

March 25, 2015

**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  
March 25, 2015**

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

Item  
No.

**(1) CALL TO ORDER**

Michael Sencer, Chair, called the SEAC meeting to order at 10:04 a.m. and a quorum was established.

**(2) ROLL CALL**

Roll was taken by Tony Herrera, Egg Quality Manager, Egg Safety and Quality Management (ESQM).

**Committee Members Present:**

Michael Sencer, Chair  
Wayne Winslow, Vice Chair  
Gary Foster, Southern California Egg Cooperative  
Michael Gemperle, Gemperle Enterprises  
Glenn Hickman, Hickman Eggs  
David Will, Chino Valley Ranchers  
Richard Jenkins, Alternate  
Tom Silva, Alternate

**Committee Members Absent:**

Steve Mahrt, Petaluma Farms  
Kaliko Orian, Kaliko Farms  
Milton O'Haire, CACASA Representative

**Interested Parties:**

Lupe Gutierrez, NuCal Foods  
David Cisneros, Rosemary Farms  
Richard Christner, Sparobe Foods  
Ross Dean, Centrum Valley Farms  
Josh Karch, Norco Ranch  
Mark Campbell, Hidden Villa Ranch

**CDEA:**

Dr. Douglas Hepper  
Tony Herrera, Egg Quality Manager  
John Ramos, Central District Supervisor  
Dr. Ken Takeshita, Veterinarian Medical Officer

Beverly Littlejohn, CASS V.O.  
Rosie Martin, Office Technician

(3) **APPROVAL OF MINUTES – FEBRUARY 25, 2015**

Chair Sencer asked the committee to review the February meeting minutes.

Two amendments were made:

- The spelling of Arnie Riebli last name in interested parties.
- The amount and type of ESQM staff under FY 15/16 Budget, to reflect three CDFA permanent staff, not two CASS positions. Option 2(b) of the FY 15/16 budget materials.

**Motion #1:** A motion was made by Mr. Gemperle to accept the amended minutes. Mr. Will seconded. Chair Sencer, Vice Chair Winslow, Mr. Foster, Mr. Hickman, Mr. Jenkins, and Mr. Silva agreed. The motion passed unanimously.

(4) **FORM 700**

Mr. Herrera asked who still needed to submit forms, and it was noted Mr. Mahrt has failed to submit one at this time. Mr. Herrera informed the committee a fine would be due if not submitted by April 1, 2015. Additionally, it was noted the conflict of interest code should be sent to all members.

(5) **SEFS UPDATE**

Mr. Herrera began by updating the committee on the amount of completed Shell Egg Food Safety (SEFS) audits completed this year. Thus far, 38 in state audits and 27 out of state audits have been completed since January. Currently, there are 20 in state and 15 out of state audits scheduled. A question was posed as to how many companies that failed the initial audits had to be revisited. Mr. Herrera replied eight in state, and three out of state. After much discussion by the committee, it was requested that CDFA pursue administrative action against all companies egregiously violating the SEFS regulations. Egregious violations are intentional violations, or 26 percent or higher non-compliant cages, referring to the SEFS enclosure matrix.

**Motion #2:** A motion was made by Vice Chair Winslow to have CDFA seek administrative hearings on all companies egregiously violating the SEFS regulation. Mr. Gemperle seconded. Chair Sencer, Mr. Will, Mr. Foster, Mr. Gemperle, Mr. Jenkins and Mr. Silva agreed. The motion passed unanimously.

(6) **DIVISION/DEPARTMENT UPDATE**

Dr. Hepper informed the committee of his attendance at the administrative hearings for inedible kitchen grease theft, and that these companies' licenses will not be renewed. He said it could be an option for ESQM companies that continuously violate regulations.

(7) **PROGRAM UPDATES**

Mr. Herrera and the committee discussed the following:

- California Code of Regulations Section 1358.4 has been changed from Records and Invoices to Inspection of Records, Invoices and Premises. It is being reviewed by the Legal Office, and if approved will be sent to the Office of Administrative Law for review and notice of proposed action.
- Mr. Herrera will speak with the Legal Office about exempting shelf strips at retail locations from the “CA SEFS Compliant” statement if the containers already have the statement on it.
- Sell by and use by dates cannot be in close proximity to each other on the carton.
- The pre-audit questionnaires will be sent out annually to all applicable companies.
- Periodically, check companies’ grade outs for production levels pertaining to flock size.

(8) **OTHER BUSINESS**

Topics discussed by the committee and attendees were:

- Assembly Bill 689, the Administrative Civil Penalty bill, has been submitted for a bill analysis.
- County contracts are being developed. Since production levels have decreased, the hours allotted for inspections will be decreased; thus, the amount of the contracts is being decreased.
- Change shipping manifests to reflect “CA SEFS Compliant” or add a “Not for use/sale in CA” statements.
- The committee will submit names for public member vacancy.
- Mr. Herrera would like “egg product” to be defined and added to the regulations.
- The next meeting will be held May 12, 2015 in Sacramento beginning at 10:00 a.m. The following meeting will be held either August 25 or 26, 2015, location to be determined.

(9) **ADJOURN**

Chair Sencer asked for a motion to adjourn the meeting.

**Motion #3:** Mr. Will made a motion to adjourn the meeting. Mr. Silva seconded. Vice Chair Winslow, Mr. Foster, Mr. Hickman, Mr. Jenkins, and Mr. Gemperle agreed. The motion passed unanimously.

Respectfully Submitted:

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Rosemerry Martin