

# Partnership Agreement to Establish a Wild Foraged Mushroom Training and Certification Program for Maine

## **Background and Rationale for Partnership Agreement**

Last summer Maine had two, separate, wild mushroom poisonings involving the consumption of wild mushrooms obtained from a local forager by Maine chefs. Both individuals developed severe vomiting and dehydration and required emergency medical intervention at a local hospital. Presently the FDA and Maine Food Code inadequately address the collection and sale of wild mushrooms and enforcement thereof. The 2001 Maine Food Code states:

### **3-201.16 Wild Mushrooms.\***

(A) Except as specified in ¶ (B) of this section, mushroom species picked in the wild shall be obtained from sources where each mushroom is identified by the Latin binomial name in the fresh state by a person with local mushroom picking experience and training recognized by a national mycological organization.

Enforcement of this section is not possible because a certification process was not developed and implemented. The Maine Food Code requires that restaurants and retailers purchase all products for sale from an approved source. There is currently no training program for foragers recognized by a national mycological organization, therefore the Department must be able to assure accountability and public safety with regard to the identification, sale, purchase, preparation and service of wild foraged mushrooms.

To date, no progress has been made on this retail food issue. The Conference of Food Protection has not developed the comprehensive regulations needed by the States. Proper education and/or certification of foragers, and training of chefs and other retail resellers to enable them to distinguish edible from poisonous mushrooms are necessary to ensure the safety of those eating wild foraged mushrooms.

In November of 2008, a wild mushroom task force comprised of a diverse group of mushroom experts, foragers, restaurant representatives and state government overseers was convened to address the need to bring structure to the world of wild foraged mushroom sales in Maine. This joint task force feels strongly that foraging of wild foods to sell has a long accepted tradition in Maine, and is not a tradition that the committee feels should be prohibited. Rather than prohibit the sale of wild foraged mushrooms the task force proposes to develop rules, supported by training and certification that will enable wild mushroom foraging to continue while ensuring the safety of the buying public.

## **1. Statement of Agreement to Establish Partnership:**

The state of Maine Department of Health and Human Services (DHHS) Health Inspection Program in cooperation with the Maine Mycological Association, Maine Department of Agriculture (DAFRR), Northern New England Poison Control, Maine Restaurant Association, and other interested stakeholders agree to establish a partnership related to the training and certification of foragers of wild foraged mushrooms and the chefs of restaurants and retail sellers purchasing wild foraged mushrooms in order to increase assurance that the general public will be adequately protected from avoidable mushroom poisoning incidents.

## **2. Partnership purpose and goals:**

The purpose of this partnership is to draft regulations to clarify the process related to the sale of wild foraged mushrooms in the state of Maine. More specifically, the regulations will:

- Make clear the process needed to establish and maintain certification as a wild mushroom forager in order to sell or barter wild mushrooms on a retail or wholesale basis and,
- Detail the training needed for personnel of retail establishments including restaurants, farmers markets, and retail stores, in order for them to purchase wild foraged mushrooms for resale. There is no intention to regulate the sale of cultivated exotic mushrooms through this program, e.g. cultivated maitake, oyster, lion's mane, etc.

a. **This agreement covers the period of** two years from the date of final signature and may be extended as agreed upon by the parties.

b. **The anticipated outcomes of this partnership are to:**

- Draft language to revise the Maine Food Code as required to establish the parameters under which wild foraged mushrooms may be purchased and sold in Maine and to detail a process for training and certification of foragers and purchasers of foraged mushrooms for resale to the public.
- Establish an accepted list of wild mushrooms approved for collection and sale under the certification program in the state of Maine.
- Develop a curriculum, a training manual, and processes to train and certify foragers and retail buyers of wild foraged mushrooms in the skills needed to recognize approved mushrooms. Foragers will be trained in methods of harvesting mushrooms in a sustainable manner.

- Develop a state-sanctioned exam for certification of chefs, foragers, brokers, buyers and sellers of wild foraged mushrooms upon successful completion of the training program.
  
- Establish and staff a series of training seminars to carry out the goals of this program. The seminars will be self-supporting using the income generated through tuition charges.

**3. Program areas and activities for the Partnership:**

**a. Program area for the partnership include:**

1. This program will cover the state of Maine. As there are no other wild mushroom certification programs available, this program will serve as a model for Northeastern states. This project will benefit food retail operations, foragers, brokers, FDA and regulatory agencies throughout the Northeastern region by training and certifying wild mushroom foragers, chefs and brokers to safely identify an approved list of wild foraged edible mushrooms. This section of the Maine Food Code is not currently enforceable and this program will allow enforcement.

**b. Cooperating Agency/organization/public contacts:**

1. Maine DHHS  
Lisa Brown  
Program Manager  
Health Inspection Program
2. Maine DAFRR  
Steve Giguere  
Program Manager  
Division of Quality Assurance and Regulation
3. Maine DHHS  
Laurie Davis  
Health Inspector  
Health Inspection Program
4. Maine Mycological Association, Greg Marley, Michaeline Mulvey
5. University Of Maine (UMO), School of Biology and Ecology, Dr Seanna Annis, Associate Professor of Mycology
6. Maine Restaurant Association, Dick Grotton, President
7. Northern New England Poison Control Center (NNE), Karen Simone, PhD, Director
8. Dan and Candyce Heydon, forager/brokers
9. Rick Tibbetts, forager/broker
10. Selected representative restaurant chefs and owners
11. Selected representative experienced foragers, David Spahr, Barbara Skapa

12. Northeast Mycological Federation. Dr. Seanna Annis as Maine Mycological Assoc. representative.
13. North American Mycological Assoc. Michaeline Mulvey as Maine Mycological Assoc. representative.

**c. Statutory basis for Partnership Agreement:**

1. FDA:
  1. FDA Model Food Code & Food Code Supplement
2. Maine
  1. Title 22 Chapter 562 Camping Areas and Eating Establishments.
  2. Title 7 Section 482 Manufacture and sale prohibited.

**4. Responsibilities:**

**Joint:**

1. The parties will conduct joint planning meetings to come to a consensus position on the issues and opportunities presented by sale of wild foraged mushrooms in Maine and the need to protect the buying public from the potential for the consumption of a toxic species.
2. Subcommittees will be formed to work out details of drafting regulations, determining a list of approved species, developing training curricula and materials.
3. Joint efforts of the stakeholders will be needed to develop and coordinate a training and certification program funded by tuition and certification fees.
4. If successful, this program will seek to form cooperative agreements with other states also required to enforce similar regulations, but without the mechanisms needed to support compliance and enforcement.

**Maine DHHS/DAFRR, Health Inspection Program/ Division of Quality Assurance and Regulations:**

- Provide the expertise needed to revise the Maine Food Code to reflect the efforts of this partnership and come into compliance with food law 3-201.11A food shall be obtained from sources that comply with law.
- Act as certifying body for foragers and buyers of wild foraged mushrooms.
- Provide the structure and temporal consistency needed to insure the Wild Mushroom Training and Certification Program is perpetuated beyond the efforts of the current committee.

**Maine Mycological Association and University of Maine:**

- Provide expertise to develop a list of approved mushrooms in coordination with area foragers and restaurant personnel.
- Assist in the development of training curricula and materials as needed.
- Develop a specific manual of approved mushrooms, look alikes and potentially

toxic species for use in the education of foragers and retail sellers of wild foraged Maine Mushrooms.

- Provide training personnel to carry out the curriculum to all interested participants on a minimally semi-annual basis.

**Maine Restaurant Association:**

- Provide leadership and coordination between the efforts of this partnership and those member establishments in Maine with interest in the use of wild foraged mushrooms.
- Act as a communication arm in informing membership about the efforts of this partnership.
- Provide resources and logistics needed to carry out the training program including monies for training material development, room for trainings and other supportive efforts.

**Northern New England Poison Control Center:**

- Provide expertise and input regarding toxicology and protection of the public as related to the use of edible wild foraged mushrooms.
- Provide resources as needed to support development and printing of a manual for training on approved edible wild foraged mushrooms.

**State-wide wild mushroom foragers and wholesale brokers of foraged mushrooms.**

- Provide expert input regarding foraged species for inclusion on approved list.
- Act as a resource to link the partnership with area foragers.
- Assist in development of training curriculum and materials.

**5. Resources planned to carry out partnership (estimated):**

Development of Mushroom ID Manual.....	\$ 750.00
Marketing and registration of training program.....	\$ 500.00
Printed Material	
-Other printed materials.....	\$ 250
-Wild Foraged Mushroom Manual.....	\$ 8,000.00
Payment of Training staff.....	\$ 1500.00
Travel expenses.....	\$ 500.00
<b>Total. ....</b>	<b>\$ 11,500.00</b>

**Income Potential;**

In kind donation of time and expertise*.....	\$
Mushroom Manual sales beyond use for training.....	\$16.00 per copy
Tuition from trainings (est. \$75/attendee x 20/session x 4 sessions)	\$5,000
Requested FDA support.....	\$5,000

\*Maine state employees, UMO specialist, NNE Poison Control and Maine Restaurant Assoc personnel time are in-kind donations

**6. Assessment mechanisms:**

Foragers and others completing a mushroom identification training program will be tested for knowledge gained and retained by completing identification of approved wild foraged mushroom species. Scores on tests will be used to assess training effectiveness. Numbers of restaurants and retail establishments completing training will be used as one method to assess the breadth of the program statewide. Feedback from foragers and retailers completing a training seminar will be gathered as a means of fine-tuning the training curricula and materials.

**7. Signatures of responsible parties:**