

**WALHDAB-EH Group**  
**Tony Romas, Wausau**  
**Date: April 16, 2009**

**Present:** Present: Dale Grosskurth, Nancy Eggleston, Sarah Ward, Jamie Berg, Tim Mirkes, Jason Aho, John Paul, Kevin Hulbert, Jim Blaha, Emery Palmer, Nicole Hunger, Michelle Williams, Patty Lombardo, Brian Hobbs, Tim Anderson, Chris Hinz, Tommye Schneider, Courtenay Johnson, Mike Carder, Eric Eggers, Gary Garske, Tim Banwell, Margaret Anderson, Gloria Smedema, Hsing-Yi Hsieh, Jeff Phillips, Don Wick

Guests: Jim Kaplanek, Chuck Warzecha, and Mike Barnett  
 Recorder: Margaret Anderson

<b>Topic</b>	<b>Major Points Discussed</b>	<b>Action Required</b>	<b>Assigned To</b>	<b>Due Date</b>
<b>Minutes</b>	Minutes from January, 2008 approved Motion to approve minutes carried.	<b>None</b>		
<b>On-line restaurant reporting (Jim K.)</b>	Jim Kaplanek reported that James Mack has set up a May 15 <sup>th</sup> meeting on on-line reporting, rating and scoring. Meetings will include input from industry, the state and agents.	<b>None</b>		
<b>Food Code review (Jim K. )</b>	DATCP has submitted a statement on 2009 FDA Food Code and DHS is in process of developing their statement and need for any revisions. New code will be release in early fall 2009.	<b>None</b>		

<p><b>Reinspection Committee report (Jim K.)</b></p>	<p>Reinspection criteria for all licensing areas, including food, just finished by Jim. This needs to be reviewed with WRA. Final draft should be out next week. Jim handed out reinspection criteria (drafts) for Tattoo and Body Piercing, Rec Ed Camps, Campgrounds, Lodging, Restaurants – including Vending Machine Commissaries and Storage Establishments, and Water Recreation Establishments. These criteria are based on the state’s drive and response time and a reinspection may be triggered by Imminent Hazards, Reoccurrences, or Excessive Violations. These criteria will be followed by State Health Inspectors. Agents can decide to be more or less strict.</p>	<p><b>None</b></p>		
<p><b>DHS/DATCP MOU on Temporary food facilities (DHS and DATCP agency reps.)</b></p>	<p>There will be a meeting on May 6<sup>th</sup> to review the MOU. Vending will also be discussed. Vending operations with a vending machine storage area are under DHS. If the vending warehouse is part of a larger operation, DATCP licenses. Note: All vending licenses in state are issued by the state. Agents are reimbursed for the vending machines that they look at and are encouraged to do as many as they have time and personnel to do.</p>	<p><b>None</b></p>		
<p><b>Update regarding the Campground Code or other codes in committee/revision (Jim K. )</b></p>	<p>A draft proposal for 178 was developed at a meeting last month. There will be another meeting to discuss 178. Jim encourages any suggestions or comments. Once complete, must go to public hearing prior to going to the legislators. Goal is to have new campground code by the 2010-2011 licensing period. WACO is involved and very supportive of needed changes. Some of the concerns are as follows: Attachments – portable or not – this is a Department of Commerce function and should require a Uniform Dwelling Code inspection to determine whether permanent or movable; Camping Cabin vs. Tourist Rooming House (TRH) – what about plumbing?; The whole square footage issue is not a health and safety issue; What if large mobile homes – is it still camping? Jim Blaha stated concern with TRH license needed for</p>	<p><b>None</b></p>		

	residential housing that becomes a rental property for the weekend. Zoning and Health are involved and neighbors are mad. Problems with parking, boats & noise. Brian Hobbs stated that Polk has a policy & procedure that requires zoning approval prior to licensing. Some are issuing the TRH license and advising that zoning may not allow them to operate.			
<b>Update regarding Virginia Graeme Baker (Jim K.)</b>	We need to continue to work with operators to move into compliance with the VGB Act. Issues include high cost, available parts and available engineers. Dane County is giving them a 7/1/2010 compliance date.	<b>None</b>		
<b>Updates on the Carbon Monoxide detector issue (Jim K.)</b>	This issue is out of DHS and rule makers hands and into the legislative process. There is no present CO rule in place.	<b>None</b>		
<b>County Jail food service to non-inmates (Jim K.)</b>	Jim distributed the State's Office of Legal Counsels statement on: Whether a county jail that serves meals to inmates may serve meals to county employees who are not employees of the jail without a restaurant permit issued under Wis. Stat. 254.64 – Short answer was NO but discussion information can be found in the handout.	<b>None</b>		
<b>Other Bureau of Environmental and Occupational Health updates (Chuck W.)</b>	<ul style="list-style-type: none"> <li>• He has sent us EPA information on carbon monoxide concerns in indoor motocross and ice arena areas.</li> <li>• Outdoor Wood Boilers – the WI St. Legislators are discussing a state law covering outdoor wood boilers</li> <li>• Food Safety Programming Consolidation – DHS &amp; DATCP - Still being discussed, still being studied. There are union issues. Things are moving slow. Federal level changes are also being discussed. A suggestion was made that if just retail food moved to DHS would be more efficient.</li> </ul>			

<p><b>Health Space Program (Jim K.)</b></p>	<p>Jim states the program is working. There is some problem with moving data over from the old program but 95% of the data is there. All state staff are in the process of getting live version. State staff has begun to use it to enter inspections. They are working on the licensing piece and state will work with agents on licensing. Agents should be able to come on line and use the program in early July. State is trying to get Air Cards for State staff so that they can issue the reports via email to operators. In the future, they hope that licenses can be renewed and printed out on-line. DATCP is looking at the Health Space program for retail inspections</p>			
<p><b>DHS Licensing Preinspections (Jim K.)</b></p>	<p>Jim states that with recent code changes, now all new licenses require a P.I. and all – including tattoo &amp; bed and breakfast – have 15 month licenses.</p>			
<p><b>Tattoo Code (Jim K.)</b></p>	<p>Code revisions will be needed to cover more than tattoo and body piercing. He wants a training component to be a practitioner. Revisions have been halted until decision is made on all that needs to be included. Time frame is next couple of years.</p>			
<p><b>LRB 2435 Sale of Home Canned Produce (Mike B.)</b></p>	<p>DATCP does not support this legislation. Licenses for this process can be as low as \$95 - UWEX is training people in home canning but not for the purpose of sale to the public. This bill provides that an individual who home processes or home cans fruits and vegetables that are acidic, that is, with an equilibrium pH value of 4.6 or lower, such as pickles, may sell the same at local community events, fairs, farmer's markets and the like, without necessitating a food processing plant license. Specific notice and labeling is required at the point of sale, and the income from such sales is limited to \$5,000 per year.</p>			

<p><b>New revised process for agent evaluation, agent self-evaluations (Mike B., Jim K., Chuck W.)</b></p>	<p>ATCP 75 requires that agents be evaluated. DATCP/Agent contracts are being updated as new agents come on. Existing agent contract updates will be tied to when onsite evaluations occur. Self assessment is submitted by agents with response in writing from DATCP. Onsite evaluations are being coordinated with DHS. DATCP plans on 5 more evaluations this year. Agents who have received onsite evaluations include: Dane County/Madison, Portage County, Tri-County Consortium will be next week. Onsite evaluations include 2 DATCP employees on site for 3 days. One does record review in office and one does standardization of staff in field.</p> <p>DHS stated they are developing a new tool that calls for meaningful information only. If changes to a program need to be made as a result of an evaluation, document what your agency has done and send a written statement to DHS. Keep this in your file to clarify the record. It was acknowledged that this was an evolving process and terms need to be clarified. DHS is also developing an evaluation and standardization process for other programs but present priority is to get the codes updated.</p> <p>Agent comments/concerns: Things need to be clarified before they get put in writing; evaluation does not take into consideration programs other than food; requests for policies and ordinances are very time consuming – better to verify during onsite evaluations that policies and ordinances are in place rather than requiring actual copies to keep at state offices; DHS and DATCP need to coordinate dates and times they are coming as visits with facilities have to be coordinated; random sampling misses facility inspections that a lot of work went into; State Statutes must be met and evaluations are meant to bring consistency to the food program. Reasons for evaluations include (1). Accountability – Agents must meet State Statutes and (2). Program Improvement – Needed for consistency</p>			
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<p><b>Licensing questions (Mike B.)</b></p>	<p>Hsing Hsieh: Traveling DATCP license (farmers markets); Does a temporary DATCP permit exist?; Is there a grace period, allowing for a 14 mo. permit?)</p> <p>Mike states that there is not a 14 month license and he doesn't recommend that this be done. Some jurisdictions are issuing a DATCP 15 month permit as does DHS and some issue only 12 month permits (note that this required double reimbursement to DATCP). DATCP issues permit if food stand travels between jurisdictions. Locals issue permit if food stand stays in jurisdiction.</p>			
<p><b>WALHDAB Organizational Updates (Dale G. and Nancy E.)</b></p>	<ol style="list-style-type: none"> <li>1. Draft WALHDAB Section Guidelines were reviewed by Dale and Nancy – Draft guidelines for EH group handed out. We have never had guidelines before but would make our group more official.</li> <li>2. WALHDAB organizational structure and our relationship to it – Nancy explained that we are one of 3 sections for WALHDAB. Other two are WIC and Public Health Labs. These 3 sections have meetings and the section representative reports to the WALHDAB executive board of directors. We should also address EH issues with our Health Officers as they go to regional WALHDAB meetings and regional issues are also brought to the executive board of directors. Issues such as the home canning issue – once it becomes a bill – are reviewed by the EH group and our opinion is then passed on to the executive board.</li> <li>3. Talk of joint conference with WEHA, WPHA and WALHDAB – Obstacle might be difference in charges for conference.</li> </ol>	<p>Motion made “We agree in principle to guidelines for the WALHDAB – EH section and seek to have input into future and final drafts.”</p> <p>Motion by Jeff Phillips with second from Tim Banwell. Passed</p>		

	WPHA has more legislative power.			
<b><u>Legislative issues</u></b> <b>AB 114 Open burning bill</b>	Discussion was as follows: DNR and Law Enforcement could issue citations. DHS strategy is to have LPHD fill role of Health Advisor on subject. Laws, public education and law enforcement are way to handle the issue.			
<b>Local issues</b>	<ol style="list-style-type: none"> <li>1) Temporary restaurants. Chris Hinz states that he has a nonprofit going to legislature for changes that would exempt her from having to obtain a license. Jim K states that she is asking for an agreement with DHS and DATCP. Looking at information on outbreaks at temporary events.</li> <li>2) Agent Fee Schedules – Don Wick and Tim Banwell are working with Jim Kaplanek to develop a list of current agent fees. Jim will send out form to enter fees on and we need to send back to Jim. This has been a great resource in past and will also go on WALHDAB website.</li> <li>3) FSRL Fee Schedules effective April 1, 2009 <ol style="list-style-type: none"> <li>a) High fee for operating without license was asked for by industry</li> <li>b) Some counties have already adopted state fees</li> <li>c) Some counties fees are double the state fees</li> <li>d) Dane sends operating without license issues to their attorney</li> <li>e) Some issue a citation if still operating without license on July 15<sup>th</sup>.</li> <li>f) Problem with citation is that dollars never make it back to the health dept.</li> </ol> </li> <li>4) Best Way Fabricating – Marathon County facility was found to have a hot holding unit with an NSF sticker that was not NSF approved. Questioning NSF status due to inability to maintain 140 degrees. Picture of device was sent around. Some NSF stickers are not legitimate or only meant to cover a specific part on a</li> </ol>			

	<p>piece of equipment. Check out the NSF website and enter in piece of equipment you wish to know about.</p> <p>a) Note that NSF or ANSI equipment is preferred but WI has approved non-NSF and non-ANSI equipment. Must submit request to state. Will be looked at by a joint DATCP/DHS approval committee.</p> <p>5) Businesses goes into receivership – issue new license as change of operator.</p> <p>6) Personal Protective Equipment – John Paul explained PPE may be required for employees entering dirty houses or other questionable areas. Health Dept is responsible as employer to provide proper training and equipment. If you run into questionable conditions, may be best to enlist the fire dept or a paid business trained in PPE.</p> <p>7) RS Advisory Committee – looking at CEU requirements.</p> <p>8) Veterinarian concerned with interference of giving vaccines for rabies too close – Jeff Phillips will check with Yvonne Bellay</p> <p>9) Hsing-Yi states that a WIC family having high metals in well got a new well through DNR replacement program. This was identified through State sponsored testing.</p> <p>10) Eric Eggers from West Allis announced he is retiring.</p> <p>11) Tommye states that Doug Voegeli going to Iraq for 15 months.</p> <p>12) Wood County has new rabies fact sheets for victims, owners and providers. They are willing to share these.</p> <p>13) Dale states that there was a large fish kill in Marathon Co. due to low oxygen. Advising people who may clean properties to double bag and discard fish. No significant health concerns with eating live fish caught, follow handwashing and proper cooking guidelines.</p>			
<p><b>Next Meeting</b></p>	<p>July 16, 2009 9:30 AM -2:00 PM at Wintergreen Resort, WI Dells</p>			

<b>Meeting was adjourned</b>	Approximately 2:00 p.m.			
	Minutes Respectfully Submitted, Margaret Anderson			