
Retail Food Program Annual Report

Fiscal Year 2023

A look at Retail Food Program data and services across Minnesota

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Retail Food Program Overview

The Minnesota Department of Agriculture's (MDA) Retail Food Program is responsible for conducting periodic inspections of food establishments to assess their food safety plans, facilities, employee knowledge, and performance to verify they have the necessary capacity to protect retail food and consumer health. Preventing illness from the consumption of unsafe food is a shared objective between the Retail Food Program and food establishments. Managing risks to health through sound food safety practices, sanitary facilities, and informed consumers is the most reliable way to reach that goal.

A retail food establishment sells food directly to the consumer or indirectly through a delivery service or online sales. Some examples of retail food establishments include, but are not limited to:

- Grocery stores
- Meat markets
- Convenience stores
- Bakeries
- Mobile food units
- Wineries/taprooms
- Vending machines/micro markets
- Farmers' market stands

In addition to food safety inspections at retail food establishments, the Retail Food Program also conducts the following activities:

- Retail Construction Plan Review – This involves an evaluation of documents to assess the design, construction, and processes within a retail food establishment before building and/or licensing.
- Hazard Analysis Critical Control Plan (HACCP) Review – This is an assessment of specialized food processing done at retail food establishments to ensure specific food safety hazards are controlled. Operators must have their HACCP plans approved before conducting the specialized process. The MDA Plan Review team implemented a consultative approach to HACCP plan reviews to assist operators in building their HACCP plans.
- Country of Origin Labeling (COOL) Review - The MDA conducts COOL reviews on behalf of the U.S. Department of Agriculture's (USDA) Agricultural Marketing Service. The reviews are assigned under a cooperative agreement each year.
- Delegation Oversight - The MDA delegates its licensing and inspection authority to, and provides support for, seven local health agencies. Oversight involves administrative and technical support, annual training, and formal program evaluations.
- Quality Management System – The MDA Retail Food Program is enrolled in the Voluntary National Retail Food Regulatory Program Standards designed by the U.S. Food and Drug Administration (FDA). The program continuously works to improve services to accommodate both traditional and emerging approaches to food safety.

Program Resources

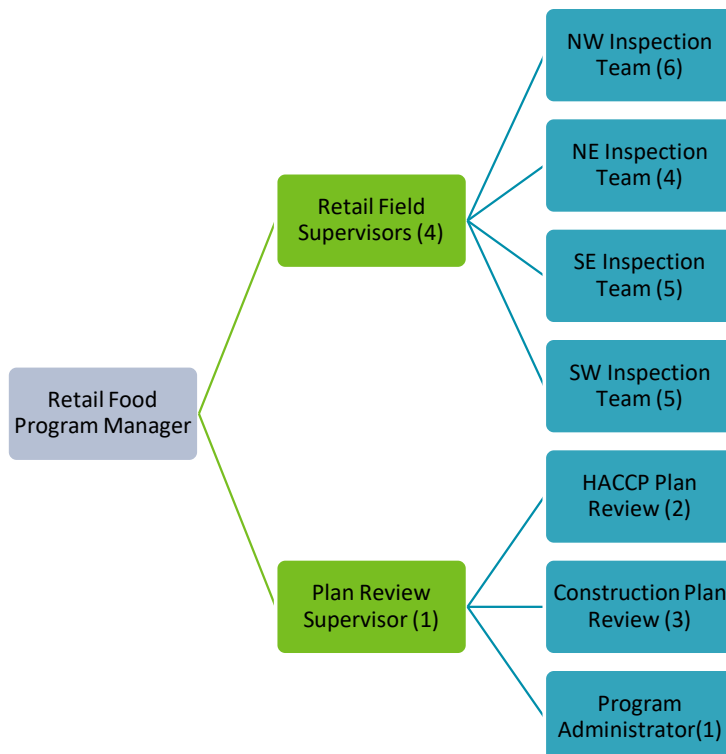
Staffing

The MDA’s Retail Food inspectors are well-trained professionals who use their experience and food safety expertise to evaluate risks to the food supply and consumer health during processing and storage of food throughout Minnesota. Inspectors assess and evaluate food safety using a risk-based approach to inspections. They assist food establishments in identifying reasonable solutions to comply with state food safety regulations and focus on education during each inspection.

The Retail Food Program experienced the largest staffing changes since 2016 this year. This included a new program manager, two new supervisors, a new plan review officer, two new agricultural consultants, and five new agricultural specialists. 11 out of 32 staff in the Retail Food Program have been in their current role for less than one year.

Retail Food inspectors in Minnesota work towards obtaining a professional credential for regulators. The Registered Environmental Health Specialist/Registered Sanitarian (REHS/RS) credential is a nationally recognized program, and inspectors with this credential have demonstrated competency in a wide range of environmental health topics including food safety, water quality, hazardous materials, and emergency response. Currently, 20 individuals in the MDA Retail Food Program hold this credential.

The Retail Food Program Manager supervises four Retail Field Inspectors, and one Plan Review Supervisor. Each Retail Field Supervisor supervises a team of four to five inspectors based on geographical location across the state. The Plan Review Supervisor supervises a HACCP Plan Review Team consisting of two individuals, a Construction Plan Review Team consisting of three individuals, and one Program Administrator.



Budget

Previously, license fee revenues were directed to the General Fund and were not maintained in a program account within the Agricultural Fund. The Retail Food Program was funded primarily through protection services appropriation. In 2023, a new Agriculture Fund Food Handler License account was approved, which partially funds the Retail Food Program’s activities. This provides the program with greater flexibility to plan program improvements and therefore to support public health. Additional funds to support program activities come through other Agriculture and General Fund appropriations, including plan review and delegation oversight, as well as contracts and grants from federal agencies to support country-of-origin labeling and retail program standards.

Retail Program Annual Highlights

Inspections

The Retail Food Program conducts a variety of inspections such as licensing, routine inspections, follow-ups, re-inspections, complaints, investigations, and sampling. These inspections assess compliance with the applicable rules and regulations to ensure a safe food supply for consumers.

Table 1: FY23 Retail Food Program Inspections

Consultations	Plan Review	Licensing	Routine	Sampling	Follow-up and Reinspections	Complaint and Investigations	Total Inspections
134 (3.0%)	167 (3.7%)	429 (9.6%)	3297 (73.4%)	41 (0.9%)	327 (7.3%)	94 (2.1%)	4489

Plan review and HACCP updates

The Plan Review team invited industry partners to complete a survey about their experiences, and results of the survey were shared during facilitated listening sessions. Goals of the listening sessions and survey were to seek program improvement for both MDA and partners, ensure sustainable funding for services provided, and connect understanding of work and services provided. Overall feedback was very positive about the plan review process. Commentors stated the MDA has great communication up front in the process with more sophisticated requirements than other parts of the Midwest.

The HACCP team restructured the Retail Food Program’s HACCP training for food inspectors. The training was split into three remote sessions with an in-person capstone session, which allowed for greater discussion, improved understanding of specialized food processing and a better training experience for new staff. The HACCP consultants delivered this training to both MDA and delegated agency food inspectors.

Voluntary National Retail Food Regulatory Program Standards

The [FDA’s Voluntary National Retail Food Regulatory Program Standards](#) are designed to help food regulatory programs enhance the services they provide to the public. The Retail Food Program currently conforms to eight

of the nine standards. These standards provide confidence the services provided by the Retail Food Program are consistent and equitable throughout the state and aligned to national standards. The Retail Food Program anticipates achieving its goal of meeting all nine standards in FY24.

Table 2: List of Voluntary National Retail Food Regulatory Program Standards

Standard	Title	Current Status
Standard 1	Regulatory Foundation	Standard met
Standard 2	Trained Regulatory Staff	Standard met
Standard 3	Inspection Program Based on HACCP Principles	Standard met
Standard 4	Uniform Inspection Program	Standard not met
Standard 5	Foodborne Illness and Food Defense Preparedness and Response	Standard met
Standard 6	Compliance and Enforcement	Standard met
Standard 7	Industry and Community Relations	Standard met
Standard 8	Program Support and Resources	Standard met
Standard 9	Program Assessment	Standard met

Process improvement - active managerial control of foodborne illness risk factors

In FY22, in an effort to reduce foodborne illness risk factor violations, specific food handler practices that contribute to majority of the foodborne illness outbreaks, corrective action plans (CAPs), and risk control plans (RCPs) were utilized in a more intentional and structured approach. These tools are used to help gain compliance by building a food establishment’s long-term control.

This fiscal year, the Retail Program partnered with the University of Minnesota within the Minnesota Integrated Food Safety Center of Excellence to evaluate the effectiveness of the CAP and RCPs. A student worker was hired and utilizing the center’s expertise, a study is underway to assess the current procedures. The goal is to determine if these efforts make an impact on risk factor violations. The data analysis is expected to be completed in August 2023.

Outreach

In the last year the MDA, in partnership with the Minnesota Department of Health, released Spanish, Somali, and Hmong translated [food safety fact sheets](#) with side-by-side comparisons in English.

The Retail Food Program redesigned the [retail food website](#), to enhance the visual appearance and incorporate new content with greater functionality. Analytics were utilized in the last year to better track the use of the website over time and help promote underutilized pages.

The [Retail Food for Thought Newsletter](#), which was initiated the previous year, continued providing valuable updates and resources to licensed food establishments with two more editions and a Retail Mobile Edition in the spring. The newsletter includes a survey for direct and ongoing feedback from food establishments to ensure the newsletter provides relevant information.

The Retail Food Program aimed to improve communication and resources for food establishments by asking food establishments what they need. In November 2022, the Retail Food Program initiated an open and ongoing

survey delivered via inspection reports to evaluate the quality of the inspection experience and improve inspection services. The survey was utilized to evaluate where internal efforts could make the most impact, which demonstrated a need to increase awareness and access to previously developed factsheets, improve the website, and continue services such as the Retail Food for Thought Newsletter.

Retail Food Program Priorities and Planned Activities

The Retail Food Program will further the success from the past year by continuing to provide quality protection services while focusing on specific aspects of program support and services to improve outcomes for applicants, food establishments, and consumers. The RFP plans to conduct the following activities in the next fiscal year:

- Hire and train new Agricultural Specialists/Advisors to fill the territories that were vacant at the end of FY23 to bring inspection staffing levels to 100%
- Conduct on-time, routine inspections in inspection territories which are currently staffed by a fully trained inspector
- Participate in a facilitated, program-wide strategic planning meeting to identify areas for improvement and ways to support the MDA’s Strategic Plan and the One Minnesota Plan
- Conduct surveillance sampling of prepackaged foods sold in Minnesota as part of the Laboratory Flexible Funding Model FDA grant
- Develop training modules for inspection staff and external partners as part of a National Environmental Health Association-FDA Retail Flexible Funding Model grant
- Plan and begin an audit of the local delegated agencies that conduct their own retail food inspections

Industry Spotlight

“I want to extend my appreciation for the Department of Agriculture’s reaction to our building of a Sushi production area in our store. We had been working on getting fresh Sushi in our store for many months and thought that the Deli license covered us for production. Our inspector saw on social media posts this new offering was a hit, she quickly called and explained we did not have the proper facility and license for producing and selling fresh Sushi. Thanks to the MDA staffs’ assistance we were able to get a Retail Site Plan approved, accomplish a build out, order and receive new equipment and get the new Sushi company approved and licensed in 30 days. Wow! Back up and running and selling Sushi. Thank You!”

- Stephen Hagen, Doug’s Supermarket – Warroad, MN

