



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection

Ben Brancel, Secretary

DATE: May 17, 2016

TO: Board of Agriculture, Trade and Consumer Protection

FROM: Ben Brancel, Secretary *Ben Brancel*
Steve Ingham, Division of Food Safety Administrator *Steve Ingham*

SUBJECT: Food Safety Modernization Act (FSMA) Update

PRESENTED BY: Steve Ingham

REQUESTED ACTION:

None (update only)

SUMMARY:

Six of the seven final rules to implement the FDA Food Safety Modernization Act (FSMA) have been published. The published rules most affecting the activities of the Division of Food Safety (DFS) are Preventive Controls – Human Food, and Produce Safety. This report will summarize DFS actions to adapt to these rules within the context of a nationally integrated food safety regulatory system.

One of the Division's long-standing goals is to exercise regulatory oversight of manufactured food establishments that is at least as rigorous as FDA oversight, while avoiding the creation of unnecessary barriers to small business development. DFS has been working to revise existing state rules in a way that reduces confusion for industry and staff by clearly adopting pertinent provisions of the Preventive Controls – Human Food rule. ATCP 65 (Milk and Milk Products) and ATCP 71 (Food Warehouses and Milk Distributors) have already been revised in this manner. Later in 2016, we will likely submit a scope statement for revision of ATCP 70 (Food Processing Plants) that will make this rule consistent with the federal rule. We anticipate beginning the two-tiered training of our staff later this year so that we can conduct Preventive Controls – Human Food inspections late in 2017.

Implementation of the Produce Safety rule will be a long process. FDA is expecting significant help from state regulators in conducting "on farm readiness reviews" and then inspections. Most state food safety agencies are currently developing proposals to obtain FDA grants for the next 5 years specifically targeted to development and implementation of a produce safety regulatory program. This report will describe key features of Wisconsin's proposal.

Agriculture generates \$88 billion for Wisconsin

2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • Wisconsin.gov

An equal opportunity employer