



STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
P.O. Box 42560 • Olympia, Washington 98504-2560 • (360) 902-1800

FIRST CLASS MAIL

November 6, 2017

Allen and Cheryl Voortman
2145 Liberty Road
Granger, WA 98932

RE: FINAL ORDER CASE NO. FS-17-0001

Dear Mr. and Mrs. Voortman:

Enclosed you will find the Stipulation and Final Order in the above-noted matter.

If you have any questions regarding this Order, please contact me at (360) 902-1802 or by e-mail at hgonzales@agr.wa.gov.

Sincerely,

Henri Gonzales
Administrative Regulations Program

Enclosures

cc: Linda Condon, Compliance Manager

CERTIFICATE OF SERVICE

I certify that I caused to be mailed a copy of these documents to the within-named interested parties via

FIRST CLASS MAIL

at their respective addresses, postage prepaid, on

November 6, 2017

Representative,
Washington State Department of Agriculture



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FIRST CLASS MAIL

November 6, 2017

Luke Conyac
Conyac Law Office
13205 19th Avenue NE
Tulalip, WA 98271-6704

RE: FINAL ORDER CASE NO. FS-17-0001

Dear Mr. Conyac:

Enclosed you will find the Stipulation and Final Order in the above-noted matter.

If you have any questions regarding this Order, please contact me at (360) 902-1802 or by e-mail at hgonzales@agr.wa.gov.

Sincerely,

H. Gonzales

Henri Gonzales
Administrative Regulations Program

Enclosures
cc: Linda Condon, Compliance Manager

CERTIFICATE OF SERVICE

I certify that I caused to be mailed a copy of these documents to the within-named interested parties via

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November 6, 2017

H. Gonzales
Representative,
Washington State Department of Agriculture

**BEFORE THE DIRECTOR OF
THE DEPARTMENT OF AGRICULTURE
OF THE STATE OF WASHINGTON**

In the Matter of

FS-17-0001

**VOLUNTARY SURRENDER OF
MILK PROCESSING PLANT
LICENSE NO. 9450 IN LIEU OF
REVOCATION PROCEEDING
(AGREED ORDER)**

**Milk Processing Plant License No. 9450,
Pride & Joy Inc.**

Respondent

The Washington State Department of Agriculture, Food Safety & Consumer Services Division ("Department"), and Pride & Joy Dairy Inc. ("Pride & Joy"), Toppenish, Washington, Respondent, stipulate and agree to the following for the purpose of resolving this matter.

I. AGREED FACTS

- 1.1 The Department issued Milk Processing Plant License No. 9450 to Pride & Joy located in Toppenish, WA.
- 1.2 Cheryl and Allen Voortman ("Voortmans") are the owners of Pride & Joy.
- 1.3 The Voortmans have legal authority to enter into this Stipulation and Final Order resolving this matter on behalf of Pride & Joy.
- 1.4 Pride & Joy sold retail raw milk throughout Washington State.
- 1.5 Washington State's Department of Health (DOH) informed the Department on January 27, 2017 of two cases of *Salmonella Dublin* by persons who consumed Pride and Joy's raw milk.
- 1.6 A Department food safety officer (FSO) secured a sample of Pride & Joy retail raw milk on September 18, 2017. The sample was a half-gallon container with a pull date of October 4, 2017. The FSO submitted the sample to the Department laboratory for testing. On September 27, 2017, Department laboratory staff determined the sample contained *Salmonella sp.*
- 1.7 A Department FSO secured four one-gallon samples of Pride & Joy retail raw milk on October 2, 2017. The samples had a pull date of October 18, 2017. The FSO

submitted the sample to the Department laboratory for testing. On October 9, 2017, the Department laboratory staff determined the sample contained *Salmonella* sp.

- 1.8 The Washington State Department of Health Public Health Laboratories (DOH public health laboratory) used pulse field gel electrophoresis (PFGE) to confirm the specific serotype as *Salmonella Dublin*, and the isolate from the September 18, 2017 retail raw milk sample is indistinguishable from the *Salmonella Dublin* isolates collected and reported by DOH in paragraph 1.5. DOH informed WSDA of its PFGE results on October 4, 2017.
- 1.9 On October 6, 2017, the Department issued a Summary Suspension, No. FS-17-0001, of Pride & Joy's Milk Processing Plant License No. 9450 pursuant to RCW 15.36.421(1) and RCW 34.05.422(4).
- 1.10 The DOH public health laboratory used pulse field gel electrophoresis (PFGE) to confirm that the *Salmonella Dublin* isolate from each of the four October 2, 2017 retail raw milk samples was indistinguishable from the *Salmonella Dublin* isolates collected and reported by DOH in paragraph 1.5. DOH informed Department of its PFGE results on October 20, 2017.
- 1.11 On October 25, 2017, the Center for Disease Control (CDC) released its Whole Genome Sequencing (WGS) test results for the seven total isolates collected in paragraphs 1.5, 1.6 and 1.7. The final interpretation provided by CDC indicated that all five isolates appeared to be related within zero to two Single Nucleotide Polymorphisms.
- 1.12 Pride & Joy chose to surrender its Milk Processing Plant License No. 9450 in lieu of contesting its summary suspension and a revocation proceeding.

II. STIPULATIONS

- 2.1 The Department has jurisdiction over this matter.
- 2.2 The Agreed Facts in paragraphs 1.2 through 1.11 are grounds for revocation of Milk Processing Plant License No. 9450 pursuant to RCW 15.36.181 and RCW 15.36.401(1)(e).
- 2.3 Before the Department will approve a complete application for a milk processing plant license at 56721 US Highway 97, Toppenish, Washington, Pride & Joy must submit a written plan of action approved by the Department that contains the following information:
 - Specific investigative steps taken to identify the cause of the presence of pathogens in its finished, bottled retail raw milk product;
 - Specific findings from its investigative steps taken; and
 - Specific corrections Pride & Joy has taken to reduce the risk of producing and processing adulterated retail raw milk products.

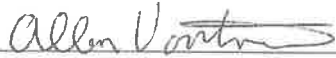
- 2.4 These Agreed Facts, Stipulations, and Agreed Order constitute the final written expression of all the terms of this Agreement and are a complete and exclusive statement of its terms.

III. AGREED ORDER

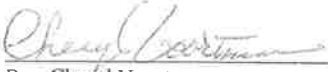
- 3.1 Milk Processing Plant License No. 9450 issued to Pride & Joy is SURRENDERED.
- 3.2 Pride & Joy is prohibited from the processing of milk in any manner in preparation for sale as food as defined in chapter 69.04 RCW.
- 3.3 Pride & Joy will submit a written plan of action to the Department, in accordance with paragraph 2.3, before the Department will approve a complete application for a milk processing plant license at 56721 US Highway 97, Toppenish, Washington.
- 3.4 This order takes effect immediately.

By signing below, the parties verify they have read and understand the Agreed Facts, Stipulations and Agreed Order, that they enter into this Agreement knowingly and voluntarily, and that this Agreement represents the entire agreement of the parties in this case.

Pride & Joy Dairy Inc.
2145 Liberty Road
Granger, WA 98932


By: Allen Voortman

11-2-17
Date


By: Cheryl Voortman

11/02/17
Date

Washington State Department of Agriculture
Food Safety Program


Candace Jacobs, Assistant Director

6 Nov 2017
Date

IV. FINAL ORDER

Having reviewed the foregoing, the Director accepts and enters these Agreed Facts, Stipulations, and Agreed Order.

Entered into and ordered by:

WASHINGTON STATE DEPARTMENT OF AGRICULTURE

 Date: Nov. 6, 2017
Elizabeth McNagny, Presiding Officer

Language Translation

QUESTIONS: If needed, call 360-902-1802 for help in understanding the information in the documents you have received.

ENGLISH

ጥያቄዎች፡- አስፈላጊ ከሆነ፤ የተላኩት ሰነድ ውስጥ ያለውን መረጃ በበለጥ ሁኔታ ለመረዳት ከረለጉ 360-902-1802 ይደውሉ።

AMHARIC

أسئلتك واستفساراتك: إن كنت بحاجة إلى مساعدة في فهم المعلومات الواردة في هذه الوثائق التي استلمتها، فيرجى الاتصال برقم الهاتف 360-902-1802.

ARABIC

若有疑問： 如果需要有人協助您瞭解所收到的文件的信息，請致電 360-902-1802。

CHINESE (TRADITIONAL)

پرسش: در صورت لزوم، برای دریافت کمک در درک اطلاعات مندرج در اسنادی که دریافت کرده اید با شماره 360-902-1802 تماس بگیرید.

FARSI

QUESTIONS: Au besoin, composez le 360-902-1802 pour obtenir de l'aide à comprendre les informations dans les documents que vous avez reçus.

FRENCH

FRAGEN: Rufen Sie die Nummer 360-902-1802 an, wenn Sie beim Verständnis der Informationen in den bei Ihnen eingegangenen Dokumenten Hilfe benötigen.

GERMAN

सवाल: यदि ज़रूरत हो तो, आपके द्वारा प्राप्त किये गए दस्तावेज़ों में दी गई जानकारी को समझने में सहायता के लिये 360-902-1802 पर कॉल करें।

HINDI

COV NQE LUS NUG: Yog xav tau, hu rau 360-902-1802 thov pab qhia cov ntaub ntawv uas koj tau txais kom koj nkag siab.

HMONG

DAGITI SALUDSUD: No masapul, awagan ti 360-902-1802 para ti tulong iti panagtarus ti impormasion nga adda kadagitoy nga dokumento nga naawatmo.

ILOCANO

សំណួរ: ប្រសិនបើចាំបាច់ តូចមន្ត្រីព្យាបាល 360-902-1802 សម្រាប់ជំនួយក្នុងការយល់ពីព័ត៌មាននៅក្នុងឯកសារ ដែលអ្នកបានទទួល។

KHMER

질문: 귀하가 받으신 문서의 정보를 이해하는데 도움이 필요하시면 360-902-1802 로 전화하여 문의하시면 됩니다.

KOREAN

ຄຳຖາມ: ຖ້າຕ້ອງການ, ຈົ່ງໂທຫາ 360-902-1802 ເພື່ອຄວາມຊ່ວຍເຫລືອໃນການເຂົ້າໃຈຂໍ້ມູນທີ່ຢູ່ໃນເອກະສານທີ່ທ່ານໄດ້ຮັບ.

LAOTIAN

OROMO

PUNJABI

ROMANIAN

RUSSIAN

SAMOAN

SOMALI

SPANISH

TAGALOG

UKRAINIAN

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