

Association of Food and Drug Officials

◆ Elliot O. Grosvenor Food Safety Award ◆

*This nomination must be submitted by April 1
to be considered for the current year's award*

Criteria for Nominations

The Elliot O. Grosvenor Food Safety Award is given to recognize outstanding achievements made by food safety programs within State Departments of Agriculture, Natural Resource Agencies, Public Health Departments or Environmental Conservation Departments in the United States or Canada. The award will go to the program that best showcases improvement, innovation or sustained high performance within a food safety program. A food safety program could include responsibility for: food safety, food protection, and food defense or food sanitation. The applications will be made to the AFDO awards committee by the deadline.

(PLEASE TYPE)

Date of Nomination: May 14, 2025 for the year ending December 31, 2024

Program's Full Name: Virginia Department of Agriculture and Consumer Services

Nominator Pam Miles

Immediate Organization: Virginia Department of Agriculture and Consumer Services, Office of Dairy and Foods Program Manager

Agency: Virginia Department of Agriculture and Consumer Services

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AFDO Member Yes

Executive Summary:

The Virginia Department of Agriculture and Consumer Services (VDACS) Food Safety Program has the responsibility for inspecting retail and wholesale food establishments in the Commonwealth of Virginia. These establishments include supermarkets, grocery stores, convenience stores, bakeries, food manufacturers, and food warehouses. The Food Safety Program supports the Department's objective by ensuring that food products and dietary supplements in the Commonwealth of Virginia are safe, wholesome, and properly labeled through food establishment evaluations and assessments, food related investigations, and food product sampling.

The Food Safety Program is a state run program that is comprised of a field staff consisting of 31 Food Safety Specialists, four Field Supervisors, and four Food Technical Specialists who have assigned territories. Currently, the Program has an active establishment inventory of 9,916 retail food establishments, 2,677 food manufacturers, and 674 food warehouses. In 2024, a total of 11,177 food safety inspections were completed and 727 complaints investigated. In addition, the Program conducted FDA food inspections under contract. During that same period 622 surveillance and regulatory food samples were collected and submitted to the Division of Consolidated Laboratory Services for analysis. Field staff also responded to numerous emergency response situations, including power outages, fires, floods, and vehicular incidents involving food products.

The Food Safety Program is enrolled in both the Manufactured Food Regulatory Program Standards (MFRPS) and the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS). The Program also oversees and coordinates the Virginia Rapid Response Team (VA RRT) for the State. In 2024, the Program received funding from the following cooperative agreements and the food contract through FDA totaling \$930,000:

Rapid Response Team Cooperative funding-\$225,000
Manufactured Food Regulatory Program Standards funding-\$225,000
Food Protection Task force funding-\$6,000
FDA Food Contract-\$424,000

The Food Safety Program has been audited by FDA as part of the MFRPS cooperative agreement. All ten of the standards were found to be in full implementation and full conformance and the Program remains in full compliance.

The VA RRT received funding in 2009 to develop the VA RRT and to fully incorporate the concepts and ideas of a truly integrated food safety system. The VA RRT is a multi-agency team that operates using a modified Incident Command System (ICS) and National Incident Management System (NIMS) principles and a unified command structure to respond to human and animal food emergencies. The VA RRT is composed of a core team with members representing VDACS Food Safety, Dairy Services, Produce Safety, and Agricultural Commodities Programs (Animal Feed); the Virginia Department of Health (VDH) Epidemiology and Surveillance (EPI), Environmental Health (EH), Drinking Water and Shellfish Programs; the Department of General Services (DGS) Division of Consolidated Laboratories (DCLS); the USDA Food Safety Inspection Services (FSIS); and the FDA District Emergency Response Coordinator. The VA RRT is a multi-disciplinary team with significant response capabilities and Standard Operating Procedures (SOPs) in the areas of food and feed safety response. The core team holds a standing weekly call to discuss any foodborne illness outbreaks and any other emerging issues. The VA RRT capabilities include product recalls, tracebacks, and foodborne illness outbreak investigations, minimizing response time and protecting public health. The VA RRT has had great success in forming excellent communication and relationships between all agencies and helping solve and mitigate outbreaks and any emergencies.

The VDACS Food Safety Program is a highly effective and responsive regulatory program. Over the past several years, the Program has enhanced the services provided to the public with the goal of reducing the occurrence of factors that cause and contribute to foodborne illness. The Program has strong working relationships with local, state, and federal agencies. The Program provides a high level of public health protection for citizens within and outside the state of Virginia.

□ **Agency Demography (Population Served, Age and Diversity)**

Established in 1877, the Virginia Department of Agriculture and Consumer Services promotes the economic growth and development of Virginia agriculture, provides consumer protection, and encourages environmental stewardship.

The agency is headquartered in Richmond, VA and has several field offices, four regional diagnostic animal health laboratories, and a global network of representatives promoting Virginia products internationally.

Agriculture is Virginia's largest private industry. The industry has an economic impact of \$82.3 billion annually, provided more than 381,800 jobs in the Commonwealth, and \$43.8 billion in value-added impact. The industries of agriculture and forestry together have a total economic impact of over \$105 billion and provide more than 490,000 jobs in the Commonwealth. Every job in agriculture and forestry supports 1.6 jobs elsewhere in Virginia's economy.

According to a 2021 economic impact study, livestock production accounted for approximately 63% of farm cash receipts, with poultry, beef, and dairy constituting the largest products. Crops make up the difference with grains, such as corn, wheat, and soybeans. Virginia's food, beverage, and fiber processors and manufacturers buy many of their agricultural commodity inputs from Virginia farmers. These industries have grown by approximately 1,100 jobs (2%) over the last five years. When the employment and value-added impact of agriculture and forestry are considered together, they make up 9.3% of the state's total gross domestic product.

The State of Virginia has an estimated population of over 8.8 million people, making it the 12th most populated state in the nation. The state's capital is Richmond and its most populous city is Virginia Beach. Its most populous subdivision is Fairfax County, part of Northern Virginia, where slightly over a third of Virginia's population lives.

Eastern Virginia is a part of the Atlantic plain, and the middle peninsula forms the mouth of the Chesapeake Bay. Central Virginia lies predominantly in the Piedmont, the foothill region of the Blue Ridge Mountains, which cross the western and southwestern parts of the state. The fertile Shenandoah Valley fosters the state's most productive agricultural counties, while the economy in Northern Virginia is driven by technology companies and U.S. federal government agencies. Hampton Roads is also the site of the region's main seaport and Naval Station Norfolk, the world's largest naval base.

□ **Agency Resources and Budget (Staff, Facilities, Revenues)**

In fiscal year 2024 (July 1, 2024, to June 30, 2025) state general fund appropriations for the Food Safety Program totaled \$4,515,399. State general fund appropriations for collecting and analyzing food samples were \$375,000. Annual inspection fees is approximately \$400,000. Federal funding totaled \$930,000. This accounts for a total budget of \$6,220,399.

The Food Safety Program is part of the VDACS Office of Dairy and Foods and is managed by a Program Manager.

Two Food Safety Managers oversees all activities of the Food Safety Program, which has four Regional Offices with a Regional Manager in each office. Field staff consists of four Field Supervisors, four Food Technical Specialists, and 31 Food Safety Specialists. Field staff conduct inspections of both retail and wholesale food establishments. The regional offices are located in the City of Richmond, Virginia Beach, Warrenton, and Roanoke. In addition, the Program has FDA grant funded positions which include a Rapid Response Team Coordinator, Manufactured Food Regulatory Program Standards Coordinator and a Manufactured Foods Specialist.

□ **Program Planning/Self Evaluation (Vision, Staff Participation)**

The VDACS Food Safety Program conducts self-assessments of the Program as part of the VNRFRPS and MFRPS. The Program also has internal reports in their database that are utilized to ensure they are meeting procedural requirements such as follow-up inspection dates, meeting enforcement deadlines, sampling plans, and complaint investigation dates. They also monitor reports for any past due firms so that they can assign staff to work in adjacent territories to ensure inspection timelines are adhered to.

The Food Safety Managers hold weekly calls with their Regional Managers to discuss program planning and to ensure uniformity throughout the program and to discuss improvements to the program. In addition, they hold monthly calls with the Field Supervisors, the Technical Specialists, and Administrative staff to discuss current issues, and how to be more efficient and streamline procedures. During 2024 The Food Safety Managers worked to enhance the way their applications are processed to improve efficiency and improved turnaround times. As part of this effort, they expanded the review process to involve additional team members to standardize the workflow.

The ODF Program Manager, the Food Safety Managers, and VDACS Information Systems engaged with the Virginia IT Agency to incorporate Food Safety Permits into the Virginia Permit Transparency (VPT) website. The Food Safety Permit went live on February 12, 2025. Following the inclusion of this permit type on VPT, VDACS Food Safety management will continue to work to identify any process inefficiencies or process delays and to improve processing time.

The Food Safety Management Team hold quarterly in person regional meetings and an annual weeklong training with the Field Staff to update them on any new policies, procedures, provide training, discuss any current issues, listen to feedback, and to build camaraderie and establish teamwork.

Management frequently seeks staff participation for ways to improve the program and provide ideas for “working smarter, not harder.” Management also has frequent communication with other state food regulatory programs so that we don’t have to “reinvent the wheel.” The Program understands that frequent sharing of best practices is important for an integrated food safety system.

Program Management (Staff Control, Community/Industry/Consumer Support)

The VDACS Food Safety Program consists of a small but dedicated group of individuals committed to public health protection in Virginia. The following outlines the responsibilities of each position in the Program that ensures Agency goals are achieved:

Office of Dairy and Foods Program Manager

- Directs statewide programs (includes the Food Safety Program) that protects the public from adulterated food, produce and dairy products.
- Provides management and direction to the staff in the Office of Dairy and Foods.
- Administers all produce, dairy, and food inspection laws and regulations.
- Initiate and implement procedures for maximum utilization of human and financial resources.
- Oversees ODF's emergency response.
- Ensures the ODF programs provide quality customer service in a timely manner and provide outreach.

Food Safety Program Managers (2)

- Manages the statewide Food Safety Program.
- Provides management, supervision, direction, and support to the Program's Food Safety Specialists who are responsible for the inspection of all food retail stores, food manufacturers, and food warehouses in the Commonwealth.
- Manages program activities such as administering all food laws and regulations; implementing and directing a food protection inspection program that protects public health from adulterated and misrepresented food products.
- Promotes food safety and coordinates emergency response activities.
- Ensures that Food Safety staff provide quality customer service in a timely manner and provide outreach.

Regional Managers (4)

- Provides first line supervision to 31 Food Safety Specialist, four Technical Specialists and four Field Supervisors in the Program.
- Conducts hearings and recommends additional regulatory action for firms in violation of laws and regulations.
- Responds to inquiries from the public, the regulated industry, and other regulatory agencies concerning all aspects of the Program.
- Reviews new food business proposals and assists in the development of safe food processes.

The Food Safety Program maintains a website page with food safety information for consumers as well as the regulated industry. The Agency and the Food Safety Program's mission is to provide education in addition to regulating during inspections as well as providing outreach materials and providing educational talks. One recent example is the Food Safety Program which has a close working relationship with the Virginia Farmers Market Association. The Food Safety Program took part at the 2025 Virginia Farmer's Market Association's virtual annual Food Safety Summit by providing an overview of the Food Safety Program, applicable laws and regulations, the permit application process, the Food and Drink Law's home food processing exemptions, and farmers market food safety and sanitation guidelines. The webinar had more than 300 attendees that included Farmers Market Managers and vendors. A Technical Specialist and a Regional Manager also attended to assist with the question-and-answer sessions.

The Food Safety Program maintains relationships with our state trade and membership with industry associations such as the Association of Food and Drug Officials (AFDO), in which the ODF Program Manager serves in a position on the Board of Directors. A Food Safety Manager also serves in a position on their Board of the Association of Food and Drug Officials of the Southern States (AFDOSS).

Program Implementation (Training, Compliance, Enforcement)

Training – The Program has a comprehensive training program for all new hires that meets all elements as outlined in Standard 2 of both the VNRFRPS and MFRPS. Because the Program is not split between retail and manufacturing, inspectors complete training for both types of inspections. New hires work with the Field Supervisors to become familiar with policies, procedures, laws, and regulations. New hires next complete required online prerequisite courses. Once these courses are complete, the new hire begins Retail Field Training with qualified trainers. The new hire works with each qualified trainer for a week at a time and training occurs in various parts of the state. Each trainer fills out the Retail Field Training Worksheet at the end of the week to document the new hire's performance. At the end of the first phase of training, the new hire is released to conduct independent inspections of retail firms in their territory. Within the first 18 months of employment, each new hire is Standardized by the Field Supervisor/Standardization Officer. Prior to Standardization, each new hire must complete the required post coursework. After the Food Safety Specialist has completed the retail training program, they will then undergo manufacturing training, which normally takes place during the same time as the FDA contract. During this time, the trainee works with a qualified trainer and training is completed on both Basic Wholesale establishments and applicable Advanced/Specialized Wholesale Establishments. Food Safety Specialists are required to complete the Basic and applicable Advanced Food Inspection Coursework within 24 months of their start date with VDACS. The Program also provides ongoing training to all Food Safety Specialists in the form of Regional Meetings, an Annual Inspectors' Meeting, webinars, etc.

A Food Safety Manager spends a great deal of time ensuring that all training records were kept in new spreadsheets so that they were current and accurate for all employees to ensure compliance with the standards and to ensure the employees were fully trained.

Compliance and Enforcement – The Food Safety Program has formal compliance standards outlined within our SOPs for all programs. The Bureau has adopted by reference the most current FDA Model Food Code for retail and all federal regulations related to food for manufactured food establishments. The Program has specific Letters of Information that were developed as a means of educating firms on specific topics relevant to food safety when inspectional findings indicate violations that do not pose an immediate public health risk. The Program also issues Letters of Notification when inspectional findings warrant official compliance action. If compliance is not achieved through informational or notification letters, the Program will also hold several compliance meetings. The first is usually an onsite compliance meeting in which the Field Supervisor conducts the hearing at the firm by reviewing inspectional history, referencing the applicable sections of the Virginia Food Laws and regulations. The firm is then given the opportunity to explain any steps they have taken to correct the violations. If subsequent follow-up inspections do not show improvements or there are egregious violations, an Informal Fact-Finding Conference (IFFC) will be held to discuss to discuss that if improvements are not made the next steps could be revocation of the permit. In addition, if warranted, the case file will be referred to the Commonwealth's Attorney for criminal prosecution. In 2024, the Program sent 248 informational letters, 210 letters of notification, and conducted 21 compliance meetings and two IFFCs, and one permit was revoked from a wholesale bakery.

Program Outcomes (Measurable Outcomes)

Program outcomes are measured using a variety of tools including training worksheets, spreadsheets to document training courses and continuing education, spreadsheets to document applications reviews, mid and final year reports for cooperative agreements, VDACS Inspection Program Reporting System (VIPRS) reports, Field Operation Manual (FOM), sample collection reports, sample collection reports, sample collection results, field and desk audit results, etc.

In 2024, a total of 11,174 food safety inspections were completed. During that same period, 622 food samples were collected and submitted to the Division of Consolidated Laboratory Services for analysis, Food Safety Specialists investigated 727 complaints, and the Program responded to over 104 emergency response situations.

Goals for Improvement

The Food Safety Program consistently seeks ways to improve and reduce the occurrences of illnesses from food manufactured, processed, stored, and sold in Virginia. The Program employs a variety of mechanisms to achieve continuous improvement in our attempt to ensure food safety in the state. The Program's goals for improvement include:

- Achieving and maintaining conformance with the most current version of the VNRFPS and maintaining conformance with MFRPS.
- Participating in organizations and on committees that provide the best practices for retail and wholesale regulatory programs.
- Developing laboratory sampling plans in conjunction with the state lab to support the objectives of both programs.
- Holding weekly and monthly meetings with the management and administrative team to discuss action items and set timelines for completion and continuing to work on effectively using resources.
- Continue communicating effectively with other regulatory agencies such as FDA and the Virginia Department of Health; state food regulatory programs and the regulated industry; and other constituent groups.
- Continue to work on streamlining the food safety application process for new businesses.

Issues/Challenges/Risks

One risk is associated with the amount of grant funding and contract monies received by the Food Safety Program that are being utilized to fund staff positions. Currently three staff positions could be lost by the Program if the grant and contract funding were not available; The Manufactured Food Regulatory Program Standards Coordinator, a Manufactured Food Specialist, and a Technical Specialist.

VDACS has an aging workforce and has experienced a high rate of retirements in recent years, with four Program staff retiring this year. Due to retirements, new hires have been moving to new jobs in shorter timeframes than they historically have done so.

Emerging regulatory issues will present challenges and risks to public health, such as food freedom movements advocating for sale of unregulated foods, e-commerce, CBD and other non-approved hemp additives in food, and expansion of raw milk dairy products.

Other challenges include knowledge overload and 'burnout' among our management team, technical specialists, field supervisors and inspection staff in trying to manage a multitude of food inspection programs and different types of inspections and expertise.

Summary (Improvement or Innovation that Merits Award)

Since 2022, the Food Safety Program has faced three new opportunities and challenges. The first was in 2022 when VDACS was successful in gaining the authority from the State General Assembly to issue permits to all the food establishments that they regulate. Before July 1, 2022, VDACS did not have the authority to require permits which made the enforcement process challenging and maintaining an accurate state inventory difficult. When the bill passed that March, the Food Safety Program had 3 months (by July 1, 2022) to implement how they were going to issue statewide permits and had to develop a new compliance and enforcement program. The Program met the deadline and currently have a successful permitting program in place which has enhanced compliance and assisted with having a more accurate inventory in place.

The second was in 2022-2023. Governor Youngkin and the Virginia Department of Agriculture Secretary's Office wanted VDACS Food Safety Program to focus on removing unapproved and adulterated hemp products including delta-8 THC from retail shelves in the Commonwealth. This high priority and high-profile assignment were given to the Food Safety Specialists to get these intoxicating hemp products that were mislabeled, unapproved, and at times being targeted to children removed from sale.

In 2022-2023, the Office of Dairy and Food (ODF) Food Safety Program sent an electronic communication to over 13,000 food manufacturers and retail food establishments in Virginia to alert them that certain products intended for human consumption that contains cannabinoids could be considered adulterated if such products contain an ingredient that is not approved as a food pursuant to the Virginia Food and Drink Law or are not manufactured in a facility that is under inspection in accordance with the Law. The Food Safety Specialists were tasked with looking for illegal cannabinoid products in their regulated firms. They were also tasked with visiting vape and tobacco shops to look for these products to get them removed from sale. Visiting the vape and tobacco shops were stressful at times for the Food Safety Specialists. The firms were not accustomed to having Food Safety Specialists visit their firms to conduct inspections and ask them to remove products from sale which made for an uncomfortable situation at times for the field staff. The Food Safety Specialists performed more than 8,500 inspections and visits. They also educated food manufacturers and retail food establishments by email to encourage voluntary compliance. During these visits, most businesses that were selling food products that were violative voluntarily removed the products from sale. During these inspections and visits, over 1,000 firms were found to be offering non-compliant THC ingestible products for sale. The Food Safety Specialists conducted follow-up inspections at these firms to ensure that these products were not being offered for sale. Across the state, these businesses were selling products that resembled popular candy and snack products from gummy worms to nachos, often ten doses in a single soda can or edible bar facilitating overconsumption and adverse experiences. Many of these hemp businesses use bright colors, cartoon images, animals, and fonts clearly meant to appeal to kids. The Virginia Poison Center received a total of 77 calls in 2022, a substantial increase from the 26 calls received in 2021 from the consumption of these products. UVA Health reports that 68% of the calls in 2022 involved children aged five and younger, a total of 52 calls. A majority of these children had to be hospitalized. The Food Safety Program field staff worked hard and made a substantial impact getting these violative hemp products removed from retail to provide consumer protection to the citizens of Virginia.

The Food Safety Specialists had to learn the new hemp regulations and had to enforce them in addition to the rest of their Food Safety workload. The Food Safety Team was hard-working and dedicated to protecting public health and were willing to take on this additional work and do so even when working in stressful situations that are not part of their regular work duties. The Food Safety Specialists did an exemplary job adding this extra assignment to their already busy work schedules regulating over 13,000 retail stores, food manufacturers and food warehouses. During these inspections and visits, over 1,000 firms were found to be offering for sale non-compliant delta-8 THC ingestible products and the staff worked hard on removing them from sale. This was a huge task, but these employees took the task very seriously and worked hard to protect the citizens and children of the Commonwealth from consuming these unapproved and adulterated products.

In 2023-24, from the hard work that the Food Safety Program started, VDACS created a new Office of Hemp Enforcement Program with new statutory authority to levy stiff civil penalties for violations of the law. A \$1,000 registration fee for firms selling hemp products was created. This new program took over the edible hemp products enforcement work.

The third opportunity and challenge that took place was the Food Safety program was given seven new positions so that they could restructure the Program and create a new fourth region. This took place in addition to implementing the new permitting process and taking on the additional hemp products work. It was a challenge, but the Food Safety management team restructured the territories in the state to create a new Central region and conducted recruitment activities and were successful in hiring the seven new positions in the required time frames.

Attachments

- Testimonials (maximum of two)
- Acknowledgements
- Appendices

Nominated by: _____

Signature: _____

The winner of this award will identify an individual to receive travel funds (if available and pursuant to AFDO's travel policy) to attend the annual AFDO conference held in June in order to publicly receive an official plaque of recognition and will be given time on the program agenda to comment on the award. The winner will be invited to attend the AFDO Wiley Awards Banquet during the conference.

Attendance is not mandatory for receiving the award. Return this form, a photocopy of this form (both sides) and **please submit by April 1** to:

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