

**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
ANIMAL HEALTH AND FOOD SAFETY SERVICES (AHFSS)
MEAT, POULTRY AND EGG SAFETY BRANCH (MPES)
SHELL EGG ADVISORY COMMITTEE (SEAC)
MEETING MINUTES
JULY 7, 2021**

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

Item
No.

(1) ROLL CALL

Roll call was taken by Mr. Michael Abbott, Egg Quality Manager, Egg Safety and Quality Management (ESQM). A quorum was established at 10:03 a.m.

COMMITTEE MEMBERS PRESENT:

David Will, Chair
Mike Sencer, Hidden Villa Ranch
Steve Mahrt, Petaluma Farms
Andrew Demler, Demler Brothers
Kaliko Orian, Kaliko Farms
Lupe Gutierrez, NuCal Foods
Richard Breitmeyer, Public Member
John Bedell, Alternate
Frank Hilliker, Alternate
Cathy Roache, CACASA Representative, Non-Voting Member

INTERESTED PARTIES:

Debbie Murdock	Juan Maldonado
Jake Ford	Kurt Alan
Glenn Hickman	

CDFA:

Marc Shaw	Michael Abbott
Paula Batarseh	Laura Barlow
Logan Bartley	Paul Roos

(2) APPROVAL OF MINUTES

David Will asked SEAC to review the meeting minutes from April 21, 2021.

Motion #1: Mike Sencer made a motion to accept the minutes. Richard Breitmeyer seconded the motion. All members agreed with no abstentions. The motion passed unanimously.

(3) **BORDER STATION UPDATE**

Michael Abbott began with the comment that the Border Stations had seen a decrease in the amount of holds being put on loads coming into the State of California. He continued by stating that there was an increase in efficiency regarding training and implementing new procedures and policies.

(4) **COMPLIANCE UPDATE**

Paul Roos began by stating that CDFA has seen a decline in the amount of administrative penalties in this most recent quarter.

David Will asked that a year-to-year comparison chart be provided at the next SEAC Meeting to gain further information on the income being generated from penalties.

(5) **CERTIFIED FARMERS MARKET UPDATE**

Michael Abbot began this agenda item by stating that the Certified Farmers Markets had been very consistent per quarter with their inspections. The Certified Farmers Markets had been conducting their normal five inspections, and an additional five inspections on top of it. There were no large issues found within the Markets.

In addition, CDFA had been working with the Certified Farmers Markets as far as setting up additional training for new personnel, and so far, the outreach has worked very well.

David Will inquired if only independent inspectors go to the markets. Michael Abbott replied saying that independent inspectors are visiting the markets, and the CDFA inspectors are going out to visit them as well.

David Will and Mike Sencer requested that a report be given on how many inspection visits are completed, and an amount of citations and violations given, to gain a better understanding of the situation regarding Certified Farmers Markets.

(6) **FUTURE REGULATIONS UPDATE**

Michael Abbott began by stating that the regulation for the cage free definition for fair marketing is going forward and is in final process. CDFA is doing the statement of reasons and will go forward.

There are no regulation packets other than that stated above.

(7) **MILL FEE UPDATE**

David Will began by inquiring if the State of California had accepted the proposed budget for Fiscal Year 2021-2022, along with the decision to keep the Egg Mill Fee at 10 cents.

Michael Abbott replied that the State approved the budget.

David Will asked for the State to provide a report comparing anticipated revenue and actual expenses.

(8) PROGRAM UPDATE

Michael Abbott explained that CDFA had adjusted their procedures regarding the issuing of Retail Notice of Violations to make the process more efficient.

He continued by stating that CDFA is planning to convert the Staff Services Analyst Position into an Associate Governmental Program Analyst because the needs and responsibilities for the position had changed throughout the years.

In addition, San Diego was not able to accept the county contract for this year. They did not have the personnel to do it, however San Diego might accept the contract next year. CDFA is also attempting to get a retail contract for Yolo County, to train them and ensure that they are meeting the inspection standard.

Further, CDFA is continuing to schedule Out-of-State and In-State Secure Egg Food Supply Inspections. CDFA has submitted a Food and Drug Administration Contract that, if approved, will benefit the program financially.

(9) BRANCH UPDATE

Paula Batarseh introduced this item by stating that in July, several classifications within the State of California will receive pay raises, and it will impact the Branch Budget. She continued by informing the Board that the Branch had been very busy in anticipation of heat waves that might overwhelm the renderers. The Meat, Poultry and Egg Safety Branch is working closely with the Animal Health Branch and other regulatory agencies to look at options that dairy producers can implement when rendering is not available. The Branch is busy looking at both short-term and long-term strategies.

Further, she stated that an approval letter was sent regarding the Foster Farms Composting Project. Foster Farms has CDFA approval and will need to obtain approvals from other regulatory agencies before accepting carcasses and commencing with the research project.

(10) DIVISION UPDATE

Dr. Annette Jones had no updates other than what was already discussed in Item 11 and 12 of the agenda

(11-12) PROPOSITION 12 – LABELING AND DISCUSSION

This item began with the discussion of the proposed regulation of adding the term “CA Cage-Free” and any concerns or comments relating to it.

Mike Sencer expressed concern that the term can possibly be misleading and could lead to potential lawsuits.

Motion #2: Steve Mahrt made a motion that Proposition 12 not use “CA” in conjunction with “Cage Free” or other housing systems that would imply that eggs were produced in California.

Frank Hilliker seconded the motion. The motion passed unanimously without any abstentions.

David Will requested that Michael Abbott send a notice to the Board and all interested parties with regards to when the verbal Public Comment Period will be taking place, to bring up any questions that the Board may have regarding the established regulations. This Public Comment Period will be held after July 12th.

Steve Mahrt raised a few concerns that he had regarding Proposition 12, and are as follows:

There have been several comments stating that the handlers in the State of California raise chickens cruelly, and wants it addressed within the Proposition that this is not the case. Currently, the way the proposition is written does not reflect that.

There have been comments regarding usable floor space and the ability to have a person work in that usable floor space. It has been said that a person cannot work within that space.

There is a request for clarification regarding Section 2-559 of HSBC Defined Sales, referring to “selling eggs to end users, not great at grading plants.”

There is a reference about cage production and enclosure size that needs to get straightened out.

Additionally, Steve Mahrt brought up the intent of the ESQM Program regarding the occurrence of salmonella and the thought behind 1350 is to give the birds more space, creating less density and less opportunity for stress and shedding of salmonella.

Steve Mahrt further stated that the proposal declares that it does not directly impact human health, welfare of California residents and worker safety or state environments. He feels that the statement is not true because it is much more difficult to work in a cage free environment compared to working in a cage house.

Finally, Steve Mahrt concluded by stating that he believes there is a precedent that would justify the Egg Safety and Quality Management program monitor and enforce activities and receiving money from the general fund to pay for the enforcement.

(13) PUBLIC COMMENTS

Glenn Hickman requested clarification about the classification adjustments within the State, as described in Item 9.

(14) UPCOMING SEAC MEETING DATES

Paula Batarseh stated that the next meeting could implement a hybrid model, having some members virtually and some in person.

Further clarification on meeting format will be provided based on new legislation and once after the Executive Emergency Order is lifted.

The next Shell Egg Advisory Committee Meeting will be held on October 12, 2021 at 10 a.m. over Zoom and at 2800 Gateway Oaks Dr, Sacramento, CA 95833.

(15) **ADJOURN**

Richard Breitmeyer motioned to adjourn the meeting.

Lupe Gutierrez seconded the motion. The motion passed unanimously with no abstentions.

The meeting was adjourned at 11:41a.m.

Respectfully submitted:

Logan Bartley