

**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
ANIMAL HEALTH AND FOOD SAFETY SERVICES (AHFSS)
MEAT, POULTRY AND EGG SAFETY BRANCH (MPES)
RENDERING INDUSTRY ADVISORY BOARD (RIAB)
MEETING MINUTES
December 7, 2023**

California Department of Food and Agriculture
1220 N Street, Room 333
Sacramento, CA 95814

Item

No. **CALL TO ORDER**

Mr. Michael Koewler, Chair, called the RIAB meeting to order at 10:00 a.m.

(1) **ROLL CALL**

Roll was taken by Mr. Koewler. A quorum was established at 10:02 a.m.

Board Members Present:

Michael Koewler

Brad Fleeman

D.O. "Spike" Helmick Jr.

David Isen

James (Jimmy) Andreoli, II

David Belt

Phil Ottone

Interested Parties:

Nick Pisca

CDFA:

Paula Batarseh

Han Lai

Fernando Umayam, DVM

Andrew Halbert

Brittany Cardoza

Elizabeth Escotto

Dr. Chandrasekar Venkitasamy

Maribel Urtez

Penny Arana

Olivia Call

Mr. Koewler introduced new RIAB board member, Mr. Phil Ottone. Mr. Ottone informed the board he currently works at Sequential Environmental Services, is a third-generational renderer and is excited to be on the board working with other rendering professionals and CDFA.

(2) **APPROVAL OF MINUTES**

Mr. Koewler asked the board to review the meeting minutes from September 7, 2023.

Motion #1: Mr. D.O. "Spike" Helmick Jr. made a motion to accept the minutes and Mr. David Bell seconded the motion. All members agreed with no abstentions. The motion passed unanimously.

(3) **BRANCH UPDATES**

Ms. Paula Batarseh began by informing the board that Highly Pathogenic Avian Influenza (HPAI) is back and there have been detections announced in commercial areas of Fresno, Merced, San Benito, and Sonoma. MPES is providing support to the Animal Health Branch as needed.

Ms. Batarseh then informed the board that the Bagley Keene meeting format requirements will change on January 1, 2024. One of the main changes may require the board to meet in person at designated locations. She added that the MPES southern California office will be moving soon to a new location near the airport and is hopeful this will assist with the new meeting requirements. Ms. Batarseh will update the board once additional information is provided by the legal office.

Mr. Koewler asked the board if they had any questions for Ms. Batarseh. There were none.

(4) **SENATE BILL 1383 / PROCUREMENT TARGET**

Ms. Batarseh updated the board that CDFA is continuing to work closely with Cal Recycle to share information and review any challenges or areas where CDFA and CalRecycle can help each other and leverage resources.

Ms. Brittany Cardoza informed the board that CDFA is continuing to find that counties/cities are accepting packinghouse waste. Private companies contracted with waste haulers are also rendering the material through anaerobic digestion. Cities/counties have been advised of the laws and regulations and been given information to become licensed renderers. To date, no municipality or company has shown interest in becoming a licensed renderer.

Ms. Cardoza stated CDFA has identified these cities and companies when inedible permits are submitted for approval. CDFA has also been receiving complaints from rendering companies when certain customers cancel service with them to utilize an unapproved city program.

Mr. Koewler stated that the United States Environmental Protection Agency (USEPA) has recently amended the food waste recovery hierarchy, where composting and digestion along with other food waste reduction/recycling methods are listed, but apparently “rendering” related wording has been removed from the chart. Board members discussed and indicated that further clarification on definitions of the terms used on the new chart is needed from USEPA. Mr. Koewler stated that the rendering industry is meeting with USEPA to further discuss and bring this to their attention. A motion was proposed and passed to reaffirm the appreciation of CDFA’s continued support for the rendering industry and recognizing rendering as the preferred animal food waste recycling method when compared to other methods in California such as composting.

Ms. Batarseh agreed that the rendering is the preferred method of recycling but commented that it is important to explore alternatives when rendering is not an option, especially for producers in remote areas of the State where there is no rendering service coverage. Mr. Belt agreed with exploring and researching alternative disposal options when rendering is not available.

Mr. Jimmy Andreoli II made a motion to reaffirm our appreciation of the California Environmental Protection Agency (Cal EPA) hierarchy. Mr. Isen seconded the motion.

(5) **COORDINATION WITH REGULATORY AGENCIES**

Ms. Batarseh began by informing the board that as requested by the subcommittee, CDFA recently met with USEPA regarding their Renewal Volume Obligation (RVO) final rules. The purpose of the meeting is to help CDFA better understand USEPA's requirements for the third-party auditor and record keeper within the rules. Mr. Andrew Halbert briefed the board that during the meeting, USEPA informed CDFA that potentially millions of records are to be reviewed and submitted and the collection, storage, and audit of these records will add legal liability for the third-party certifier. Mr. Halbert also stated that aligning with USEPA's regulatory standards in the RVO final rules would require substantial regulatory changes and significant additional program resources to have CDFA be a third-party regulatory agency.

Ms. Batarseh went on to update the board about CDFA's coordination on the California Air Resources Board's (CARB) proposed regulations and implementation schedules on Advanced Clean Fleets (ACF). Ms. Batarseh reiterated and encouraged the board to directly connect with CARB by participating in CARB's upcoming public meetings and via ACF website and email notification subscriptions. Board members expressed their concerns for the lack of infrastructure, available equipment and other challenges for the proposed ACF regulations. Mr. Andreoli II also stated that this could further restrict renderer's service coverage area and decrease rendering capacity. Ms. Batarseh stated that CDFA is committed to continue working with CARB to highlight these concerns and challenges faced by the rendering industry and together seek viable options and pathways moving forward.

Lastly, Ms. Batarseh briefed the board on her discussion with Cal Recycle regarding the Procurement Target, as requested by the board from the previous meeting. Cal Recycle did not pinpoint any specific regulations or laws outlining the requirements or limitations on procurement targets, besides product types and other general information. Board members stated that the procurement targets required for jurisdictions should include procurement of biodiesel, renewal diesel, animal feed and all rendering products because these products are recycled from waste materials being diverted from landfills. Ms. Batarseh told the board that CDFA will continue working with Cal Recycle to discuss the idea of a broader view of recycling, which would in turn expand the rendering capacity for California.

(6) **ENFORCEMENT AND OUTREACH**

Ms. Cardoza informed the board that CDFA is in the middle of processing the 2024 renewals. She reminded the board there are a few Inedible Kitchen Grease (IKG) transporters who never completed their motor carrier permit and or complete their registration for 2023. They will not be allowed to operate in 2024 until this registration has been completed and that plants that accept outside IKG, will also be notified.

Since the September meeting, there have been (8) Notices of Violation (NOVs) issued for unregistered IKG vehicles, unlicensed collection centers, a renderer picking up IKG from an unlicensed collection center, IKG theft, failure to manifest, and refusal to submit manifests. The total for these NOVs is \$21,893.

Ms. Cardoza also stated there is an increase in reported theft in the central and northern regions, primarily in Bakersfield, Fresno, San Francisco, and San Jose. The investigator assigned to the central region has been actively working with the Rural Crime Task force on these cases. There has also been an increase in unlicensed dead animal haulers in the central valley. CDFA investigators are also actively working on an increase in illegal slaughter cases.

(7) **RENDERING VIOLATIONS PENALTY MATRIX**

Ms. Cardoza presented to the board the current penalty matrix used when assessing notices of violation for a civil penalty. She stated there are a few codes that are missing from the matrix and when assessed, are automatically scored at minor. Due to the frequency of these violations, Ms. Cardoza proposed these violations be added to the matrix with a minor, moderate, and serious designation. The missing California Code of Regulation (CCR) codes are: 3 CCR 1180.27 (3), 3 CCR 1180.27 (3)(C), 3 CCR 1180.27 (c), 3 CCR 1180.32 (f), 3 CCR 1180.32 (f) (2).

Mr. Isen suggested CDFA also begin verifying all facilities have a Spill Prevention, Control, and Countermeasure (SPCC) plan.

Michael Koewler stated there should be the ability to cite and issue minor, moderate, or serious citations on a case-by-case basis.

Mr. Helmick Jr. motioned to add 3 CCR 1180.27 (3), 3 CCR 1180.27 (3)(C), 3 CCR 1180.27 (c), 3 CCR 1180.32 (f), 3 CCR 1180.32 (f) (2) to the matrix with minor, moderate, and serious designations, on a case-by-case basis. Mr. Andreoli II 2nd the motion. All approved and the motion carried.

Ms. Cardoza then informed the board there are codes for failing to manifest for IKG transporters and failure to keep logs for dead animal haulers that currently has a minor designation on the matrix. Due to the frequency of this occurring and how often it is associated with theft, she requested to add moderate and serious designations to the list. These codes are 3 CCR 1180.24(d), FAC 19404, and 3 CCR 1180.15.

Mr. Andreoli asked if people receive a citation for each instance that the manifest is not completed. Ms. Cardoza informed him that is not occurring, currently it is a minor citation for failing to manifest overall. Mr. Andreoli II suggested CDFA look at citing for each instance of failing to manifest.

Mr. Andreoli II moved to approve 3 CCR 1180.24(d), FAC 19404, and 3 CCR 1180.15 to have the ability to be scored as minor, moderate, or serious. Mr. Fleeman seconded the motion. All approved and motion carried.

(8) **PUBLIC COMMENTS**

No public comments.

(9) **FUTURE RIAB MEETING AGENDA ITEMS**

- Bagley Keene Update

- USEPA Hierarchy Changes
- SB 1383
- Zero Emission Fleet Regulation

(10) UPCOMING RIAB MEETING DATES

The next board meeting will be scheduled for March 2024. CDFA staff will send a Doodle poll to determine the date and will notify all concerned once it is finalized.

(11) ADJOURN

Motion #2: Mr. Fleeman made a motion to adjourn the meeting and Mr. Andreoli II seconded the motion. All members agreed with no abstentions. The motion passed unanimously.

The meeting adjourned at 11:12 a.m.

Respectfully submitted: _____
Olivia Call