



FOOD AND DAIRY DIVISION

Tim Slawinski
Division Director

Michigan Department of Agriculture and Rural Development
525 West Allegan, Lansing, MI 48933
P.O. Box 30017, Lansing, MI 48909
Telephone: 800-292-3939
Food Program Fax: 517-335-0591
Dairy Program Fax: 517-335-0056

Fiscal Year 2022 Annual Report

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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 2022 annual report. The primary responsibility of the 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, dairy farms and produce growers. 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.

Collaboration was one theme of 2022. FDD staff collaborated with state, local and federal partners on several occasions to address food safety concerns. From a nationwide E.coli outbreak; a large wave of complaints related to a popular kids' cereal; positive test results in ready-to-eat foods; and alarming practices on a produce farm; collaboration with other agencies was a key part of those efforts. FDD staff played various roles in removing dangerous products from the market. Leading onsite investigations at Michigan-based suppliers; collecting and testing samples; providing additional inspectional support with federal investigations; and working with other states to address safety concerns; are a few of the roles FDD staff played in 2022.

FDD implemented a new inspection system for the food and produce programs in order to improve efficiency and better utilize data. The Dairy Safety and Inspection Program began the initial stages for development of a new dairy inspection system in 2022. The bulk of the work for that new system will take place in 2023 with implementation expected in 2024.

FDD's Food Safety and Inspection Program went through a realignment this year. Workloads were assessed and reallocated with more focused disciplines for inspection staff. Retail food establishments will be a focus area for some inspectors and manufacturing and distribution facilities will be a focus area for others.

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, 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 27,275 pounds annually; and sixth nationally for total pounds of milk produced annually with a total of 11.71 billion pounds of milk produced in 2022. Michigan is home to 430,000 dairy cows. Dairy cow numbers decreased approximately 1 percent in 2022. This was a result of increased culling due to economic pressures from higher feed and operating costs, which was also a national trend. Michigan has 914 permitted dairy farms, with 62 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:

- Completed the initial phase of acquiring a web-based inspection system, DORIS (Dairy Online Regulatory Inspection System).
- Implemented DAST (Dairy Analyses Standardization and Training) as an internal audit function for non-IMS listed dairy plants.
- Hired a Dairy Manufactured Food Regulatory Program Standards (MFRPS) Specialist to develop and implement a uniform basis for measuring and improving the performance of prevention, intervention, and response activities of manufactured dairy products.
- Increased the number of hauler/sampler inspections by 12%, which increased compliance with the required 2-year inspection frequency by 18%, due to acquisition and use of the mobile milkhouse.
- Achieved a 91.6% compliance rate for tanker trucks meeting the required 2-year inspection frequency.

MEASURING SUCCESS:

| Metric | 2021 | 2022 |
|--|-------|-------|
| Percent of audited milk safety inspections that meet the national enforcement standards. (90 points out of 100 minimum required) | 95.8% | 92.5% |
| Percent of of dairy farms complying with regulatory requirements on routine inspections | 88.0% | 87.5% |
| Percent of dairy farms complying with regulatory requirements on follow-up inspections | 83.5% | 75.0% |

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.
- Procure a new electronic dairy inspection that is fully integrated with the Central Licensing Unit's Licensing Portal System in 2023.



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



Food Safety and Inspection Program

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

MDARD's top priority continues to be food safety. 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 state and federal requirements. FSIP staff also collects food samples for analysis at MDARD's laboratory, facilitate recalls, and conduct enforcement activities. During 2022 the FSIP prepared to realign inspectors and supervisors into retail food inspection and manufactured food inspection teams. Driven by regulatory change and the need to maintain a highly trained workforce, the realignment took effect in January 2023 and will position the FSIP for future success.

IMPACT FOR MICHIGAN:

FSIP provided food safety oversight of regulated firms during 2022. While COVID-19 was an ongoing challenge during 2022, mission critical work continued, including routine inspections, complaint investigations, collection of food samples, and swabbing food establishment production facilities for microbial pathogens. The FSIP also participated, in conjunction with the Laboratory Division on the FDA's Laboratory Flexible Funding Model cooperative agreement program by doing regulatory work resulting from these samples.

ACCOMPLISHMENTS:

- Maintained full conformance with the FDA Manufactured Food Regulatory Program Standards (MFRPS).
- Conducted 30 full-scope preventive control inspections under the Preventive Controls for Human Foods regulation; and 293 limited scope and specialized inspections under contract with the FDA.
- Conducted 11,488 routine inspections, follow-up inspections, and consultations. Responded to 1,178 consumer complaints. Issued 2,214 new licenses and collected 932 food samples to be analyzed for pathogens, food safety parameters and standards.
- Began implementation of a new inspection software system, FIRST.
- Sampled environmental surfaces at six firms for Salmonella species or Listeria monocytogenes. One hundred swabs were tested from each firm.
- Began food safety evaluations for the Cannabis Regulatory Agency at firms they license and inspect.

MEASURING SUCCESS:

| Metric | FY 2021 | FY 2022 |
|---|---------|---------|
| Food Establishment Compliance with Michigan Food Law (Initial Visit) | 87% | 86% |
| Food Establishment Compliance (Follow-up) | 92% | 82% |
| 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.
- Complete implementation of the FIRST inspection system in 2023
- Ensure that manufacturing and retail food inspector teams are aligned for success.



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.



Local Health Services and Emergency Response

PROGRAM MANAGER: Rebecca Vought | 517-719-7919 | voughtr@michigan.gov

LOCAL HEALTH SERVICES (LHS):

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 LHS food service 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 Local Health Services team integrates FDD's auditing, continuous process improvement and response activities.

EMERGENCY RESPONSE (ER):

Being prepared to respond to food safety incidents and take action to remove contaminated food from the marketplace is a key part of MDARD's mission. Staff responds to and coordinate 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.

ITEM OF NOTE:

The MDARD Rapid Response Team was awarded the 2022 Elliot O. Grosvenor Food Safety Award. This award was established in 2010 by the Association of Food and Drug Officials (AFDO) and is presented to recognize outstanding achievements made by food safety programs within State Departments of Agriculture, Natural Resource Agencies, Public Health Departments, or Environmental Conservation Departments in the United States or Canada.

Local Health Services

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, while protecting the food supply and providing safe food for consumers. These programs also assist with the food safety effort as we move toward an Integrated Food Safety System and a new era of food safety.

PROGRAM GOALS:

- 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 targeted training needs surveys, such as accreditation technical assistance and special processes at retail.
- Provide consultation and standardization reviews to the state's 45 LHDs.
- Continue to gather data from MDARD's food and dairy programs to drive decision making and program improvement.
- Begin Cycle 8 Accreditation technical assistance visits with LHD food programs to assess post-Covid training and staff development.
- Continue working with Emergency Response staff to ensure timely and effective foodborne illness response, including training to local health on investigation and sampling.

ACCOMPLISHMENTS:

- Hosted a two-day in-person Standardized Trainer Conference with representation from 40 of Michigan's 45 LHDs; MDARD; and FDA. In all, 75 food safety professionals attended.
- Offered three sessions of Michigan Modified FDA Food Code/Food Law courses to sanitarians and food inspectors statewide; two were held in-person and one was offered virtually.
- MDARD staff served as chair for the Conference on Food Protection (CFP), presiding over the Executive Board, including work with FDA on updates to the 2022 Food Code, and prepared for the 2023 Biennial meeting.
- Worked with LHDs in Michigan on restart of accreditation and standardization maintenance programs post-COVID.
- Developed form-fillable plan review documents for industry and regulatory partners.
- Targeted outreach to each LHD for one-on-one consultations for plan review, specialized processing, accreditation, temporary food establishments, risk-based inspection techniques, and other topics requested, to assist in rebuilding and reestablishing relationships.

Emergency Response

IMPACT FOR MICHIGAN:

The leading causative agents of foodborne illness outbreaks reported to MDARD in 2022 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.

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.

ACCOMPLISHMENTS:

- Assisted in investigations of concurrent outbreaks of shiga-toxin producing *E. coli* (STEC), identified by whole genome sequencing (WSG).
- One outbreak required assistance to 22 local health departments (LHDs) and MDHHS. Staff advised on food sampling and record collection, along with environmental assessment sharing with FDA and CDC.
- A second outbreak associated with frozen falafel sold at retail food establishments resulted in a nationwide recall, based on epidemiologic data. Staff sampled product from an ill consumer's home and identified the outbreak, linking the food product to ill patients.
- Worked with MDARD field staff to perform environmental and food sampling in conjunction with FDA during a *Listeria* outbreak associated with artisanal cheese manufacture, resulting in a nationwide recall of brie and camembert cheeses.
- Hosted PEER and Outbreak Ready trainings. PEER training included 44 participants from multiple MDARD divisions, 9 LHDs and FDA. Outbreak Ready training included communicable disease, lab and environmental health staff from 23 LHDs, along with MDARD staff.
- Assisted USDA FSIS in the investigation of a *Salmonella* outbreak. Hamburger collected by MDARD field staff from a patient's home matched the outbreak, although the shopper card information could not be linked for further actions.
- The work done by ER Staff made two publications in 2022: *Bi-national Outbreak of Salmonella Newport Infections Linked to Onions: the United States Experience* and *An Investigation of an Outbreak of Salmonella Newport Infections Linked to Melons – United States, 2020*



MEASURING SUCCESS:

| LHS Metric | 2021 | 2022 |
|---|------------|------------|
| Number of accredited local health departments | 45 (100%)* | 45 (100%)* |
| Number of Standardized Trainers | 70 | 75 |

* Accreditation is re-starting in 2023 with technical assistance reviews after being paused since 2020 due to COVID response activities by local health partners.

| ER Metric | FY 2021 | FY 2022 |
|---|---------|---------|
| Total Number of Incidents/Activities | 29 | 18 |
| Incident Type | | |
| Outbreaks | 12 | 8 |
| Recalls | 5 | 4 |
| Product Contamination | 11 | 10 |
| Training Exercise | 1 | 12 |
| Results of Activities | | |
| Incidents with Control Measures Implemented | 6 | 13 |
| Incidents with Consumer Advisory Issued | 1 | 9 |
| Incidents with Recall Audit Check Conducted | 8 | 2 |



KEY STAKEHOLDERS

- Consumers and Michigan residents
- Local, state and federal public health and regulatory agencies
- Michigan food industry
- Michigan food industry associations
- Michigan Association for Local Public Health
- Michigan Association of Local Environmental Health Administrators

LEGAL AUTHORITY:

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



NUTRITION AND FOOD SAFETY OUTREACH

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

The Nutrition and Food Safety Outreach Program provides consultation and assistance in the areas of food safety, nutrition, food access, and food policy. This program is responsible for managing the Food Safety Education Fund grants to provide funding for consumer and industry food safety education, projects, and training. The program supports Farm to School and Early Care Education programs in partnership with state agencies, Michigan State University, and other organizations, through education and training to farmers, processors, and food service. This program has worked with the Michigan Department of Education and Food Bank Council of Michigan to assist in food access efforts.

IMPACT FOR MICHIGAN:

The Nutrition and Food Safety Outreach Program helps ensure Michigan residents understand and have access to safe, nutritious local foods. The program provides guidance and works with partner organizations to coordinate nutrition, food access, and food safety outreach and education. Healthy food access and intake provide nutrition security to help prevent diseases and improve health status. Promoting increased consumption of Michigan fruits and vegetables may support a reduction of diseases, and provide economic benefits to farmers, processors, and communities.

ACCOMPLISHMENTS:

- Coordinated the Food Safety Education Fund grants program, overseeing funded projects and quarterly reports; and continued work on 2020 grants carried over due to COVID-19.
- Increased Michigan Farm to School efforts by partnering with the Michigan Department of Education and Michigan State University on providing training to farmers, producers, and food service directors on Michigan agricultural food products and food safety.
- Collaborated with local health departments and state agencies on food safety concerns with schools through School Food Safety Committee meetings and trainings.
- Collaborated with state agencies, Michigan State University, Food Bank Council of Michigan, Michigan Farmers Market Association, and other partner organizations through outreach activities or grants focused on food access, food safety, and food policy.
- Started creating a list of Michigan agriculture-related educational opportunities to share with the Michigan STEM program in the Michigan Department of Labor and Economic Opportunity for STEM teachers.
- Participated in emergency management meetings and trainings to prepare for future food emergency response efforts.

MEASURING SUCCESS:

| Metric | 2020 | 2021 | 2022 |
|--|------|------|------|
| Food Policy and Good Food Charter Events/Meetings | 46 | 35 | 23 |
| Farm to School/Farm to Institution Events/meetings | 23 | 30 | 74 |
| Food Safety Events/Meetings | 30 | 33 | 30 |
| Nutrition Outreach, Partner Collaborations/Events and Meetings | 120 | 106 | 121 |

PROGRAM GOALS:

- Increase Farm to School and the Ten Cents a Meal Program participation to schools and early care education programs in collaboration with the Michigan Department of Education and Michigan State University.
- Increase and improve food safety education trainings and outreach to consumers and food industry members through the Food Safety Education Fund grants program.
- Increase use and consumption of nutritious, locally grown products in kids' feeding programs through continued involvement in training efforts on Farm to School and Farm to Early Child Care for farmers, producers and school food service staff.
- Collaborate with partners on food safety, food access, nutrition and education efforts.
- Establish and continuously expand a list of MDARD agriculture-related education items for Michigan STEM teachers.
- Support the Agriculture Development Division in grant reviews.
- Receive training in the areas of food safety, nutrition, and emergency management to improve the program.



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.*



Produce Safety Unit

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

The Produce Safety Unit's (PSU) primary role is to ensure produce grown in Michigan is safe. This is accomplished by developing a program that supports implementation of the federal Food Safety Modernization Act (FSMA) Produce Safety Rule (PSR) in Michigan to regulate the growing, harvesting, packing, and holding practices of produce farms. Outreach, education, and technical assistance are critical elements of current implementation efforts, and the PSU continues to use an "educate before and while you regulate" approach. The primary focus in 2023 will be continued farm inventory development, conducting inspections on PSR-covered farms, and supporting other on-farm food safety efforts such as foodborne illness investigations, response to pesticide contamination, and grower support through education and technical assistance.

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. In 2023, Michigan will continue to take the lead for on-farm inspections, education, and farm inventory development under an FDA Cooperative Agreement Program (CAP), ensuring Michigan growers are receiving education, technical assistance, and regulatory oversight tailored to Michigan.

ACCOMPLISHMENTS:

- Maintained an FDA Produce Safety CAP supporting implementation of a Produce Safety Program providing education, technical assistance, and PSR inspections. A senior produce safety inspector position was created to support enforcement/compliance, emergency response, and CAP development.
- Maintained contract with six conservation districts to support produce safety technician positions, unique nationally to Michigan, to provide food safety technical assistance to produce farmers. In 2022, two grants were realigned, and a cost-share program and tiered salary were implemented.
- Participated in national efforts to drive collaboration and consistency among state produce programs and FDA, including participation in three Produce Safety Regulatory Program Standards workgroups.
- Assisted in development and implementation of a new electronic inspection system for produce farm inspection and inventory, the Food Inspection Regulatory System Technology (FIRST).
- Worked with MDARD's Pesticide and Plant Pest Management Division to address pesticide contamination of produce intended for human consumption.

MEASURING SUCCESS:

| Metric | FY2021 | FY2022 |
|--|--------|--------|
| Number of Produce Farm Inspections Completed | 72 | 104 |
| Number of On-Farm Readiness Reviews Conducted | 24 | 9 |
| Number of Verified Farms in Farm Inventory | 1093 | 1313 |
| Number of Produce Safety Alliance Grower Trainings Conducted | 17 | 9 |

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 2023 growing season and beyond; support education, outreach, and technical assistance efforts; and ensure national consistency with Produce Safety Rule implementation efforts.
- Continue collaborating with MSU Extension, conservation districts and other key stakeholders to offer and build resources for outreach, education, and technical assistance for produce farmers to improve on-farm food safety practices and prepare for regulatory inspection in collaboration with MSU Extension, conservation districts and other key stakeholders.
- Work with conservation districts that house produce safety technicians to implement Michigan's Produce Safety Risk Assessment (PSRA) promoting on-farm food safety practices. Facilitate further development and implementation of the cost-share program and signage for farms successfully completing a PSRA.
- Utilize the Nutrition-Food Safety 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
 - Genesee
 - Grand Traverse Conservation District
 - Marquette
 - Newaygo
 - Ottawa

LEGAL AUTHORITY:

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