

**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
FERTILIZER INSPECTION ADVISORY BOARD MEETING (FIAB)
Sacramento, California
May 22, 2008
MINUTES**

MEMBERS

John Salmonson
Brad Baltzer
Thomas Beardsley
David McEuen
Tim McGahey
John Peterson

CDFA

Asif A. Maan
Nirmal Saini
Amrith Gunasekara
Dale Rice
Stan Kobata
Elaine Wong
Ray Green
Rick Jensen
Kent Kitade
Kelsey Olsen
Kristopher Gulliver
Carolee Riley
Evelyn Ndiaye
Irene Vera
Suzanne Turcotte
Bryce Praditkul
Sharon Fredrikson

INTERESTED PARTIES

Renee Pinel – WPHA
Jay Yost
John Maxon
Johnny Peck
Jake Evans
Justin Comases

CALL TO ORDER

Chairman John Salmonson called the meeting to order at 8:55 a.m. A quorum was established.

INTRODUCTIONS AND ANNOUNCEMENTS

Mr. Salmonson welcomed everyone to the meeting. Self-introductions were made.

APPROVAL OF MINUTES

Mr. Salmonson asked the Fertilizer Inspection Advisory Board members to review the minutes of the October 31, 2007 meeting.

MOTION: A motion was made by Mr. Thomas Beardsley to accept the minutes as presented. Mr. John Peterson seconded the motion. The motion passed unanimously.

DIVISION/BRANCH UPDATES

Dr. Asif Maan updated the Board that the reorganization of the Branch is continuing in order to separate the Feed and Fertilizer Programs. Currently, Fertilizer Strategic Planning is underway as well as an assessment of the Fertilizer Research Education Program (FREP). He also addressed the database development project, and informed the Board that the “as-is” and “to-be” portions of the project have been completed.

Dr. Maan informed the Board recruitment and retention of employees has been one of the greatest challenges within the branch. He noted a few changes and appointments: Ms. Natalie Krout’s promotion to Feed Inspection Program Supervisor; Mr. Kent Kitade’s move to Special Projects, focusing on the development of new regulations; Ms. Sharon Frederickson’s appointment as Staff Services Analyst; Ms. Avnee Jivabhai’s appointment as Office Technician for the Fertilizer Program; Ms. Evelyn Ndiaye, Ms. Bryce Praditkul, and Mr. Kristopher Gulliver’s appointments as Registration Specialists; and Mr. Nick Young’s appointment to Feed, Fertilizer and Livestock Drug Inspector for the Los Angeles area. Dr. Maan also noted the retirement of Feed, Fertilizer and Livestock Drug Investigator Mr. Tim Walters. Vacancies in the branch include: Feed Fertilizer and Livestock Drug Inspectors, an Environmental Scientist, and a Fertilizing Materials Inspection Program Supervisor. The branch is also working to establish a Senior Special Investigator position to lead field operations.

STRATEGIC PLANNING SUBCOMMITTEE RECOMMENDATION

Dr. Amrith Gunasekara presented a power point describing the process and progress of the strategic planning committee. Dr. Gunasekara noted, the Fertilizer Inspection Advisory Board had passed a motion on January 18, 2008, to move forward on the suggested reorganization of the registration program. He reminded the Board of the full disclosure of ingredients regulations and one fee for registration and licensing.

A recommendation was made by Dr. Gunasekara regarding the registration and license fees. Discussion ensued, it was noted the expiration date of the license and registration will not change.

MOTION: A motion was made by Mr. Thomas Beardsley to approve a \$100 license fee and \$100 label registration fee regardless of the time of application. Mr. Tim McGahey seconded the motion. The motion passed unanimously.

Dr. Gunasekara then updated the Board with the progress of field activities. It was the Board’s previous recommendation to reorganize field operations and staff. He noted the field activities have been evaluated and gaps identified.

MOTION: A motion was made by Mr. John Peterson to approve the reorganization of field operations and increase field staff from four and a half to seven Personnel Years. Mr. David McEuen seconded the motion. The motion passed unanimously.

FUND CONDITION/PROPOSED BUDGET

Mr. Dale Rice called the Board's attention to the Fertilizer Materials Inspection Program's (FMIP) Fund Condition. He noted a beginning balance of \$2,340,477 for FY 2007/08 and an ending balance of \$5,795,022 as of March 31, 2008 (including \$1,500,000 in a CD account). Attention was then brought to the FREP's Financial Summary. The report showed an ending balance of \$1,164,864, after accounting for encumbrances as of March 31, 2008.

Mr. Rice then presented the proposed Commercial Fertilizers Fiscal Year (FY) 08/09 and 09/10 budgets and expenditures detail layout. Mr. Rice noted the \$250,000 one time cost in the FY 08/09 budget for database development and hardware replacement and an additional \$25,000 increase in the chemistry lab budget. The proposed budgets as presented were FY 08/09 \$2,905,011 and FY 09/10 \$2,756,146.

MOTION: A motion was made by Mr. Thomas Beardsley to approve and accept the FMIP proposed budgets of \$2,905,011 for FY 08/09 and \$2,756,146 for FY 09/10. Mr. John Peterson seconded the motion. The motion passed unanimously.

Mr. Rice then called the Board's attention to the proposed FREP budgets of \$1,249,513 for FY 08/09 and \$1,269,905 for FY 09/10.

MOTION: A motion was made by Mr. Thomas Beardsley to approve the FREP proposed budgets of \$1,249,513 for FY 08/09 and \$1,269,905 for FY 09/10. Mr. David McEuen seconded the motion. The motion passed unanimously.

REGULATORY/REGISTRATION ISSUES & UPDATES

Dr. Gunasekara shared details about the upcoming Fertilizer Registration Workshop on July 8, 2008. He also presented a web-based database link that can be used to check the registration status of labels.

FREP UPDATE

Ms. Carolee Riley presented a FREP project status report, and noted that all contracts are up to date. She then called the Board's attention to the Accepted FREP Project Suggestions for 2008. FREP's Technical Advisory Subcommittee meeting will be held

on September 16, 2008 in Monterey to select research proposals for recommendation to the FIAB for funding.

REGULATIONS UPDATE

Mr. Kent Kitade presented the draft regulation language for full-disclosure of fertilizing materials ingredients and provisions for the protection of trade secrets.

A copy of the Proposed Changes In Regulations, Protection of Trade Secrets is attached as EXHIBIT A.

MOTION: A motion was made by Mr. John Peterson to accept the draft regulation language and to recommend, CDFA proceed with regulation process. Mr. Thomas Beardsley seconded the motion. The motion passed unanimously.

Mr. Kitade then presented the proposed language for the FREP-Technical Advisory Subcommittee (TASC) By-Laws. The proposed By-Laws describe procedures on appointing TASC members and conducting meetings.

A copy of the By-Laws FREP-TASC is attached as EXHIBIT B.

MOTION: A motion was made by Mr. Thomas Beardsley to accept the FREP-Technical Advisory Subcommittee By-Laws as presented. Mr. John Peterson seconded the motion. The motion passed unanimously.

LABORATORY UPDATE

Mr. Nirmal Saini presented a document listing Fertilizer Samples Analysis from January 1, 2008 to April 30, 2008. He noted the turn around time for fertilizer samples received as well as the total number of samples received (460) versus the total number of samples completed (453).

ORGANIC FERTILIZER REGULATION

Mr. Steve Beckley presented the Organic Fertilizer Association of California's (OFAC) Position Paper. He brought the Board's attention to the goals, background, and current status of regulations regarding fertilizers that comply with the National Organic Program. He also presented OFACs recommendations for action.

Discussion ensued regarding organics involving Mr. Sanford Simon who participated via telephone. Mr. Salmonson recommended forming a subcommittee to review OFACs proposal. Mr. Ray Green, Dr. Amrith Gunasekara, Mr. Jake Evans, Mr. David McCuen, Mr. Sandy Simon, Mr. Steve Beckley and Mr. John Peterson expressed interest in participating in the organic subcommittee. Mr. McEuen will serve as the chairman of the subcommittee.

ADDITIONAL ITEMS

It was noted there are six upcoming Board vacancies in 2008. A press release announcing the vacancies will be posted on the CDFA website, and any interested licensees should submit a resume.

NEXT MEETING

The next meeting will be held September 18, 2008 in Monterey. The exact location and time will be determined at a later date.

MOTION: A motion was made by Mr. Thomas Beardsley to adjourn the meeting. Mr. David McEuen seconded the motion. The motion passed unanimously. The meeting was adjourned at 12:10 p.m.

Respectfully submitted by:

Asif A. Maan, Ph.D., Branch Chief
Feed, Fertilizer, Livestock Drugs and Egg Regulatory Services
Inspection Services

Date

AAM/AJ