

Joint Informational Hearing  
*Sustainable Food and Wine Production: California's Future*  
Monday, October 15, 2012, Santa Rosa, CA

KEY POINTS IN PRESENTATION ON FOOD SAFETY AND DIRECT MARKETING

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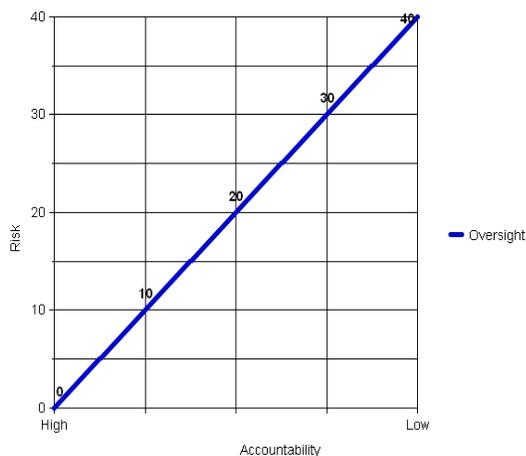


GOAL: Finding the "Sweet Spot" in Safe, Secure and Sustainable food systems

KEY CONSIDERATIONS IN FOOD SAFETY

- Food Borne Illness Risk – Severity and Scale
- Potentially Hazardous (PHF) vs. Non Potentially Hazardous Foods (Non PHF)
- "Approved Source"
- Federal, state and local oversight

KEY CONSIDERATION IN APPROPRIATE LEVEL OF REGULATORY OVERSIGHT



- Oversight commensurate with risk
- Tiered regulatory structure: Includes Exemption; self-registration and adherence to BMPs/GAPs; restricted & full food facility permits and inspections
- Role of Health/EH vs. Ag Commissioners
- Desire to promote regulatory consistency
- Need to avoid duplication/redundancy

PATHWAYS FOR PROMOTING S3 FOOD SYSTEMS

- Direct Ag Marketing: Retail Field Stands; Farm Stands; Gardens; CFMs; and CSAs
- "Cottage Foods" Consistent with AB 1616 (Gatto) Chap 415 Statutes of 2012. Direct sales self registration & certification of adherence to BMPs for Cottage Food Operations to be enforced by local Health/Environmental Health agencies

**REASONS FOR NEED FOR REVIEWING FOOD SAFETY OVERSIGHT**

- Uncertainty over food safety oversight as current local pesticide application license, organic certification or certification for grower that sells at CFMs generally do not cover food safety
- Disparity in local interpretation of “Approved Source” for direct sales
- Absence of statutory definition for *farm; registered grower; gardens, CSAs, etc.*
- Need to reconcile public health and agricultural commodity approach to “direct or retail” and “indirect/wholesale” operations
- Compliance with the federal Food Safety Modernization Act

**CORE CCDEH RECOMMENDATIONS ON COTTAGE FOOD & DIRECT MARKETING FOOD SAFETY**  
*(Not necessarily the position of CDFA or the Ad-hoc Direct Marketing Advisory Committee)*

- No change proposed for off-farm food processing (Indirect or wholesale)
- **Retail Field Stands and Farm Stands:** Generally adequately covered under existing law (CalCode Sections 113789 et seq.)
- **Certified Farmers Markets (CFMs):** Generally adequately covered under existing law (CalCode Sections 113789 et seq.)
- **Gardens & small plot operations** (including culinary, community, victory, and school)  
 If no sales/donations to public – exempt from CalCode  
 If sales/donations to public (Inc. SCHOOL GARDENS) – subject to self-certification of adherence to BMPs/GAPs. Sales by grower to restaurants OK with GAPs.
  - **Community Assisted Agriculture (CSAs):** Support three-tier structure based on product and source. Value-added products per definition under AB 1616. All CSAs subject to basic food safety requirements for traceability, labeling, prevention of contamination

Tier	Proposed Calcode Regulation of On-Farm Processing & Distribution		
<b>I Single Farm</b>	Uncut Produce & Eggs: <b>EXEMPT</b>	Value-added products/ Non PHF: <b>EXEMPT</b> if consistent with AB1616 list	PHF = <b>Possibly Full Permit</b> - maybe not if in compliance with “cut and wrap”
<b>II Multi Farm</b>	Uncut Produce & Eggs: <b>EXEMPT</b>	Value-added products/ Non PHF: <b>Self-Registration compliance with BMPs/GAPs</b>	PHF = <b>Possibly Full Permit</b> maybe not if in compliance with “cut and wrap”
<b>III California Box</b>	N/A	Non PHF: <b>Self-registration or permit</b>	PHF = Full Permit
Current Equivalent Regulation	Retail Field Stand	Farm Stand/Cottage food under AB 1616	Full Food Facility Permit

- Raw milk sales and distribution to be subject to CDFA oversight
- Need to reconcile local, state and federal oversight for “cut and wrap” meats and federally exempted poultry and rabbit sales
- Self registration & certification of adherence to GAPs/BMPs for Direct Ag to be enforced by local Agricultural Commissioners

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