

**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
May 6, 2020**

California Department of Food and Agriculture
2800 Gateway Oaks Drive, Room 267
Sacramento, CA 95833

Item
No.

(1) **CALL TO ORDER**

Mr. Mike Gemperle, Chair, called the SEAC meeting to order at 10:02 a.m. and a quorum was established.

(2) **ROLL CALL**

Roll call was taken by Mr. Michael Abbott, Egg Quality Manager, Egg Safety and Quality Management (ESQM). The new Office Technician, Whitney Muller, as well as the new Special Investigator Supervisor, Marc Shaw, were introduced to SEAC.

Committee Members Present:

Mike Gemperle, Chair
David Will, Vice Chair
Mike Sencer, Hidden Villa Ranch
Steve Mahrt, Petaluma Farms
Andrew Demler, Demler Brothers
Kaliko Orian, Kaliko Farms
Dr. Richard Breitmeyer, Public Member
John Bedell, Alternate
Frank Hilliker, Alternate
Ruben Arroyo, CACASA Representative, Non-Voting Member

Interested Parties:

Debbie Murdock

CDFA:

Dr. Annette Jones	William Rohner	Holly Chang
Paula Batarseh	Jenna Celigija	Whitney Muller
Michael Abbott	Marc Shaw	
Laura Barlow	Paul Roos	

(3) **APPROVAL OF MINUTES**

Chair Gemperle asked SEAC to review the meeting minutes from March 12, 2020.

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

(4) **SEAC BUDGET SUB-COMMITTEE REPORT**

Mr. Will presented to SEAC the Program's budget report. The budget overview report outlined the Program's projected funds, revenue, and expenditures for the current and future fiscal year (FY), which covered the following areas:

Projected fund overview for FY 2019-20 & 2020-21

- Beginning operating fund balance
- Total estimated revenue (collected from assessments & registrations)
- Total funds available for expenditures
- Ag trust fund reserve

Personnel costs

- Staff salary & benefits
- Potential in-house auditor

The budget committee requested the Program to provide quarterly reports to ensure projected funds are achieved. Mr. Will noted that there has been an increase in travel costs mainly due to out-of-state inspections. In addition, the Program included Certified Farmers Market in the budget to ensure compliance and inspections are carried out.

Chair Gemperle brought up the Program's depleting reserves as the Budget Office was concerned on the Program's expenditures potentially exceeding the proposed revenue. There were additional concerns brought up on preparation for Proposition (Prop) 12 funding as it may be impacted by COVID-19.

Motion #2: Mr. Mahrt made a motion to accept the proposed budget. Mr. Will seconded the motion. All members agreed with no abstentions. The motion passed unanimously.

(5) **COMPLIANCE UPDATE**

Mr. Roos presented the quarterly compliance report to SEAC. In April, there was a total of thirty-two Notice of Violations (NOV) issued. Mr. Roos noted an increase of NOV issuance in the previous quarter due to invoices lacking the correct information or statements. As of current, there is a total of five open investigations.

Mr. Shaw has been issuing Notice of Proposed Actions (NOPA) since he assumed his position. He issued nineteen NOPAs in April and has ten additional NOPAs being assessed by the penalty panel. A total of \$19,000 in penalty was sent out to be collected last quarter.

(6) **PROPOSITION (PROP) 12 UPDATE**

Dr. Jones provided a brief update on Prop 12. Since the last SEAC meeting, the Division has hired a new Prop 12 Manager. The regulation's economic impact is being assessed by

UC Davis; Dr. Jones hopes to complete this process and publish regulations by June or July 2020.

Ms. Batarseh advised that there was a comment received from the Department of Finance regarding the economic impact of California Code of Regulations (CCR) 1350. After assessing the economic impact and additional revisions, the regulations were published again for public commenting until May 21st. No additional comments were received in that timeframe. The regulation package is being reviewed internally and will be sent to the Office of Administrative Law for a final approval.

(7) **PROGRAM UPDATE**

Mr. Abbott described the Program's outreach efforts to producers during COVID-19. The Small Producer Workshop (SPW) team has been designing a webinar to continue educating small producers on egg handling. Mr. Abbott is also working to provide county training online in order to maintain county inspectors' contractual inspection duties. Inspections may resume in quarantined areas once the vND quarantine is lifted.

(8) **BRANCH UPDATE**

Ms. Batarseh provided an update on the Branch. It has been extremely busy as the food supply sector has been heavily impacted due to COVID-19. The Branch has been working with the Centers of Disease Control and the Department of Public Health to provide safety precautions guidelines to slaughter and meat processing plants for plant personnel and inspectors. In addition, the Branch is working on carcass management projects and anticipates hosting an emergency carcass composting workshop next year.

(9) **DIVISION UPDATE**

The Division has been maintaining communications with the industry to assess needs in the food supply sector during the pandemic. Additionally, the Division is reviewing budgets and expects a budget reduction due to the fallouts from COVID-19.

The vND quarantine is expected to be lifted by June 2020 if all freedom from disease tests come back negative.

(10) **PUBLIC COMMENTS**

Chair Gemperle inquired whether there was an alternate form of humane bird euthanasia method as there has been a nationwide shortage of CO₂. Dr. Jones recommended foaming as an alternate method to depopulate flocks.

On March 12, 2020, Governor Gavin Newsom signed an executive order to amend meeting requirements during COVID-19. However, meeting requirements will be enforced under the original Bagley-Keene Act once the provisional meeting requirements cease. Under the Bagley-Keene Act, conference calls into the meeting location would be allowed only if a board member was physically present at the public call-in location. The meeting location must be compliant under the Americans with Disabilities Act.

(11) **FUTURE AGENDA ITEMS**

- Other Species of Fowl Project
 - Guest speaker Maurice Pitesky
- Border Station
- Certified Farmers Market
- Prop 12

(11) **UPCOMING SEAC MEETING DATES**

The next SEAC meeting will be on July 22, 2020, at 10:00 a.m. It will be held in Sacramento, at the Gateway Oaks location in Room 267 and via GoToMeeting until further notice.

(12) **ADJOURN**

Chair Gemperle asked for a motion to adjourn the meeting.

Motion #3: Mr. Mahrt made a motion to adjourn the meeting. Dr. Breitmeyer seconded the motion. All members agreed with no abstentions. The motion passed unanimously. The meeting adjourned at 11:19 a.m.

Respectfully submitted:

Holly Chang