



Jeffrey A. Meyers
Commissioner

Lisa M. Morris
Director

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STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH SERVICES
BUREAU OF PUBLIC HEALTH PROTECTION

29 HAZEN DRIVE, CONCORD, NH 03301
603-271-4524 1-800-852-3345 Ext. 4524
Fax: 603-271-8705 TDD Access: 1-800-735-2964
www.dhhs.nh.gov

February 12, 2018

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the Department of Health and Human Services, Division of Public Health Services, Bureau of Public Health Protection, Food Protection Section, to accept and expend federal funds in the amount of \$10,317 from US Food and Drug Administration (FDA) to fund the Produce Safety Rule program effective upon date of approval by the Governor and Council, through June 30, 2018, and further authorize the funds to be allocated as follows. 100% Federal Funds.

05-95-90-901510-50300000 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SVS, HHS: DIVISION OF PUBLIC HEALTH, BUREAU OF PUBLIC HEALTH PROTECTION, PRODUCE SAFETY

SFY 2018

Class/Object	Class Title	Current Modified Budget	Increase (Decrease) Amount	Revised Modified Budget
000-401352	Federal Funds	\$311,074	\$10,317	\$321,391
000-000000	General Funds	\$0	\$0	\$0
Total Revenue		\$311,074	\$10,317	\$321,391
010-500100	Personal Serv - Perm	\$49,432	\$0	\$49,432
020-500200	Current Expenses	\$7,843	\$5,218	\$13,061
030-500311	Equipment - General (New)	\$0	\$700	\$700
039-500188	Telecommunications	\$0	\$385	\$385
041-500801	Audit Fund Set Aside	\$295	\$79	\$374
049-584944	Transfer to Other State Agency	\$10,000	\$0	\$10,000
060-500601	Benefits	\$26,988	\$0	\$26,988
066-500543	Employee Training	\$0	\$500	\$500
070-500704	In State Travel Reimbursement	\$17,800	\$0	\$17,800
080-500717	Out-of-State Travel Reimbursement	\$8,296	\$3,435	\$11,731
102-500731	Contracts for Program Services	\$180,420	\$0	\$180,420
548-500396	Reagents	\$10,000	\$0	\$10,000
Total Expenses		\$311,074	\$10,317	\$321,391

EXPLANATION

The State of New Hampshire, Department of Health and Human Services/Division of Public Health Services (DHHS/DPHS) has applied for and received notice of a Cooperative Agreement with the Food and Drug Administration (FDA). The purpose of this Cooperative Agreement is to encourage the safe production of fresh fruits and vegetables and to promote understanding and compliance with the requirements of FDA's Regulation "Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption" commonly referred to as the Produce Safety Rule (PSR). Illness caused by or related to food is a significant public health burden. An estimated 1 out of 6 people in the US get sick, 128,000 are hospitalized, and 3,000 die each year from foodborne illness (CDC, 2011). Illnesses specific to whole fruits and vegetables consumed raw has been documented. A few recent examples include *Salmonella Newport Infections Linked to Cucumbers—United States, 2014*; *Outbreak of Escherichia coli O104:H4 Infections Associated with Sprout Consumption — Europe and North America, May–July 2011*; *Outbreak of Salmonella Serotype Saintpaul Infections Associated with Multiple Raw Produce Items — United States, 2008 (MMWR, CDC)*. The program has requested and been approved for a carryforward of the prior grants years unspent funds. This acceptance will appropriate these additional federal funds into the current grant year within state fiscal year 2018.

The PSR establishes minimum science-based standards for growing, harvesting, packing, and holding produce which are designed to work across the wide diversity of produce farms. The standards in the final rule include requirements for agricultural water quality, employee health and hygiene, wild and domesticated animals, biological soil amendments of animal origin (such as compost and manure), and equipment, tools and buildings. When followed, the standards are designed to help minimize the risk of serious illness or death from consumption of contaminated produce. The State of New Hampshire DHHS/DPHS will educate and implement FDA's Produce Safety Rules through coordinated efforts among three state agencies/organizations. Working as a collaborative team, DHHS contracted with a qualified institution and also is working with the Department of Agriculture, Markets and Food (DAMF) to assess, educate, train and oversee the implementation of the FDA Produce Safety Rule (PSR) at the state and local level. We will develop a farm friendly food safety framework that supports a well-informed food production community and good agricultural practices that can improve produce safety. Through the education and implementation of established safe growing and harvesting practices for farms that grow produce covered by the PSR, the overall goal is to improve public health protection and minimize the risk of foodborne illness. The promotion of food safety best practices will provide reasonable assurances that the produce is not adulterated by preventing the introduction of biological hazards during the growing, harvesting, packing and holding of produce. The benefit to farms of adopting PSR practices will strengthen public confidence in locally produced fruit and vegetables and market access for New Hampshire grown produce within New Hampshire and the New England produce market.

The additional funds are budgeted as follows:

Class 020 – Current Expenses will be used for printing of on farm readiness review (OFRR) training materials for in state and regional OFRR trainings and for any shipping costs associated with distributing OFRR training materials to state agency partners.

Class 030- Equipment will be used to purchase equipment for field work on farms, including a GPS unit, and camera to carry out the objectives of the grant.

Class 039 – Telecommunications will be used to pay for cellular telephone service for the Program Manager for communications while performing field work and traveling in and out of state performing program related business.

Class 041 – Audit Fund Set Aside per state requirements.

Class 066 – Employee Training will be used to pay for employee training registrations to attend Produce Safety Rule trainings. These include on farm readiness review (OFFR) training and Regulator Training.

Class 080 – Out-of-State Travel Reimbursement will be used to pay for OFFR training and regulator training for up to four agency partner employees and the program manager. OFFR trainings will be held in Vermont, Delaware, Florida, Texas, Arizona and California.

In response to the anticipated two-part question, “Can these funds be used to offset General Funds?” and “What is the compelling reason for not offsetting General Funds?” the Division offers the following information: The funds are provided for a specified purpose by the FDA as defined in the Notice of Grant Award and cannot be used to offset general funds.

These funds will not change the program eligibility levels. This program is for the state Food Protection Section, it is not a new program that pertains to any eligibility for benefits.

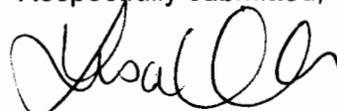
Area Served: Statewide

Source of Funds: These funds are 100% Federal from the US Food and Drug Administration to fund the implementation of the Produce Safety Rule in New Hampshire

Attached are the Award History and Notice of Grant Award. These funds were not added to the operating budget because they are supplemental to the original grant award and were not anticipated at the time the budget was developed.

In the event that these Federal funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,



Lisa Morris
Director



Approved by: Jeffrey A. Meyers
Commissioner

**AWARD HISTORY
FDA PRODUCE SAFETY**

Award Ending 6/30/2017 1U18FD005917-01	250,356
Award Ending 6/30/2018 5U18FD005917-02	296,608
Expended through 6/30/17	(89,276)
Unobligated Balance Unable to Spend	<u>(86,952)</u>
Award Balance 7/1/17	\$ 370,736
SFY 18 Appropriation **	(315,401)
Balance Forward	<u>(45,018)</u>
Available to Accept in SFY 18	10,317
Amount Requested this Action	<u><u>10,317</u></u>

**** SFY 18 Appropriation**

010-090-50300000	Current	Bal Fwd	OYR	Total	This Action	Revised Budget
FDA Produce Safety Rule	265,966	90	45,018	311,074	10,317	321,391
Total	<u>265,966</u>	<u>90</u>	<u>45,018</u>	<u>311,074</u>	<u>10,317</u>	<u>321,391</u>
Allocated Cost for FDA Produce Safety rule	49,435			49,435		49,435



FOOD AND DRUG ADMINISTRATION

Grant Number: 1U18FD005917-01
FAIN: U18FD005917

Principal Investigator:
Michael Dumond

Project Title: Improving public health protection through coordinated efforts among three state agencies to assess, educate, train and oversee the implementation of the FDA Produce Safety Rule.

Dumond, Michael
Bureau Chief
29 Hazen Drive
Concord, NH 033016504

Award e-mailed to: dcooper@dhhs.state.nh.us

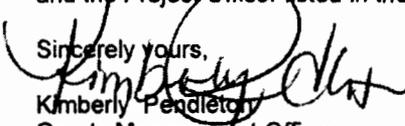
Budget Period: 09/05/2016 – 06/30/2017
Project Period: 09/05/2016 – 06/30/2021

Dear Business Official:

The Food and Drug Administration hereby awards a grant in the amount of \$250,356 (see "Award Calculation" in Section I and "Terms and Conditions" in Section III) to NH state Dept/Public Health in support of the above referenced project. This award is pursuant to the authority of PHS Act, Sec 1706, 42 USC 300u-5, as amended; Sec 2(d), PL 98-551 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact the Grants Management Specialist and the Project Officer listed in the terms and conditions.

Sincerely yours,

Kimberly Pendleton
Grants Management Officer
Office of Acquisitions & Grants Services
Division of Acquisition Support and Grants
Grants & Assistance Team
FOOD AND DRUG ADMINISTRATION

See additional information below

SECTION I – AWARD DATA – 1U18FD005917-01

Award Calculation (U.S. Dollars)

Salaries and Wages	\$32,321
Fringe Benefits	\$26,937
Personnel Costs (Subtotal)	\$59,258
Equipment	\$1,300
Supplies	\$7,620
Travel Costs	\$17,800
Alterations and Renovations	\$500
Other Costs	\$2,250
Consortium/Contractual Cost	\$119,902

Federal Direct Costs	\$208,630
Federal F&A Costs	\$41,726
Approved Budget	\$250,356
Federal Share	\$250,356
TOTAL FEDERAL AWARD AMOUNT	\$250,356

AMOUNT OF THIS ACTION (FEDERAL SHARE) \$250,356

SUMMARY TOTALS FOR ALL YEARS		
YR	THIS AWARD	CUMULATIVE TOTALS
1	\$250,356	\$250,356
2	\$292,646	\$292,646
3	\$169,116	\$169,116
4	\$172,578	\$172,578
5	\$206,120	\$206,120

* Recommended future year total cost support, subject to the availability of funds and satisfactory progress of the project.

Fiscal Information:

CFDA Number: 93.103
 EIN: 1026000618B3
 Document Number: UFD005917A
 PMS AccountType P(Subaccount)
 Fiscal Year: 2016

IC	CAN	2016	2017	2018	2019	2020
FD	6990928	\$250,356	\$292,646	\$169,116	\$172,578	\$206,120

* Recommended future year total cost support, subject to the availability of funds and satisfactory progress of the project.

FDA Administrative Data:

PCC: ORA17 / OC: 4141 / Processed: ERAAPPS 09/02/2016

SECTION II – PAYMENT/HOTLINE INFORMATION – 1U18FD005917-01

Grant payments will be made available through the DHHS Payment Management System (PMS). PMS is administered by the Division of Payment Management, Program Support Center (PSC), DHHS, Office of the Deputy Assistant Secretary, Finance. Requests for downloadable forms and inquiries regarding payment should be directed to:



Notice of Grant Award
RESEARCH DEMONSTRATION COOPERATIVE **Issue Date: 10/19/2017**
AGREEMENTS
Department of Health and Human Services



FOOD AND DRUG ADMINISTRATION

Grant Number: 5U18FD005917-02 REVISED
FAIN: U18FD005917

Principal Investigator:
Michael Dumond, MS

Project Title: Improving public health protection through coordinated efforts among three state agencies to assess, educate, train and oversee the implementation of the FDA Produce Safety Rule.

Dumond, Michael
Bureau Chief
29 Hazen Drive
Concord, NH 033016504

Award e-mailed to: dcooper@dhhs.state.nh.us

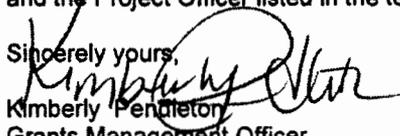
Budget Period: 07/01/2017 – 06/30/2018
Project Period: 09/05/2016 – 06/30/2021

Dear Business Official:

The Food and Drug Administration hereby revises this award (see "Award Calculation" in Section I and "Terms and Conditions" in Section III) to NH state Dept/Public Health in support of the above referenced project. This award is pursuant to the authority of PHS Act, Sec 1706, 42 USC 300u-5, as amended; Sec 2(d), PL 98-551 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

If you have any questions about this award, please contact the Grants Management Specialist and the Project Officer listed in the terms and conditions.

Sincerely yours,

Kimberly Pendleton
Grants Management Officer
Office of Acquisitions & Grants Services
Division of Acquisition Support and Grants
Grants & Assistance Team
FOOD AND DRUG ADMINISTRATION

See additional information below

SECTION I – AWARD DATA – 5U18FD005917-02 REVISED

Award Calculation (U.S. Dollars)

Salaries and Wages	\$67,505
Fringe Benefits	\$13,619
Personnel Costs (Subtotal)	\$81,124
Supplies	\$14,221
Travel Costs	\$29,336
Other Costs	\$40,797
Consortium/Contractual Cost	\$144,402

Federal Direct Costs	\$309,880
Federal F&A Costs	\$60,856
Approved Budget	\$370,736
Federal Share	\$370,736
Less Unobligated Balance	\$74,128
TOTAL FEDERAL AWARD AMOUNT	\$296,608

AMOUNT OF THIS ACTION (FEDERAL SHARE) \$0

SUMMARY TOTALS FOR ALL YEARS		
YR	THIS AWARD	CUMULATIVE TOTALS
2	\$296,608	\$296,608
3	\$169,116	\$169,116
4	\$172,578	\$172,578
5	\$206,120	\$206,120

* Recommended future year total cost support, subject to the availability of funds and satisfactory progress of the project.

Fiscal Information:

CFDA Number: 93.103
 EIN: 1026000618B3
 Document Number: UFD005917A
 PMS AccountType P(Subaccount)
 Fiscal Year: 2017

IC	CAN	2017	2018	2019	2020
FD	6990928	\$296,608	\$169,116	\$172,578	\$206,120

* Recommended future year total cost support, subject to the availability of funds and satisfactory progress of the project.

FDA Administrative Data:

PCC: ORA17 / OC: 4141 / Processed: ERAAPPS 10/19/2017

SECTION II – PAYMENT/HOTLINE INFORMATION – 5U18FD005917-02 REVISED

Grant payments will be made available through the DHHS Payment Management System (PMS). PMS is administered by the Division of Payment Management, Program Support Center (PSC), DHHS, Office of the Deputy Assistant Secretary, Finance. Requests for downloadable forms and inquiries regarding payment should be directed to:

Regular Mailing Address: