

**TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE
DIVISION 4. PLANT INDUSTRY. CHAPTER 1. CHEMISTRY.
SUBCHAPTER 1. FERTILIZING MATERIALS**

NOTICE OF PUBLIC HEARING

The California Department of Food and Agriculture (CDFA) will conduct a public hearing at the time and place noted below to consider adoption of regulations intended to implement the provisions of Assembly Bill (AB) 856 (Ch. 257, Stats. of 2009). These proposed regulations would establish the procedures and regulatory authority for compost nutrient guarantees (i.e., lab reports and nutrient variability); organic input material label review and registration (including blends); site, facility, and ingredient inspection procedures, requirements, and uniformed protocol; out-of-state inspections; clarification in regard to the scope of organic input materials when no claims are made by the supplier for organic production; a civil penalty matrix to enhance uniformity and cohesion; and label registration fees.

DATE: March 8, 2011

TIME: 10:00 a.m. – 2:00 p.m.

PLACE: California Department of Food and Agriculture
Main Auditorium
1220 N Street
Sacramento, California 95814

Interested members of the public may present comments orally or in writing at the hearing on March 8, 2011 from 10:00 a.m. until 2:00 p.m.

As noted in the Notice of Proposed Rulemaking published on January 21, 2011 in the California Regulatory Notice Register, 2011, 3-Z, p. 75, any interested person, or his or her authorized representative, may also submit written comments relevant to the proposed regulatory action to CDFA. The written comment period closes at 5:00 p.m. on March 7, 2011. Please refer to the Notice of Proposed Rulemaking for instructions in regard to submitting written comments.

CDFA's Main Auditorium meets the protections and prohibitions contained in §202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). If you require reasonable accommodation, please contact: Dale A. Rice, CDFA, 1220 N Street, Sacramento, CA 95814, (916) 445-0444 as soon as possible, but no later than 3 business days before the scheduled CDFA hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

SECTIONS AFFECTED

Proposed amendments to Title 3, Division 4, Chapter 1, Subchapter 1 of the California

Code of Regulations (CCR) sections 2300(g), 2300.1, 2302, 2303(l), 2320, and 2321. The Department also proposes to add the following sections to Title 3, Division 4, Chapter 1, Subchapter 1 of the California Code of Regulations: 2303(w), 2320.1, 2320.2, 2322, 2322.1, 2322.2, 2322.3, 2322.4, and 2323.

AUTHORITY AND REFERENCE

Notice is hereby given that the California Department of Food and Agriculture, pursuant to the authority vested by Sections 14, 401, 407, 14502, 14591, 14601, 14621, 14622, 14623, 14628, 14631, 14641, 14642, 14651.5, 14655, 14681, 14682 of the Food and Agricultural Code (FAC), and to implement, interpret, or make specific Sections 14528, 14532, 14533, 14550.5, 14557, 14558, 14583.5, 14591, 14601, 14611, 14523, 14631, 14641, 14642, 14651, 14651.5, 14652, 14655, 14661, 14681, and 14682 of the FAC.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Amadou Ba, Branch Chief I
Fertilizing Materials Inspection Branch
California Department of Food and Agriculture
1220 N Street
Sacramento, CA 95814
Telephone (916) 445-0444; Fax (916) 445-2171
Email: aba@cdfa.ca.gov

The backup contact person for these inquiries is:

Brian Cote, Special Investigator
Inspection and Compliance Branch
California Department of Food and Agriculture
1220 N Street
Sacramento, CA 95814
Telephone: (916) 445-2180; Fax: (916) 445-2427
Email: bcote@cdfa.ca.gov

Please direct requests for copies of the notice of public hearing, notice of proposed rulemaking, proposed text of the regulations, the initial statement of reasons, the modified text of the regulation, if any, or other information upon which the rulemaking is based to Brian Cote at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Public Hearing, Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through CDFAs website at: <http://www.cdfa.ca.gov/is/Regulations.html>