

NAC 583 Workshop Minutes

Division of Animal Industry



Opening Statement

Ladies and Gentlemen, I would like to call this workshop to order; thank you for being here today. It is 11:30 AM on 1st, December 2023 and this is the scheduled time for the workshop to solicit comments regarding proposed changes to chapter 583 of the Nevada Administrative Code (NAC).

This workshop is being held in person at 20 Nevin Way, Yerington, as well as virtually via Zoom using either computer or telephone to ensure all wishing to participate may do so. This workshop has been properly noticed and is being recorded as required by Nevada Open Meeting Law. We are recording today's meeting for those wishing to view at a later date.

My name is Shayda Sanjideh, and I am The Nevada Meat and Poultry Project Manager. The following NDA Staff member(s) are also in attendance, please state your name and title.

Alisa Townsell, The Nevada Meat and Poultry Program Educator
Shelley Pope, The Nevada Department of Ag Literacy Coordinator
Lander Smith, Ag Literacy Coordinator Intern
Julia Miller Ketcham, Administrative Assistant
Amara Vigil, Administrative Services Administrator

Now, I will be reading off the names listed below, if you haven't placed your name on the sign in sheet, please do so before you leave so we may keep accurate record of who attended this meeting.

Leana Carey
Curtis Jordan
Darrel Pursel
Staci Emm
Unknown Person

Note: There were attempts to obtain Unknown Person's first and last name for the record which was unsuccessful.

For those participating via zoom or phone, we will say your name and record your attendance for you.

Doug Busselman
Mike Ray

A few housekeeping items:

- We'll be using some of the features of Zoom for those who have joined us through the online platform. At the bottom of your screen, you'll see participants and chat. Click on chat to open the chat box. Next locate the participants icon and click to open. Find your name on the participant list, and hover over your name. A

Raise Hand icon will appear – this is what you will click to participate in roll call and if you wish to speak during public comment. Click it again to lower your hand after speaking or to withdraw the request. If you don't find the hand by hovering near your name, use the three dots at the bottom of the screen to open a menu where you'll have the option of raising and lowering your hand.

- For those participating by phone, you can raise your hand by pressing *9.

We have muted everyone to reduce background noise. If you wish to give public comment, please use the hand raising feature and we'll call on you and ensure your mic is unmuted. Those on the phone can unmute themselves when called upon by pressing *6.

- If you have any technical issues during the meeting try the following:
 - Turn the video off to see if the connection improves.
 - Leave the video meeting and either try to rejoin or call in using the phone number and log in information from the agenda.
 - If you are having problems getting unmuted or into the comment queue, use the chat function to make your comment and it will be recorded for the record.
- In addition to public comments during this workshop, interested parties are welcome to submit written public comment and email to ssanjideh@agri.nv.gov.
- If you are attending in-person, please sign the attendance sheet, if you are virtually attending, we'll be using the participant list for the record. If we're unsure of your name, we may send you a message, so we have the correct information in the meeting minutes. If you're joining us via phone, please send an email to ssanjideh@agri.nv.gov indicating you participated in today's workshop or remain on the line after we close so we can capture your information for the meeting record.

I will provide you with an overview of the rulemaking process, so you have background on the state of Nevada's current regulations and where we are making proposed changes. During 2022 the Agency began the development of a Meat and Poultry Inspection Program funded and administered primarily by the NDA. NDA staff were tasked with reviewing the NAC.

- As the first step, the NDA reviewed the existing NAC language, updated sections due to federal guidelines, reviewed other state programs, and calculated program costs. The draft we're reviewing in this workshop is the most updated version of proposed changes. These changes were submitted to the Legislative Counsel Bureau (LCB) for review and comment on and were then sent to the NDA with LCB's response.
- Next, the Department distributed a small business impact survey for industry input. That information was compiled, and a statement was included with this workshop notice.
- This workshop is being held to review the proposed changes and receive public comment to help shape the final proposed language. Additional comments may be submitted following the workshop, up until December 15th, 2023
- Following the workshop process, and once the Legislative Counsel Bureau has provided input and approval to move forward, a Hearing and Intent to Adopt Proposed Regulations will be scheduled and noticed. Public comment may also be made before, during and after that hearing.

- The draft coming out of the Hearing process is then adopted by the Department and submitted for review and approval by the Legislative Commission.
- After approval by the Legislative Commission or Subcommittee to Review Regulations, the Legislative Counsel Bureau will file the regulation with the Secretary of State. This is the point the adopted regulation would become effective.

From our agenda you will see we'll start with a period of open comment for anyone wishing to speak about concerns or to provide feedback. We ask that you limit your comments to three minutes to ensure everyone can be heard. Following open comment, we will review the proposed changes to NAC 583, followed by time for questions and clarification. After questions, there will be another period for additional public comment on the proposed changes. Those who wish to speak during public comment are requested to raise their hand, either in-person or virtually, and when called upon, identify themselves by name and any affiliation for the record.

Again, please save your questions for public comment at the conclusion of the review of proposed changes. There will be time for questions and dialogue at that point once all information has been shared before we move onto the next round of public comment.

At this moment, we will open the first period for public comment for anyone who wishes to provide comments for the record. As a reminder, please keep your comments to three minutes or less.

****Opening General Public Comment****

Leana Carey asserted that the regulations can easily overburden custom exempt producers in Nevada.

The Department is proposing changes and additions to Nevada Administrative Code Chapter 583 to allow for a state meat and poultry inspection program, while also providing clarification for custom meat and poultry processing operations. We will review these proposed changes and additions in detail.

For a state to be able to develop and administer their own meat and poultry inspection program, the state must operate in a manner and with authorities that are "at least equal to" the federal inspection program. This program is a fee-based program, the Department did not receive general funding, and this was taken into consideration when reviewing the fees. The proposed fees program is based on the costs that the Department would incur in order to operate a meat and poultry inspection program in the state of Nevada. This program takes into special consideration the cost of ensuring that Nevada's citizens are provided with a safe meat and poultry inspection program that focuses on the public's health and safety.

I will now begin a review of the proposed changes today.

The proposed language was reviewed thoroughly by Shayda Sanjideh.

We are now available to take any questions regarding the proposed changes. A quick reminder for those online, please use the raise hand function to be called upon, be sure to state your name and any affiliation for the record, and please limit your comments to three

minutes or less. As a reminder for anyone who has joined on the phone, you can raise your hand by pressing *9, and once you've been called upon, you can press *6 to unmute yourself.

The Review and Discussion Period

Questions included by aren't limited to the following:

- How long does it take to review a facility's plan? Why does the plan review cost so much for producers? Would a plan review fee cover multiple facilities under the same producer?*
- Will an itemized list of costs be provided to producers with the State Inspection Program application?*
- Will there be requirements for proof of county approval?*
- In regard to the 180-degree water requirement, will that requirements be feasible for custom exempt producers?*
- In regard to the refrigeration requirement, will there be a requirement to have visual temperature equipment, like a thermometer?*
- Can the renewal fee be reduced every year? Or does it have to be the same?*
- Why is the fee so high for custom exempt producers?*
- Can the NDA create a county guidance document?*
- What's going to be required for Custom exempt vs. State vs. Mobile processing?*
- Why is there a temperature requirement within one hour of harvesting?*
- Do we have an estimate for these regulations on harvesting costs for producers?*
- Are properties required to be always available to inspectors? Even if they're on private property?*

We appreciate everyone's questions. We'll now move into the second period for public comment. Anyone wishing to make a statement for the record and consideration may do so now. Again, if you are joining us online, please use the raise hand function, and if you are joining via phone, press *9 to raise your hand and *6 to unmute yourself when called upon.

Closing General Public Comment

Staci Emm stated that Section 17, specifically the requirement of water testing, will be impractical and wrong to demand of ranches.

Staci Emm mentioned that Section 12.2.d should be taken out, and Section 12.3 is questionable as the NDA should have the final say or authority over county authority.

Staci Emm asserts a concern for custom exempt producers due to the high cost the NDA is proposing, the high cost for county approvals, many custom operators will go underground. The NDA needs to identify all of the benefits this program has to offer.

Darrel Pursel is concerned about very small custom producers, those who sell only 6-8 beef a year. The regulations are going overboard and is making it harder for everyone.

Mike Ray mentioned that the regulations are going to push his business out due to additional costs for the fees, equipment, it'll be too much for him to handle, and he harvests about 2-3 beef a week.

Leana Carey commented saying we do need more healthy food in our food systems and faster access in Nevada, and this may be counterproductive.

Darrel Pursel reflected during covid, beef processing was booked out, and although we need more processors available, the regulations will shoot us in the foot.

Mike Ray agrees that a safe and healthy product is important, and always the goal for his business. He believes that to the extent that he is HACCP trained. However, these proposed regulations are going to kill competitors. He is tempted to sign on with The NDA, but the process laid in the regulations doesn't seem helpful.

Thank you all for your participation. The NDA will take the comments from today into consideration along with any written comments received during the rulemaking process.

Following the workshop process, there will be a Hearing for Adoption of Regulations scheduled and communicated. This notice for the hearing will be posted not less than 30 days prior to the hearing date and will provide instruction as to how to provide written comment and a deadline for submission of comment for purpose of being included in the official record of the hearing for adoption.

Thank you for attending. This workshop is adjourned as of 12:53 PM.

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