



SANITARIANS' NEWS

SANITARIAN TRAINING AUG. 3 - NOV. 20, 2015

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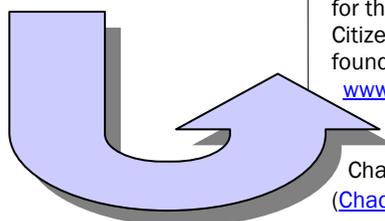
Any photos, stories, or any good news? Share in the August, 2015 issue of the:

Sanitarians' News Letter

Please contact:

Judy Vallandingham
(Judy.E.Vallandingham@wv.gov).

GET INVOLVED WITH WVAS!



ON-SITE CENTER AT CEDAR LAKES

The construction on the on-site sewage demonstration center at Cedar Lakes continues to progress. With the dismantling of the on-site sewage demonstration center at Chestnut Ridge, the site at Cedar Lakes is the go-to place for Sanitarian Training class, Class II installer course and the Class H course for HAU service providers. In recent months the center has received donations of products from various sources. Thanks to the assistance from the folks at the Environmental Training Center for all their time and efforts in constructing and maintaining the facilities.



Sanitarian Class observing the construction of the Constructed Wetlands model.



Installation of a HAU with UV disinfection that serves the main office at Cedar Lakes Conference Center.



Class H Course participants observation of a working HAU model.



Nominate!

Know anyone that deserves recognition for their contributions to environmental health? Nominate them by August 2015 for the Steve Bayer, Recognition, Citizen, or Bubba Award. Info is found at <http://www.wvdhhr.org/wvas/awards.asp> or contact Awards Committee Chair, Chad Meador (Chad.E.Meador@wv.gov),

Run!

If you would like to run for WVAS Vice-President or 2-Year Board Member, please contact Nomination Committee Chair, Bill Nestor (Bill.E.Nestor@wv.gov). Ballots must be mailed to members at least 30 days before the annual meeting.

Election results and awards will be announced at the WVAS business meeting that will be held September 24, 2015, at Oglebay Resort, Wheeling, WV as part of the WVPHA Annual Conference.

Week One

August 3-7, Charleston
Public Health 101, Epidemiology, Microbiology, OLS Lab Tour

Week Two - Program Change

August 17-21, Morgantown
Recreational Water Facilities, Tattoo & Body Piercing, Cross Connections

Week Three - Location Change

August 31- September 4, Cedar Lakes

On-Site Sewage

Week Four

September 14-18, Morgantown
On-Site Sewage, Rodent Control, Bad Bugs

Week Five

September 28- October 2, Charleston
Manufactured Home Communities Environmental Engineering, Water Well Drillers, Private Water Wells, Public Water (Water Plant tour), Waterborne Diseases, Rabies Program

Week Six

October 19-23, Morgantown
Insect Control, General Sanitation, Daily/Monthly Reports, Child Care Program, Food Program

Week Seven

November 2-6, Charleston
Food Program

Week Eight

November 16-20, Morgantown
Environmental Health Electronic Reporting, Milk Program. RTIA Programs (Asbestos, Radiation, Meth Labs, Lead) Occupational Safety, Threat Preparedness, Bottled Water, Review for Comprehensive Final.

www.wvdhhr.org/phs/training/TrainingClass

News Liaison

WVDEP UIC Permitting

PHS and WVDEP cooperative efforts to resolve the LHD concerns are ongoing. There are 2 issues that are being addressed:

1. Submitting of unnecessary applications to WVDEP – establishing a clearer designation of when an on-site sewage system would need a UIC permit. Right now it is everything but a single family dwelling.
2. Premature issuance of on-site sewage permits that may require a UIC permit. Like for RV campgrounds /beauty shops – some items in the memo have been modified or retracted.

Senate Bill-373

Report from Bill Toomey and Scott Rodeheaver about the actions this Senate bill required OEHS to take regarding protection of water sources for public water systems. Sections of the bill that require action by OEHS are: Above Ground Storage Tanks and Source Water Protection Plans (SWP Plan) for groundwater sources that are “significantly influenced by surface water” (SWIG) This will impact the local health departments because part of the requirements of this plan are that the public water system must engage the LHD. **Continued on page 4**

Notes from the Sewage Advisory Board

During the December 2014 meeting, work continued on proposed revisions to the sewage rules and design standards. First-time definitions were proposed for “onsite”, “greywater”, and “septic tank” (versus “sewage tank”). Proposed changes to the existing definitions were from “Alternative” system to “Advanced” system, and from “Standard” system to “Conventional” system. Removal of the 18” minimum depth for conventional systems was recommended. Changes aimed at strengthening the requirement for perpetual maintenance on mechanical systems with in-ground dispersal were also discussed. Please email comments and suggestions re Rules and DS’s changes to Rick at Rick.A.Hertges@wv.gov.

The next meeting for the Sewage Advisory Board was rescheduled for April 14, 2015 at the Days Inn in Flatwoods, WV, due to the snow storm in March.

LEGISLATIVE UPDATE

The 2015 Legislative session was a very active one for Public Health. Issues that were addressed during this session were raw milk, food handler cards, farmers market permitting, immunizations, and smoking exemptions to name a few.

Bills that did pass and that were signed by the Governor were:

Senate Bill 60 Food handler examinations and cards— This bill is effective June 12, 2015. The bill requires Public Health Sanitation Division to establish minimum guide lines for food handler training— this will be done in the form of an environmental health procedure. The bill also provides the opportunity for the food handler to obtain a county food handler’s card or a statewide food handler’s card.

Senate Bill 304 Farmer’s Market Permits - this bill effective June 12, 2015 requires Public Health Sanitation Division to propose a rule regarding farmer’s market vendor permits using the Farmer’s Market Guide and F-16 Food Permits at Farmer’s Markets and with consultation with the WV Department of Agriculture. This bill provides that a Farmer’s Market vendor may obtain a uniform farmers market vendor permit that is valid in all counties in West Virginia. The local health department shall provide notice of approval of a uniform farmers market permit to any other local health department listed on the farmer’s market vendor’s application.

Senate Bill 286 Immunizations— was also signed by the governor.

Other bills that may be of interest that were signed by the Governor are Senate Bill 273 relating to brewer and brewpubs and House Bill 2658 Inspection of animals, meat and meat products which Bureau for Public Health will be part of the rule making process for both.

Bills Vetoed by the Governor: Senate Bill 30 Herd Share Agreements to consume Raw Milk.

Other Bills of interest that did make through the Legislative process: House Bill 2646 Firework - Smoking Exemptions, House Bill 2777—Boards of Barbers & Cosmetologist (would require inspections by local health department), HB2390, HB2500 HB2859 & HB3007.

NEHA REVIEW COURSE

A review class for the NEHA RS exam was held at Cedar Lakes Conference Center in Ripley, WV in March. Thirteen sanitarians from LHDs across the state attended the review course. The class was designed to cover the sections of the RS exam that sanitarians are tested on, but do not have to deal with on a daily basis.

These sections included Occu-

pational Health and Safety, Solid Waste, Radioactive Waste, Air Pollution, Hazardous Waste, and Housing, Institutions and Recreation. A review on Microbiology and Epidemiology was included as well (we all love those little critters and statistics, don’t we!). Subject experts who gave presentations included Nathan Douglas (Safety Officer, Marshall Univer-

sity), Steve Blankenship (Bureau of Public Health, Division of Infectious Disease), Nathan Frame (BPH, RTIA), Christi Clark (BPH, OLS) and Judy Vallandingham (BPH, OEHS). Last, but not least, thanks to the WV Board of Sanitarians who supported all the attendees by providing meals and breaks.



TRAINING OPPORTUNITIES

April

April 28-30, 2015
WVAS Mid-Year Conference
Cedar Lakes Conference Center
Ripley, WV
<http://www.wvdhhr.org/wvas/Events/index.asp>

June

June 8-9, 2015
Team Approach to Foodborne Outbreak Response—Tamarack Conference Center, Beckley, WV.

Sponsored by WV Rapid Response Team

June 11-12, 2015
Team Approach to Foodborne Illness Outbreak Response—Lakeview Resort, Morgantown, WV. *Sponsored by WV Rapid Response Team*
<http://www.wvdhhr.org/phs/training/index.asp>

July

July 29-31, 2015
Interstate Environmental Health Seminar
Cumberland Falls State Park
Corbin, KY
www.wvdhhr.org/wvas/iehs/

September

September 23-25, 2015
91st Annual WV Public Health Conference
<http://www.wvdhhr.org/wvas/events/index.asp>

MID-YEAR TRAINING CONFERENCE APRIL 28-APRIL 30, 2015



WVAS is proud to be sponsoring the Mid-Year Training Conference this year at the Cedar Lakes Conference Center. 2015 Mid-Year Training Conference will again kick off with Environmental updates on Wednesday afternoon followed by the WVAS business meeting and annual picnic. We want to thank Kroger Company and TJ Whitten for sponsoring the picnic. And a big thank you to Bill "Flay" and Jeff "Fieiri" for cooking our dinner.



Thursday's topics include: Bed Bugs, Common Food Code Violations, Health Department Accreditation, Methamphetamine Production.

Thursday evening will be the networking session sponsored by Smoke Free Initiative of West Virginia.

Friday morning is all about sewage on-site and a WVDEP prospective.



WVAS Scholarships and WVAS Membership to Sanitarian Trainees

WVAS Mid Year Scholarships

WVAS is pleased to announce the opportunity for two (2) members to be awarded scholarships to attend this year's WVAS Mid-Year Training Conference. Each scholarship will cover two (2) nights lodging and the conference registration fee. The two (2) recipients of the scholarships were selected by a random drawing from the applications that are received.

Recipients of the Scholarships for 2015 Mid-Year Conference are:

Mark Hawkins – Wetzal/Tyler Health Department

&

Heath Cliver – Clay County Health Department

WVAS Memberships to Sanitarian Trainees

WVAS will also be offering a one (1) year paid WVAS membership to all the new sanitarian trainees beginning with the 2015 Sanitarian Training Class. This membership will be for a full year membership for the next calendar year(2016). WVAS Executive Council hopes that this will encourage newly hired sanitarians to take an active role in WVAS.

69TH ANNUAL INTERSTATE ENVIRONMENTAL HEALTH SEMINAR

2015 Interstate Environmental Health Seminar

It is that time of year again to think about attending the 2015 IEHS, July 29-31, 2015. This is a chance for you to pick up some excellent training on various topics that we deal with in a nice setting. The agenda and other information can be found on

the IEHS website at www.wvdhhr.org/wvas/iehs/ I think you will find the topics stimulating and interesting. It is being held this year at Cumberland Falls Resort State Park in Corbin, Kentucky which will be a nice get away place for you and your family (they get to play while you attend sessions) but there are nice evening activities to attend also. (Have you

ever seen a *moonbow*?) Plan to join us for very good training at a nice place.

See you there!

2015 Moonbow Dates

July

29 9:30pm - 11:30pm
30 10:00pm - 12:00am



QUIZ TIME:

- Where do I find a list of Class H service providers?
 - www.wvdhhr.gov
 - www.wvdepp.gov
 - www.wv.gov
- Which division of OEHS certifies Class H Operators?
 - Public Health Sanitation (PHS)
 - Radiation, Toxic, Indoor Air (RTIA)
 - Environmental Engineering (EED)
- Can a homeowner obtain a Class H certification?
 - True
 - False
- How many years is a Class H certification good for?
 - 2 years
 - 4 years
 - 5 years
- What agency teaches the Class H course?
 - Environmental Training Center staff
 - Public Health Sanitation Staff
 - WV Department of Environmental Protection Staff.
 - All of the above





West Virginia Association of Sanitarians

350 Capital Street, Room 313
Charleston, WV 25301
E-mail: Linda.K.Whaley@wv.gov

We're on the Web
www.wvdhhr.org/wvas

Answers to Quiz Time

1. B
2. C
3. T—Class HR
4. A
5. D



WVAS Executive Council

Elected Officers

President: Jarod Dellinger

Vice-President: Jimmy Casdorff

Members at Large

2-Year: Rich Lucas

1-Year: Jon Welch

Appointed Members

Secretary-Treasurer: Linda Whaley **Newsletter:** Judy Vallandingham

Ex-Officio Member

Public Health Sanitation Director: Brad Cochran

News Liaison— Continued

local governments, etc. to be on a committee for each public water system, if any of the required participants decline, there is a requirement that the water system get that declination in writing. Bill Toomey indicated that if the watershed for a system extends into a neighboring county then more than one LHD or county will be involved.

Issue: In-Service Meetings 3 times per year

There was discussion by the group and the decision was made to continue with 4 In-service meetings each year in each of the Public Health Sanitation districts. The district sanitarian will continue to assist the hosting local health department in the planning of the in-service meetings, but Brad pointed out that it is not the sole responsibility of the district sanitarian to plan the in-service meetings.

Congratulations ON YOUR NEW JOB

Wayne Powell
Food Program—Assistant
Public Health Sanitation

Jessica Shreve
Sewage Program Assistant
Fairmont District Office

WELCOME BACK

**Linda Whaley and
Clarence Christian** both
working with the FDA
Voluntary Retail Standards
Cooperative Agreement.

And to the newest
**REGISTERED
SANITARIANS**

Brooke Hott
Pendleton County



West Virginia Governor Vetoes Raw Milk Herdshare Bill

Supporters plan to try again next session

By [Cookson Beecher](#) | April 3, 2015

Bucking the headwinds of an 81-19 vote in the West Virginia House of Delegates (18-16 in the Senate) for legislation that would have allowed dairy farmers to provide raw milk through herdshare arrangements, Gov. Earl Ray Tomblin vetoed the bill on Thursday. Raw milk is milk that hasn't been pasteurized to kill harmful bacteria that might be in it. As described in the [bill](#), in a herdshare agreement, a person buys a percentage ownership interest in a milk-producing animal and agrees to pay the farmer a percentage of the costs for the care and milking of the animal. In that way, the person is entitled to receive a fair share of the animal's raw-milk production as a condition of the contractual agreement.



West Virginia Governor Earl Ray Tomblin

In other words, the farmer isn't actually selling the milk. Often referred to as a "legal loophole," herdshare arrangements are allowed in four states: Alabama, Virginia, Kentucky, and Indiana. West Virginia is one of 17 states that prohibits the sale of raw milk, according to the [Farm to Consumer Legal Defense Fund](#).

Why he nixed it

In his [veto letter](#) to West Virginia Secretary of State Natalie Tennant, Tomblin didn't waffle about why he gave the legislation a definitive thumbs-down: "Signing this bill into law would pose a serious risk to public health," he wrote. Tomblin followed that with some specific reasons for his veto. To begin with, he wrote, "the bill acknowledges that consuming raw milk has inherent dangers and that it may contain 'bacteria that is particularly dangerous to children, pregnant women, and those with compromised immunity.'" He also wrote that "a product with these types of risks should be subject to more supervision than merely requiring a person to release the seller from liability for such risks." The second reason for nixing the bill, according to the veto letter, was that it didn't have enough oversight and regulatory authority when it comes to "sanitation or the handling and storage of raw milk." "Given the health implication of the bill," Tomblin wrote, "the Bureau of Public Health should have been given oversight and regulatory authority in raw-milk production." (The bill gave oversight to the state's Department of Agriculture, with some help from the Bureau of Public Health.) Although the governor's veto is unlikely to be overridden, some bill supporters aren't calling it quits, saying they have the necessary votes to get it reintroduced and passed early in the next session.

About the bill

The bill would have required herdshare sellers (the farmers) to report their agreements to the Agriculture Department and would have required physicians to report any disease or health problems pertaining to the consumption of raw milk to local health departments. Also, anyone entering into a herdshare arrangement would have been required to sign a written document acknowledging the inherent dangers of consuming raw milk that may contain bacteria, such as *Brucella*, *Campylobacter*, *Listeria*, *Salmonella* and *E. coli*. The person signing the agreement would have also had to acknowledge that raw milk is particularly dangerous to children, pregnant women and those with compromised immunity. The bill would also have required the person signing the document to release the herdshare seller of liability for the inherent dangers of consuming raw milk.

What about health requirements?

Opponents, among them public health officials, physicians, and milk processors, faulted the legislation for not having enough oversight of animal health or milk safety. The bill would have required that any new animals test negative for diseases within the previous 30 days before coming into a herd. Animals producing bloody, stringy or abnormal milk, but with only slight inflammation of the udder, would need to be excluded from the herd until reexamination showed that the milk had become normal. And any milk-producing animals showing chronic mastitis, whether producing abnormal milk or not, would have to be permanently excluded from the herd. There was no specific mention in the bill of testing the milk for harmful pathogens such as *Brucella*, *E. coli*, *Salmonella*, or *Campylobacter*—testing that is standard protocol for Grade A commercial dairies licensed to sell pasteurized milk to retail outlets such as stores and restaurants.

Freedom of choice

Freedom of choice looms large among many supporters of the bill. Delegate Kelli Sobonya (R-Cabell) told the [Charleston Daily Mail](#) that the veto was "shortsighted" and "interferes with consumers and their freedom to support our West Virginia farmers and local foods."

Sen. Daniel Hall (R-Wyoming), the lead sponsor of Senate Bill 30, said he was disappointed in the veto.

"I'm disappointed because I believe that the health risks are minimal and it's being blown out of proportion," he said. "We have a somewhat tendency to embrace the nanny state in West Virginia where we think we know what's best." The West Virginia Alliance for Raw Milk, which describes itself as an organization "for West Virginia farmers and consumers and those in surrounding states that believe in the freedom to choose our own foods and to farm our own property without interference," had been optimistic that the bill would pass. On its [Facebook page](#) (West Virginia Alliance for Raw Milk, or WV-ARM), the group told readers that it would be getting an update on "our bill" yesterday. "Exciting!!! There's a light at the end of the tunnel!" it stated. But a posting after the veto lamented the news: "Apparently the light at the end of the tunnel turned out to be a train that just smacked into us." Ernie Fazenbaker, co-owner of [Windy Ridge Dairy](#), a Grade A dairy farm in northeastern West Virginia, told **Food Safety News** that he had been so optimistic about the bill's passage that he invested \$5,000 in upgrading his farm's milk house so the dairy could bottle its own milk. "We planned to be up and running," he said. "We were even stepping up our standards, which already comply with all state and federal standards." Fazenbaker said he was also planning to test the milk once a week for bacteria and to test milk in every tank. He pointed out that neighboring Pennsylvania allows the sale of raw milk, and that some of the raw-milk dairies there take their milk to drop-off points only about 15 minutes from West Virginia. "People tell me they travel across the state line to buy it," Fazenbaker said. (In 2012, 35 people, including two West Virginia residents, [became ill](#) from raw milk from a farm in Pennsylvania.) Like other raw milk supporters, Fazenbaker believes that people can tell if a dairy is keeping things clean and taking good care of its cows. "People aren't stupid," he said. "They won't buy from a dairy that isn't sanitary." For him, the ability to sell raw milk is a matter of staying in business. With only 30 Holstein-Jersey cross milking cows and so few dairies in his neck of the woods, Fazenbaker fears that the milk processor will stop sending out a truck to pick up his milk. And he fears that the governor's veto of SB 30 could push him out of business. Even so, Fazenbaker said he would support legislation that called for some stricter requirements, such as stainless steel lines and food-grade rubber gaskets in the milking equipment, commercial sanitizers,

West Virginia Governor Vetoes Raw Milk Herdshare Bill

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Continued

and the proper equipment to cool milk to 35 degrees F in the necessary timeframe. The dairyman holds on to his faith when he looks ahead. “I don’t think the Lord’s done with it,” Fazenbaker said. “I think he’s going to open up a way for us to do this.”

Opponents of the bill

A spokesman for the West Virginia governor’s office told **Food Safety News** that Tomblin received many personal comments both for and against the legislation. But when all was said and done, the spokesman said, the governor based his decision on “science” and on what he heard from public-health officials and the medical community.

State lawmakers also received many letters and comments about the bill. One letter to senators was from Jill Brown, the mother of Kylee Young. At nearly 2 years old, Kylee came down with such a severe case of *E. coli* from raw milk from a local dairy that she had a stroke and had to have a kidney transplant from her mother. She still struggles with severe mobility problems although she’s getting stronger, according to a recent posting on a [Facebook site](#).



Kylee Young and her dad, Jason Young.

The family’s story was told in an [article](#), “A Mom and Dairy Farmer Plead: Don’t Feed Children Raw Milk,” posted by **Food Safety News** in February 2014. (An accompanying [video](#) was done for **Food Safety News** by videographer Terry Tainter.) In the article, Brown describes herself as a mother who wanted to feed her family healthy food and who was led to believe raw milk was the best choice. “There might be some benefits of raw milk, but there are huge risks,” Brown told **Food Safety News**. “There needs to be more public awareness that this is a high-risk food. If I had known what I know now, I would never have fed it to my daughter.” On the business side of the equation, the proposed bill ran into strong opposition from the National Milk Producers Federation (NMPF), which [thanked](#) the Tomblin for vetoing the legislation.

NMPF, the voice of 32,000 dairy farmers nationwide, had joined together to oppose SB 30 with the [International Dairy Foods Association](#), an organization that represents dairy processors. “The link between consuming raw milk and foodborne illness has been well documented, with evidence spanning nearly 100 years,” said NMPF President and CEO Jim Mulhern in a statement. “At the same time, no claims of additional health benefits from drinking raw milk over pasteurized milk have been substantiated ...” Mulhern said the veto was welcome news, pointing out that at least six other state legislatures have bills pending that would ease raw-milk sales to consumers. “We urge them to follow West Virginia’s lead and reject these measures,” he stated. “While choice is an important value, it should not pre-empt consumers’ well-being, especially regarding children who are unable to make these decisions for themselves,” read an earlier [statement](#) from the International Dairy Foods Association. “IDFA supports the governor’s veto decision wholeheartedly,” Ruth Saunders, IDFA vice president of policy and legislative affairs, told **Food Safety News** in an email. “Pasteurization allows fresh wholesome milk to move from the farm to the consumer. Raw milk skips the pasteurization step, and allows too much food safety risk without any added nutritional benefits.” But Mark McAfee, co-owner of [Organic Pastures](#) in California – the largest raw milk dairy in the nation – shared this warning with **Food Safety News**: “Raw milk thrives in California and other states with legal raw milk,” he said in an email. “This veto puts more pressure on illegal sales of raw milk and forces it farther underground. This makes raw milk less safe.” Raw milk sales are allowed in California, but the dairies must meet strict state standards. In the 1980s, the U.S. Food and Drug Administration banned the distribution of raw milk across state lines, which forced states to come up with their own regulations about selling raw milk within their borders.

Opposing views about raw milk

While many raw milk advocates say it has inherent nutritional advantages and even helps cure or ease the symptoms of ailments such as asthma and various allergies, most food safety experts discount those claims as anecdotal and not based on science. They also warn of the serious risks to human health associated with drinking milk that hasn’t been pasteurized.

The symptoms of *E. coli* O157:H7 infection typically include bloody diarrhea and other digestive tract problems. In some people, this type of *E. coli* may also cause severe anemia or hemolytic uremic syndrome (HUS), a complication in which toxins destroy red blood cells, which are typically smooth and round. The misshapen or deformed blood cells can clog the tiny blood vessels in the kidneys, causing them to fail.

Statistics from the U.S. Centers for Disease Control and Prevention (CDC) underscore the potential dangers of raw milk. According to the agency, between 1998 and 2011, 148 outbreaks due to consumption of raw milk or raw milk products were reported. In those outbreaks, there were 2,384 illnesses, 284 hospitalizations and two deaths. Estimates from the agency put U.S. raw milk consumption at 3 percent of total milk consumption.

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