019	2020	2021
Food Policy and Good Food Charter Events/Meetings	20	46	35
Farm to School/Farm to Institution Events/meetings	31	23	30
Food Safety Events/Meetings	14	20	33
Nutrition Outreach, Partner Collaborations/Events and Meetings	58	120	106

PROGRAM GOALS:

- Continue to manage the Food Safety Education Fund grants program with grants from 2021-2022. Some grantees were provided an extended time of completing their grant due to the pandemic.
- Support and continued involvement in the Michigan Food Policy Council Network and other partner groups with food policy efforts, providing guidance and support as needed.
- Continue Farm to School efforts in collaboration with the Michigan Department of Education through a USDA grant. Support the Ten Cents a Meal Program through partnerships with Groundworks and MSU Center for Regional Food Systems.
- 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
- Continue support on food access and health and wellness efforts with the United Dairy Industry of Michigan and Michigan Fitness Foundation.
- Support DEI efforts within the department and support a new MiSTEM collaboration on Agriculture in the K-12 classroom.



KEY STAKEHOLDERS

- Early childhood centers, schools, universities, hospitals and institutions.
- Farmers, producers, processors and distributors.
- Michigan departments of Health and Human Services, Education, and Environment, Great Lakes and Energy.
- Michigan agriculture organizations and commodity groups.
- Food Banks Council of Michigan, Farmers Markets, United Dairy Industry of Michigan, Michigan Fitness Foundation, Michigan Food and Farming Systems and Michigan State University.

LEGAL AUTHORITY:

- Farm to School Procurement Act, Act 315 of 2008
- The Michigan Food Law of 2000, Section 289.4117, Food safety Education Fund
- The State School Aid Act, Act 94 of 1979, as amended. Section 388.1631j, *Purchase of Michigan-grown fruits and vegetables.*



Produce Safety Unit

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

The Produce Safety Unit's primary role is to ensure produce grown in Michigan is safe. This is accomplished by overseeing the implementation of the federal Food Safety Modernization Act (FSMA) Produce Safety Rule (PSR) in Michigan. This effort requires development of a produce safety program for regulation of the growing, harvesting, packing, and holding practices of produce farms. Outreach, education, and technical assistance are critical elements of current implementation efforts. The primary focus in 2022 will be to develop an inventory of farms covered by the PSR and conduct on-farm inspections at those farms. The Produce Safety Unit will continue to facilitate the "educate before and while you regulate" culture expressed by the U.S Food and Drug Administration (FDA).

IMPACT FOR MICHIGAN:

The FSMA Produce Safety Rule implementation has broad and varied impacts for Michigan stakeholders. The PSR is 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 PSR compliance will ensure market access for Michigan 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 2022, Michigan will continue to take the lead for on-farm inspections, education, and farm inventory development under an FDA Cooperative Agreement Program (CAP).

ACCOMPLISHMENTS:

- Maintained a Produce Safety CAP with the FDA to allow Michigan to lead the implementation of an in-state Produce Safety Program, including providing produce safety education, on-farm readiness reviews, and conducting Produce Safety Rule inspections. The first five-year Produce Safety CAP was completed, a five-year plan was submitted for a new CAP, and funding was granted for the first year of the new plan.
- 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 efforts to drive collaboration and consistency between state produce programs and FDA.
- Assisted in development of a new electronic inspection system for produce farm inspection and inventory, the Food Inspection Regulatory System Technology (FIRST).

MEASURING SUCCESS:

Metric	FY2020	FY2021
Number of Produce Farm Inspections Completed	26	72
Number of On-Farm Readiness Reviews Conducted	24*	24
Number of Farm Visits by Technicians	188	247
Number of Produce Safety Alliance Grower Trainings Conducted	8*	17

* 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 2022 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 MSU Extension 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 MSU Extension and others to offer on-farm readiness reviews, Produce Safety Alliance grower trainings, and other education and outreach to help farmers prepare for regulatory inspections.
- Utilize the Nutrition-Food Management Consultant position to facilitate engagement with agricultural stakeholders, integrate outreach efforts to fresh produce growers and provide support to external agency efforts with agricultural related efforts such as Farm to School, Poverty Task Force, and 10 Cents a Meal programs.



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