



## HEALTH DEPARTMENT

### BOARD OF HEALTH

PATRICIA L. ANDRADE, M.D.  
CRAIG LONGO, M.D.  
SARAH MORRIS, M.D.

DIRECTOR OF HEALTH  
DAMON O. CHAPLIN

CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

### *APPROVED MINUTES*

A public meeting of the Board of Health was held on November 20, 2018 in the Health Department conference room, 1213 Purchase Street, New Bedford.

Present: Patricia Andrade, M.D., Chairperson  
Craig Longo, M.D., Member  
Sarah Morris, M.D., Member

Also Present: Damon O. Chaplin, Director of Public Health

### CALL TO ORDER

1. Dr. Andrade called the meeting to order at 6:00 p.m. Dr. Andrade called roll with herself Dr. Sarah Morris and Dr. Craig Longo. Dr. Andrade called for a motion to accept and place on file the minutes of the regular meeting held on October 23, 2018.

**MOTION:** by Dr. Longo to accept and place on file the minutes of the regular meeting held on October 23, 2018. **SECONDED:** Dr. Morris. All in favor. **MOTION CARRIES.**

### ACTION

2. 73 N. Water St., Request for Hearing Re: Variance to dehydrate meat and vacuum pack jerky; Establishment: Brothers Artisanal; Phil H. Beauregard, Owner, 11 Sunview Terr., Dartmouth, MA; Gail Joseph, Sanitarian, Present.

Gail Joseph stated Mr. Beauregard opened up a place doing his healthy jerky and he has a process where he marinates it for a certain amount of time then goes into a dehydrator that takes out the moisture and goes into a vacuum packaging. He also does some online sales he would like to be able to serve that but before he can do it we need to have a variance approving his procedure. They have been working on HACCP plan. Mr. Beauregard stated that it is almost done.

Mr. Beauregard explained how the process is done to the Board regarding dehydration of the meat. The standard is to bring the meat up to 160 degrees before the actual dehydration process. Everything is controlled and all of their suppliers are USDA and FDA approved. They have documentation for every ingredient that comes into the place.

Gail stated she has no problem with the process but would like to see that it's regulated right and the notes are kept just in the event something could happen. He would get 4 inspections a year because he does have a HACCP plan in place which would make us go in there at a higher risk.

**MOTION:** by Dr. Longo for a variance to dehydrate meat and vacuum pack jerky for Brothers Artisanal establishment at 73 N. Water St. pending the completed HACCP Plan. **SECONDED:** Dr. Morris. All in favor. **MOTION CARRIES.**

3. 475-477 Belleville Ave.; Request For Hearing Re: Minimum Housing Violation Order# 18-013947; Rui Vicente, Owner, 475 Belleville Ave., New Bedford, MA; Gail Joseph, Sanitarian, present.

Above item has been omitted.

4. **Review of Marijuana Regulations.**

**Invitee(s): Damon O. Chaplin, Director**

**Blair S. Bailey, Special Legal Counsel**

Mr. Chaplin explained that Atty Blair Bailey could not be at the meeting today. He asked Mr. Chaplin to talk to the Board about what are the soft points with the regulations which part the board is uncomfortable with. Dr. Morris and Dr. Longo had concerns about the edibles in the last meeting. Mr. Chaplin stated his concern is there are no standards for what is being put in these products. Dr. Morris made a suggestion in an email that we should reconsider edibles all together. It is almost impossible to police. Atty Bailey stated to Mr. Chaplin that if we chose not to do edibles that we would get challenged. Mr. Chaplin stated nothing has to be done today but asked the Board what they want to see changed and what they don't want changed.

Dr. Andrade stated this is not federally regulated or even approved yet there is only so many things we can approve of on the federal level. When Atty Bailey says that we will be challenged one argument back is saying this is an initial step to allow the beginning of selling these edibles as a temporary restriction. We do not want to ban everything but allow people to start selling.

Dr. Longo agrees with Atty Bailey that we will get challenged if we choose not to do edibles. Surrounding communities are going to have this so if they want it they will go to other towns to get it. We are better off focusing more on not sell packaging that is too appealing to kids.

Dr. Morris explained that the problem is that most people do not know their tolerance and normal serving size.

Dr. Andrade stated one thing that could be done is to create a regulation that any distribution of an edible product be accompanied with an information sheet that explains the quantity and amount recommended in these products. A label with how much milligrams are in the product.

Dr. Morris also added that it cannot look like candy but it should be on a separate line in the regulation.

Mr. Chaplin stated then we want to consider: strengthening regulation around packaging, fact information sheet, time of onset, labeling meaning how much THC content and warning label on product.

Mr. Chaplin also asked the Board if CBD's are considered a marijuana product.

Dr. Andrade mentioned if it doesn't have any physical effect or danger then we do not need to include it.

Dr. Andrade stated if they want to make their own edible food products - brownies, cookies, lollipops on site then they have to follow the food code regulation which is getting a food permit etc. everything a food establishment has to follow. Gail Joseph stated we also do a food permit for retail sales. Dr. Andrade added then if they want to sell prepackaged items then they have to get a retail food permit.

Mr. Chaplin asked how is this going to work out in the summer with the temporary public food events. Will they show up at these events? Gail Joseph mentioned if it is a food item can we stop them from coming to these events.

Dr. Andrade stated that we could say you cannot sell edible products at a public event only under a licensed establishment.

Mr. Chaplin will put this information on regulation together and discuss this with Atty. Bailey then send it all to the Board.

## **5. Review of solid waste/transfer station site assignment.**

**Invitee(s): Damon O. Chaplin, Director**

**Jamie Ponte, DPI Commissioner**

**CDM Consulting Group**

Mr. Jamie Ponte, DPI Commissioner was not able to make the meeting.

Shawn Syde, City Engineer and Eric Spargimino from CDM Smith the city's consultant who's assisting the city in the implementation of the organics to energy project was present to discuss issue.

Mr. Chaplin meet with Commissioner from DPI, New Bedford, Brockton and Fall River have sludge that is generated from the waste water treatment plant. They have a transfer station that has sludge for disposal from the waste water treatment plant. They need the board to consider the site assignment for changing or a plan with DEP to have the facility upgraded, the water processing facility that processes the sludge. It takes the entire sludge and food waste and processes it into compose bio solid fertilizer.

Mr. Syde and Mr. Spargimino showed the map to the Board and explained where this site would be located and the process of the old site into the new facility to be constructed with more space and more savings for the city.

The Board was impressed with this plan.

## **DEPARTMENTAL BRIEFING**



Mr. Chaplin discussed possibly needing another residency waiver. Dr. Andrade stated that he write a letter and she will sign it. Also spoke about school based health center grant that they missed out on. This grant was an opportunity to help with the New Bedford Immunization Clinics. Massachusetts Tobacco Control Program will have a tobacco control manger hopefully by the first of the New Year. Also discussed the PHAB Accreditation Readiness Process which they have 3 vendors coming on board.

**MOTION:** by Dr. Andrade to adjourn the meeting. **SECONDED:** Dr. Morris. All in favor. **MOTION CARRIES.**

The next meeting of the Board of Health will be determined once Board members' schedules are checked and as requests appear.

Dr. Andrade adjourned the meeting at 8:05 p.m.

A true record attest:

  
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Health Department Chairperson

**BOH Meeting Minutes Approved 1 / 24 / 19**