

## NAC 583 Workshop Minutes

Division of Animal Industry



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### Opening Statement

Ladies and Gentlemen, I would like to call this workshop to order; thank you for being here today. It is 2:30 PM on 27<sup>th</sup>, November 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 3C Complex 325 Sheckler Rd., Fallon, 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*

*Lisa Burnett, Operations Manager for Food & Safety*

*Holly Rincon, Executive Assistant*

*Chad Sestanovich, Animal Administrator*

*Julia Miller Ketcham, Administrative Assistant*

*JJ Goicoechea, Director*

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.

*Doug Busselman*

*Richard Mccartney*

*Lance Johnson*

*Shelbe Sean*

*Troy Sean*

*Emma Fullerton*

*Justin Johnson*

*Jamie Lee*

*Leana Carey*

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

*Darryl Pursel*

*Dave*

## *Samsung*

Note: There were attempts to obtain Dave's last name and "Samsung" information for the record which were unsuccessful.

A few housekeeping items (*show slide*)

- 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](mailto: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](mailto: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 15<sup>th</sup>, 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 after 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 noted that the language presented in the proposed regulations are too complicated and anticipated answers to describe where all the proposed language originated from.*

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:*

- Do the regulations include wild game?*
- What would an inspection involve on a daily and long term scale?*
- What are the benefits of Custom inspection vs. State inspection if these regulations are pushed through?*
- What is the cost difference between USDA and State Inspection?*
- If a facility works with both USDA and State Inspection, Who has the authority to stop production? And what does stopping production look like?*
- Would The State Inspection program adopt a HACCP plan already approved by USDA?*
- In the hearing following the series of workshops, what entity will make the adoption decision? And will The Board of Agriculture have a chance to review the regulations before the adoption?*
- What are the daily costs of the State program? What are one time fees vs. reoccurring fees?*
- Can it be explicitly stated that the cost of State Inspection is free in the proposed language?*
- Can producers use FSIS Directives meant for Custom Exempt for Mobile Slaughter Units?*
- In the proposed language, will The Departments of Health and Human Services be fully stripped of authority on Custom Meat and Poultry Inspection?*
- Can The Nevada Department of Agriculture be placed as an authority for Sanitation requirements typically held by Counties?*

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, from UNR Extension, mentioned that they didn't expect custom regulations to be so heavy on producers, the USDA doesn't consistently inspect facilities so it seems unfair for The Nevada Department of Agriculture to inspect producers. They urged for a smaller impact on*

*small producers from regulations.*

*Doug Busselman, from Nevada Farm Bureau, noted that NFB will have a culmination of public comments submitted by December 15<sup>th</sup>, 2023. Noted that NFB supports this upcoming State Inspection program, however they are concerned that holding Custom and Mobile producers to the same level as an official establishment, in the context of inspection requirements, fees, and application process.*

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 4:11 PM.

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2300 East Saint Louis Ave  
Las Vegas, NV 89104

405 South 21<sup>st</sup> St.  
Sparks, NV 89431

4780 East Idaho St.  
Elko, NV 89801



