

**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
April 3, 2019**

California Department of Food and Agriculture
2800 Gateway Oaks Drive, Room 101
Sacramento, CA 95833

Item
No.

(1) CALL TO ORDER

Mr. Michael Koewler, Chair, called the RIAB meeting to order at 9:00 a.m. and a quorum was established.

(2) INTRODUCTIONS

Roll call was taken by Mr. Koewler.

Committee Members Present:

Michael Koewler
Daniel Stonesifer
D.O. Spike Helmick Jr.
James Andreoli Jr.
Jared Trawick
Brad Fleeman

Interested Parties:

Tad Bell
Sandy Stonesifer
James McGibbon
Janis Mein
Scott Brown
Abel Mendoza

CDFA:

Paula Batarseh
David Schurr
Michael Abbott
Laura Barlow
Irene Sanchez
Andrew Halbert

(3) APPROVAL OF MEETING MINUTES

Mr. Koewler, Chair, asked RIAB to review the meeting minutes from November 7, 2018.

Motion #1: Mr. Helmick made a motion to accept the minutes. Mr. Fleeman seconded. Mr. Stonesifer, Mr. Andreoli, and Mr. Trawick agreed with no abstentions. The motion passed unanimously.

(4) SENATE BILL (SB) 1383

Mrs. Batarseh stated the regulations will be finalized by December 2019 and will be implemented by January 1, 2020 to begin enforcing and assessing penalty fees. By January 1, 2020, there should be a fifty percent (50%) reduction and by January 1, 2025, there should be a seventy-five percent (75%) of statewide disposal goals to be achieved. Cal Recycle is required by July 1, 2020 to assess and measure progress toward meeting these goals.

Cal Recycle has a presentation on their website for local jurisdictions to provide guidance, direction, and outreach programs, since the local jurisdictions are the entities who will oversee implementing the waste reduction programs.

Cal Recycle published an infrastructure and market analysis report to analyze the infrastructure and barriers of recycling, which did not have rendering highlighted. The focus was on composting and anaerobic digestion.

Mr. Koewler would like to send a message to the Secretary to recommend that she gets involved to ensure that Cal Recycle highlights the rendering industry as well as the feed industry in the report.

(5) CARCASS MANAGEMENT

Ms. Mein, Assistant Director of Stanislaus County Environmental Resources, stated there are two (2) landfills within this county which accept dead carcasses on a case by case basis due to factors such as extreme weather conditions. Ms. Mein would like the counties to reach out to their landfills to see if they are willing to accept their waste. These landfills would be able to request an exemption from Cal Recycle to allow them to accept carcasses on an emergency basis.

Mr. Bell suggested finding documentation from the Mortality Task Force to have an inventory of landfills that can take carcasses in emergency circumstances. Mrs. Batarseh stated that having a plan in place rather than waiting until this situation is an emergency is the right thing to do.

(6) **BRANCH UPDATES**

Mrs. Batarseh provided a brief branch update. She stated that the United States Animal Health Association (USAHA) made a resolution to bring to the attention of the Food and Drug Administration (FDA) the zero-tolerance level for barbiturates in rendered products. USAHA has asked FDA to reevaluate the risk analysis. Dr. Flynn from the Animal Health Branch would like to create another resolution focusing on working with practitioners to identify carcasses. The American Association of Equine Practitioners formed a committee to discuss this issue and the American Veterinarian Medical Association is creating Euthanasia guidelines. Mr. Koewler stated that the responsibility should be on the veterinarian administering the sodium pentobarbital to identify the presence of barbiturates in the carcasses.

(7) **CALIFORNIA RESTAURANT ASSOCIATION VIDEO**

Mr. Halbert presented a two-minute video from the California Restaurant Association. The video provided information on Inedible Kitchen Grease transporters, regulatory requirements for transporting and registering vehicles, and grease theft.

(8) **ENFORCEMENT / OUTREACH**

Mr. Abbott provided an overview of investigation enforcement, process improvement, and outreach activities. There are investigations in Los Angeles, San Diego, and Orange Counties for multiple grease thefts and CDFA will work with the legal office to pursue denials and revocations. A Notice of Proposed Action (NOPA) will be issued to assess penalties and communicate hearing rights to the violators.

Mr. Abbott stated there are fourteen (14) NOV's that have been assessed for penalties and going through the NOPA process. There are combined investigations with the Rural Crime Task Force and the California Highway Patrol (CHP) Commercial Units to enforce regulations.

Mr. Mendoza stated there are several NOV's being issued and at the beginning it was effective, but there are no penalties being assessed therefore, the NOV's are becoming just a piece of paper.

Mr. Helmick stated there should be assurance there will be enforcement and swift penalties. If there is no assurance, the criminals will continue to committing crimes.

(9) **PENALTY MATRIX DISCUSSION**

Mr. Halbert provided information on the penalty scoring form which is used as a part of the regulation package. The legal office position is that this form should not be part of the regulation package but used by the department to ensure consistency.

Mr. Halbert discussed the five (5) categories of scoring criteria in the penalty matrix:

- Risk to human health
- Risk to animal health
- Risk to the environment
- Cooperation of the violator
- Any economic benefit gained by noncompliance

Each category has a range number from one (1) to five (5), one (1) being minor and five (5) being severe. The points are added up and calculated to dictate the penalty amount.

Mrs. Stonesifer asked that the minor, moderate or severe categories, and regulation code be added to the statistics. Mr. Helmick asked for the number of cases closed in 2018, monetary fines assessed and obtained as provided in the past. Mrs. Batarseh stated that there were no penalty assessments collected in 2018. She stated it is important to have the NOPA in place to assess penalty fees.

Mrs. Stonesifer asked if Mr. Halbert could provide an explanation on his concept for a draft of the revocation of the denial regulation at the next RIAB meeting.

Mrs. Batarseh recommended that RIAB provide comments prior to going through the formal process, if they want changes made.

Mr. Koewler recommended RIAB reviewing the regulations and having a meeting in June 2019 to review and comments, then propose a final draft which can be submitted. Mrs. Barlow asked that comments be submitted by April 24, 2019.

(10) PUBLIC COMMENTS

- Mr. Andreoli stated he is concerned with the dead carcass issue and wants to be proactive and plan for future dead carcass issues.
- Mr. Koewler asked to have the previous emergency mortality task force reports distributed to RIAB.
- Mrs. Stonesifer ask if Mr. Halbert could provide a proposed concept for the revocation matrix.

(11) FUTURE RIAB MEETING AGENDA ITEMS

Future agenda items:

- Carcass Management
- SB1383 (follow up on being an advocate)
- Barbiturates (invite Dr. Katie Flynn)
- Penalty Matrix (NOV to NOPA)

- NOV to NOPA phase
- Other: Enforcement, outreach, and branch updates

(12) **UPCOMING RIAB MEETING DATES**

The next RIAB meeting will be on August 7, 2019, at 9:00 a.m. It will be held in Sacramento, at the Gateway Oaks location.

(13) **ADJOURN**

Mr. Koewler, Chair asked for a motion to adjourn the meeting.

Motion #2: Mr. Stonesifer made a motion to adjourn the meeting. Mr. Andreoli seconded. Mr. Helmick, Mr. Trawick and Mr. Fleeman agreed. The motion passed unanimously.

The meeting adjourned at 11:52 a.m.

Respectfully submitted:

Irene Sanchez