



**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)  
STANDARDIZATION ADVISORY COMMITTEE (STDZ)  
October 17, 2018 Meeting Minutes  
4437 South Laspina Street, Tulare, CA 93274**

**MEMBERS PRESENT**

David Silva  
Jeff Simonian – Vice Chair  
Patrick Tucker  
Marko Zaninovich  
Ed Williams

**MEMBERS ABSENT**

Tom Casas  
Derek Vaughn - Chair

**INTERESTED PARTIES**

Christopher Greer, Tulare County  
Robert Pelletier, San Joaquin  
County  
Eddy Greynolds, Kern County  
Jonathan Bixler, Tulare County  
Craig Lawson, San Diego County  
Tom Tucker, Tulare County  
Scotti Walker, Fresno County  
Sam Sohal, Fresno County  
Steve Schweizer, Kings County  
Joel Reyes, California Citrus  
Mutual  
Rob Milner, Monterey County  
Ruben Arroyo, Riverside County  
Delia Cioc, Riverside County

**CDFA**

Steve Patton  
Marcee Yount  
Stacey Hughes  
Karrie Batchelor  
Thomas Osborn  
Andrea Todd

**ITEM 1: ROLL CALL/INTRODUCTIONS**

The committee was called to order at 10:06 a.m. by Stacey Hughes, Program Supervisor of the California Department of Food and Agriculture (CDFA) Standardization Program. Roll was called by Thomas Osborn, a quorum was established, and self-introductions were made. Stacey Hughes welcomed the new Committee members, and thanked Ruben Arroyo for his many years of service on the Committee.

**ITEM 2: ELECTION OF OFFICERS**

Stacey Hughes opened the floor to nominations for Chair.

**MOTION:** David Silva moved to nominate Derek Vaughn for the position of Chair. Patrick Tucker seconded the Motion. The Motion passed unanimously, with no abstentions.

Stacey Hughes opened the floor to nominations for Vice-Chair.

**MOTION:** David Silva moved to nominate Jeff Simonian for the position of Vice-Chair. Patrick Tucker seconded the Motion. The Motion passed unanimously, with no abstentions.

Jeff Simonian proceeded to lead the meeting as acting Chair.

### **ITEM 3: PUBLIC COMMENT**

There were no public comments.

### **ITEM 4: REVIEW AND APPROVAL OF MEETING MINUTES**

Jeff Simonian requested a Motion to approve the February 23, 2017 and March 21, 2018 Meeting Minutes as submitted.

**MOTION:** David Silva moved to approve the February 23, 2017 and March 21, 2018 Meeting Minutes as submitted. Patrick Tucker seconded the Motion. The Motion passed unanimously, with no abstentions.

### **ITEM 5: COMMITTEE VACANCY AND TERMS REPORT**

Thomas Osborn provided the Committee vacancy and terms report. Current vacancies include: one fresh fruit members from oranges, table grapes, and other citrus fruit; three fresh vegetable members from broccoli, tomatoes, and/or lettuce; two other fresh vegetable members from any fresh vegetable commodity subject to standardization assessments; and one member from any other commodity. Thomas Osborn also provided the names of members who will be eligible for reappointment beginning on September 1, 2019.

Steve Patton, Branch Chief of the CDFA Inspection and Compliance Branch, explained that under statute, members appointed to the Committee each represent specific commodity groups that are subject to Standardization assessments. Steve Patton went on to request that Committee members and County officials in attendance reach out to members of industry in order to assist in filling current vacancies.

### **ITEM 6: STATE REPORTS/UPDATES**

#### **i. Fund Condition**

Stacey Hughes presented the 2017/18 Fund Condition. As of June 30, 2018, the beginning fund balance was \$2,492,887, and the total revenue was \$1,747,515. The total expenditures were \$2,116,349, with an ending balance of \$2,124,053.

Steve Patton provided the new Committee members in attendance with a brief history of the Standardization Program. Steve Patton explained that the Program previously received funding from the California General Fund, before transferring to an industry-funded model. He noted that the assessment rate fee paid by industry has remained constant since 1992, while providing benefits to California agriculture, counties, and consumers.

He went on to explain that the number of Counties which maintain contracts with CDFA to perform Standardization enforcement work has increased significantly since the inception of the Program. Steve Patton informed those in attendance that assessment rates are set at 1-3 mils, but are permitted to be increased up to 3-6 mils in statute. He went on to explain that this assessment rate will likely need to be increased at a later date, in order to accommodate the growth of the Standardization Program.

ii. Program Updates

Stacey Hughes informed those in attendance that the Standardization Program is on a five-year sunset provision, which is set to expire on January 1, 2020. She explained that a legislative concept has been proposed to extend the sunset provision of the Standardization Program.

Stacey Hughes also stated that regulations have been approved which prohibit the sale of avocados felled by windfall. The purpose of this regulatory change is to make California law consistent with federal Food Safety Modernization Act (FSMA) requirements. She went on to state that a rulemaking change pertaining to mandarin and tangerine container and size regulations has been approved, and is now in effect. Stacey Hughes also noted that some commodities have been utilizing experimental nonstandard packing methods and containers.

Stacey Hughes also provided an overview of Standardization handler audits. She stated that these audits are performed on an annual basis, under a contract with the CDFA Division of Marketing Services. Five handler audits have been performed over the past year, resulting in the collection of \$1,851.00 in assessments that were underreported, as well as overpayments totaling \$470.00.

Information pertaining to import inspections of Chilean table grapes was also presented by Stacey Hughes. She informed the Committee that Riverside County and CDFA staff inspected approximately six million containers, and issued 95 Notices of Noncompliance. Of these, 73 Notices of Noncompliance were issued for container marking violations, and 22 were issued for maturity violations. A total of 170,794 containers were found to be in violation, with the majority of these containers rejected due to marking violations.

Patrick Tucker provided the Committee with information pertaining to a discussion from the latest CDFA Cantaloupe Advisory Board meeting. Patrick Tucker explained that members of the Cantaloupe Advisory Board expressed concerns regarding inspection procedures and inspectors' knowledge of cantaloupes and melons. He went on to suggest that members of industry and County Agricultural Commissioner staff meet before the next Cantaloupe Advisory Board meeting to deliberate on these issues.

Steve Patton gave an update on the Food Safety Modernization Act (FSMA) Produce Safety Rule (PSR). He explained that the PSR went into effect for large farms in January of 2018. However, enforcement of the PSR has been delayed until spring of 2019. The CDFA Produce Safety Program (PSP) will conduct inspections of California

farms on behalf of the United States Food and Drug Administration (FDA). CDFA and FDA are conducting On Farm Readiness Reviews (OFRR) to assist farmers in preparing for upcoming inspections. These OFRR's will be conducted at various locations throughout the state. He also stated that CDFA has created a web page dedicated the Produce Safety Program, containing information on compliance, grower training session registration, a list serve sign up and other resources relating to the PSR.

Steve Patton also clarified to the Committee that PSR inspections will not be charged to growers. It is estimated that approximately 25,000 California farms will be subject to PSR requirements. He went on to state that PSR enforcement will initially prioritize large farms, and specific commodities selected by FDA for all states to focus inspections for 2019. Steve Patton requested that Committee members and County staff in attendance encourage growers to schedule an OFRR appointment for their farm.

A period of discussion ensued pertaining to the imposition of assessment fees onto produce imported into California. Steve Patton noted that the Standardization Program regulations were designed to both ensure that produce imported into California was compliant with quality standards, and to ensure that California grown produce exported abroad was of superior quality. It was suggested that this topic of discussion be included as an agenda item for the next Committee meeting.

#### **ITEM 7: FY 2017/18 COUNTY ENFORCEMENT ACTIVITY REPORTS**

County personnel in attendance reported the following:

Ed Williams provided the report for Ventura County. During the 2017/18 FY, the County inspected 1,788 lots, 385,712 containers, issued 12 notices of noncompliance, and rejected a total of 1,322 containers. He went on to state that staff are performing inspections at packing houses, roadside stands, and wholesale distributors. Ed Williams also provided those in attendance with background information on how violations are processed and penalized.

Craig Lawson provided the report for San Diego County. During the 2017/18 FY, the County inspected 2,874 lots, 342,523 containers, and rejected a total of 3,361 containers. The County also issued 194 Notices of Noncompliance and one Notice of Proposed Action. Craig Lawson also stated that the County has been engaging in outreach and education to industry, in order to increase compliance.

Robert Pelletier provided the report for San Joaquin County. During the 2017/18 FY, the County inspected 1,319 lots, 108,365 containers, issued 33 Notices of Noncompliance, and rejected a total of 1,998 containers.

Rob Milner provided the report for Monterey County. During the 2017/18 FY, the County inspected 1,170 lots, 643,812 containers, issued 12 Notices of Noncompliance, and rejected a total of 4,427. Rob Milner went on to state that these Notices of Noncompliance were issued in response to incorrect or incomplete

Identity/Responsibility/Quantity (IRQ) statements, as well as for containers lacking proof of ownership.

A period of discussion pertaining to County enforcement procedures and labeling requirements ensued. Stacey Hughes encouraged County staff to cooperate with CDFA Standardization Program staff in tracing produce with incomplete IRQ statements or proof of ownership documentation to the place of origin. She went on to stress the importance of resolving issues of this nature at the source.

Delia Cioc provided the report for Riverside County. During the 2017/18 FY, the County inspected 10,876 lots, 7,663,109 containers, issued 382 Notices of Noncompliance, and rejected 265,894 containers. Of the 382 Notices of Noncompliance, 237 were issued for noncompliant marking, 33 were issued for produce failing to meet maturity standards, and 2 for issues with quality.

Steve Schweizer provided the report for Kings County. During the 2017/18 FY, the County inspected 434 lots, 136,289 containers, issued 2 Notices of Noncompliance, and rejected 357 containers.

Eddy Greynolds provided the report for Kern County. During the 2017/18 FY, the County inspected 1,480 lots, 809,164 containers, issued 15 Notices of Noncompliance, and rejected 3,057 containers. He noted that County staff had performed inspections at 785 premises, including swap meets, roadside vendors, farm stands, and wholesale operations.

Christopher Greer provided the report for Tulare County. During the 2017/18 FY, the County inspected 4,862 lots, 1,042,834 containers, issued 14 Notices of Noncompliance, and rejected 7,328 containers. Christopher Greer noted that County staff performed inspections at 1,112 premises during the 2017/18 FY.

Scotti Walker provided the report for Fresno County. During the 2017/18 FY, the County inspected 7,429 lots, 2,141,823 containers, issued 50 Notices of Noncompliance, and rejected 4,105 containers. The majority of Notices of Noncompliance were issued for produce failing to meet minimum maturity and quality standards.

Ed Williams also provided the report for Los Angeles County. During the 2017/18 FY, the County inspected 17,619 lots, 1,488,135 containers, issued 821 Notices of Noncompliance, and rejected 108,327 containers. County staff also issued 212 Notices of Proposed Action.

Stacey Hughes provided 2017/18 FY Enforcement Activity reports for the counties not in attendance.

Alameda County inspected 24,218 lots, 134,805 containers, issued two Notices of Noncompliance, and rejected 26 containers.

San Mateo County inspected 58,498 lots, 3,338,338 containers, issued 206 Notices of Noncompliance and four Notices of Proposed Action, and rejected 12,647 containers.

Stanislaus County inspected 9,558 lots, 540,931 containers, issued 20 Notices of Noncompliance, and rejected 334 containers.

Merced County inspected 64 lots, 8,566 containers, issued eight Notices of Noncompliance, and rejected 191 containers.

San Bernardino County inspected 7,521 lots, 452,186 containers, issued 26 Notices of Noncompliance, and rejected 4,612 containers.

San Francisco County inspected 502 lots, 37,588 containers, issued 15 Notices of Noncompliance, and rejected 958 containers.

Sutter County inspected 409 lots, 3,254 containers, and did not issue any Notices of Noncompliance or reject any containers.

Yolo County inspected 64 lots, 84,339 containers, issued one Notice of Noncompliance, and rejected 189 containers.

#### **ITEM 8: NEXT MEETING/AGENDA ITEMS**

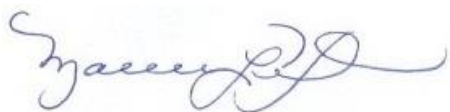
The next meeting will be held on March 12, 2019 at 10:00 a.m. in Tulare County, at the Tulare County Agricultural Commissioner's Office.

A discussion on the possibility of applying assessment fees to produce imported to California was requested as a potential agenda item for the next meeting. Steve Patton stated that Committee members may also contact Thomas Osborn via email to submit items to be considered for inclusion on the next meeting agenda.

#### **ITEM 9: ADJOURNMENT**

The meeting was adjourned at 12:20 p.m. by Jeff Simonian, Vice-Chair.

Respectfully submitted by:



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Stacey Hughes, Program Supervisor  
Standardization Program