



**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)  
CALIFORNIA ORGANIC PRODUCTS ADVISORY COMMITTEE (COPAC)**

**September 6, 2017**

**Meeting Minutes**

**San Diego County Agriculture, Weights, and Measures Office  
5560 Overland Avenue  
San Diego, CA 92123**

**MEMBERS PRESENT**

Mindee Jeffery - Chair  
Melody Meyer  
Jane Reick  
Vernon Peterson  
Jake Lewin  
Christina Augustine  
Heather Podoll  
Jennifer Shawgo  
Chad Sokol  
Thomas Chapman  
Stacy Carlsen  
Phillip LaRocca  
Garff Hathcock  
Ann Marie Hourigan  
Kaley Grimland  
Jeremy Johnson  
Jaclyn Bowen

**MEMBERS ABSENT**

David Will  
Karen Archipley  
Randy Skidgel  
Steve Beck  
Sean Graham  
Ben Dielsl

**INTERESTED PARTIES**

Kim Diets - Smuckers Natural Foods  
Kelley Damewood – CCOF  
Ed Williams – Los Angeles Co.  
Craig Lawson – San Diego Co.  
Joshua Ders – JP Marketing  
Karen Melvin – San Diego Co.  
Alexis Randolph – QAI  
Allison Nilson – QAI  
Makenna Wilcoxson – QAI  
Ellery Ward – QAI  
Kendall Martin – QAI  
Kelly Niblock – QAI  
Kayo Tsunenori – QAI

**CDFA**

Natalie Krout-  
Greenberg  
Carla Sanchez  
Marcee Yount  
Danny Lee  
Scott Renteria  
Laurel Rudolph  
Mayze Fowler-  
Riggs

**ITEM 1: INTRODUCTIONS**

The Committee was called to order at 10:00 am by Ms. Mindee Jeffery. Roll was called, a quorum was established, and self-introductions were made.

**ITEM 2: REVIEW AND APPROVAL OF MEETING MINUTES**

Ms. Mindee Jeffrey asked for a motion to approve the May 3, 2017 Meeting Minutes as submitted.

**MOTION:** Mr. Vernon Peterson moved to approve the May 3, 2017 Meeting Minutes as submitted. Ms. Christina Jensen Augustine seconded the motion. The motion passed unanimously with no abstentions.

### **ITEM 3: CDFA DEPARTMENT & DIVISION UPDATES**

Ms. Natalie Krout-Greenberg, Director of Inspection Services, explained that CDFA now enters its second year of a cooperative agreement with the Food & Drug Administration (FDA) on the Food Safety Modernization Act (FSMA). Funding obtained through the agreement is focused on outreach and education, as well as enforcement readiness related to the Produce Safety Rule (PSR). Work is being done with animal feed producers to help prepare for the new regulatory requirements of FSMA. There has been cooperation between CDFA's Feed, Fertilizer, & Livestock Drugs Regulatory Services Branch (FFLDRS) and the Animal Health Branch regarding medical anti-microbial use in animals. FFLDRS is also preparing to submit a regulatory packet, as well as conducting outreach and education pertaining to the use of antibiotics. The CDFA Division of Inspection Services has also received a grant for use by the Office of Farm to Fork, to administer the California Nutrition Incentive Program.

The CalCannabis program has also been working to prepare environmental and economic impact reports related to the legalization of medical and recreational marijuana. Ms. Krout-Greenberg also explained that the Organic Cannabis Program will be part of the CalCannabis Division.

### **ITEM 4: California Department of Public Health (CDPH) UPDATE**

Ms. Jane Reick, the new CDPH representative on the Committee, gave the Committee an overview of the updated CDPH complaint log. She walked the Committee through the complaint handling process, as well as outlining how the CDPH is working to address complaints regarding retailers labeling products as organic without certification.

### **ITEM 5: STATE ORGANIC PROGRAM REPORTS**

#### i) Vacancies and Terms

Ms. Laurel Rudolph provided the vacancy report. Vacancies include: one technical representative; three producer alternates; one environmental representative alternate; one processor alternate; two technical representative alternates; one consumer representative alternate; and one accredited certifier alternate.

Ms. Rudolph also explained that there are no terms expiring until 2018.

#### ii) SOP Organizational Chart

Mr. Danny Lee went over the State Organic Program (SOP) organizational chart. The Program is currently working to fill Inspector positions in the Central Valley and Southern California.

#### iii) Revenue from Registration

Mr. Scott Renteria provided an overview of revenue from registration. He stated that revenue hasn't increased at the same rate as previous years, due to the effects of

Assembly Bill (AB) 1826, which reduced registration revenue due to changes in the SOP fee structure.

iv) New Registration

Mr. Renteria also stated that during the 2016/17 Fiscal Year (FY), the SOP has registered a total of 447 new organic producers, handlers, and retailers. There was also a discussion of cottage industry organics, and how to ensure that these small businesses engage in proper labeling and registration practices. There was a request to follow up on this topic at the next COPAC meeting. This request was approved.

v) Compliance & Enforcement/Appeals Summary

Mr. Renteria also provided an overview of enforcement. In the 2016/17 FY, the SOP received 100 complaints. 54 of these complaints were actively investigated by the SOP. Five were referred to accredited certifying agencies, 37 were referred to the CDPH, three were referred to the National Organic Program (NOP), and one was referred to the Organic Input Materials Program (OIM). During this time, the SOP also conducted 1,389 inspections. Of these inspections, 949 took place at certified farmers' markets, 270 at production sites, 62 at handling facilities, 12 at processing facilities, and 96 at retailers.

Mr. Renteria went on to describe testing of organic commodities for pesticide residues. Of the commodities tested, five had pesticide residues below the 5% Environmental Protection Agency (EPA) tolerance level. Of the samples collected for testing, eight samples had residues that were found to be above EPA tolerance levels. Mr. Renteria explained that some of these samples were gathered as a result of complaints.

vi) SOP Fund Condition

Mr. Lee gave a presentation on the SOP Fund Condition. Mr. Lee stated that as of June 30, 2017, the remaining fund balance for the 2016/17 FY was \$3,236,046. Total revenue was \$1,543,889, and available cash was \$4,779,935. Total expenditures were \$1,355,079, with an ending balance of \$3,244,858.

vii) FY 2017/18 Budget

Ms. Marcee Yount gave an overview of the budget for the 2017/18 FY. Ms. Yount noted that the approved budget from the May 2017 meeting stated that the SOP budget changes would not go over \$2 million. Ms. Yount went on to outline specific revisions that will need to be made to the budget released in May. There was also a discussion regarding a proposed training module for county education and outreach.

**ITEM 6: GENETICALLY MODIFIED ORGANISM (GMO) PILOT PROJECT**

Mr. Lee gave a series of updates relating to the GMO Pilot Project. He stated that at the last COPAC meeting, members voted to move away from blind testing. Results will now record where the sample was collected, and results will be published. CDFA will collect

60 total samples, which will undergo both pesticide and GMO testing. The SOP requested assistance from the FFLDRS Branch to collect samples of feed and grain for GMO testing. Testing will also be conducted on imported grains, as well as domestically produced commodities. There was also a discussion relating to appropriate enforcement mechanisms and points of cooperation with the NOP to be used as the program moves forward.

### **ITEM 7: COMMUNICATIONS CONTRACT**

#### i) JP Marketing

Mr. Joshua Ders from JP Marketing gave an overview of JP Marketing's strategies for implementation of the key deliverables to meet objectives outlined in the communications contract.

Ms. Jeffery discussed the establishment of a subcommittee, focused on the development and implementation of a social media campaign. The subcommittee will formulate a marketing and branding strategy, and will provide input to JP Marketing. The members of the subcommittee are: Jeremy Johnson, Kaley Grimland, Mindee Jeffery, Melody Meyer, Jennifer Shawgo, Heather Podoll, and Ann Marie Hourigan.

### **ITEM 8) DATA MIGRATION**

#### i) Mandatory Changes

Mr. Renteria gave the committee an explanation of how new regulations related to AB 1826 will affect the collection of data. He stated that the SOP will collect and report on acreage by commodity by county. Additionally, he stated that data on 29 groups of commodities will be collected. This system will allow the SOP to report on how many acres of farmland are devoted to organic produce both statewide and within individual counties. The SOP will also be able to report how much acreage is devoted to each commodity group statewide and on a county level.

#### ii) Data Exchange/New IT Process

There was also a discussion of data exchange. The SOP is currently working on a system to share commodity information with the NOP. Currently, the time to implement a system to enable data sharing between the SOP and the NOP is estimated to be in early 2018.

Mr. Stacy Carlsen stated that the California Agricultural Commissioners & Sealers Association (CACASA) wrote a letter to Secretary Ross requesting details on how information is delivered to County Agricultural Commissioners. Related to this letter, Mr. Carlsen expressed the need for a system designed to share information in real time between state level agencies and various counties, in order to facilitate cooperation and rapid response times.

### **ITEM 9: RULEMAKING UPDATE**

Mr. Lee reminded the committee that the 45 day comment period on the regulations relating to gathering data on 29 commodity groups expires on September 11, 2017.

### **ITEM 10: FARM BILL**

Ms. Melody Meyer stated that most federal funding for the NOP comes through the Farm Bill, with programs receiving funding based on priority. A list of Farm Bill priorities were drafted by the Farmer's Advisory Council, an organization of over 5,000 farmers. CDFA has also released its own Farm Bill priorities list, which includes increased funding for NOP organic certification, enforcement, and research.

**MOTION:** Mr. Vernon Peterson moved to have COPAC support the letter sent by Secretary Ross stating CDFA's Farm Bill priorities. Mr. Phillip LaRocca seconded the motion. The motion passed unanimously, with no abstentions

**MOTION:** Ms. Meyer moved to have the committee recommend that Secretary Ross include support for House of Representatives Bill (H.R.) 2436, the Organic Agriculture Research Act, in the CDFA's recommendation. Ms. Ann Marie Hourgian seconded the motion. The motion passed unanimously, with no abstentions.

### **ITEM 11: CERTIFICATION OF INDUSTRIAL HEMP**

Mr. Jake Lewin informed the Committee that there is currently no way in California to certify organic industrial hemp, due to conflict between federal and state law. The federal Farm Bill requires there to be a pilot program for research and marketing of a commodity for it to be eligible for organic certification.

Ms. Krout-Greenberg provided the committee with an analysis of current law in California relating to organic industrial hemp. Ms. Krout-Greenberg stated that Senate Bill (SB) 566 created provisions for the cultivation of industrial hemp, including the creation of a hemp advisory board and mandating that cultivation take place within a university research facility.

The committee discussed a desire to create a pilot program that is more flexible, and accommodates producers of organic industrial hemp who operate outside of the university system.

**MOTION:** Mr. Jake Lewin moved that COPAC recommend to the Secretary that she provide an opportunity to gain organic certification for industrial hemp within the existing licensing regulations, such as pilot programs or other mechanisms in accordance with the 2014 Farm Bill. Ms. Meyer seconded the motion. The motion passed, with Mr. Peterson voting nay, there were no abstentions.

### **ITEM 12: PUBLIC COMMENTS**

Ms. Kelly Damewood of California Certified Organic Farmers (CCOF) had a few comments for the Committee. She first thanked the Committee for providing the Data Migration Update. Ms. Damewood stated that the data sharing system discussed in Item 8 would allow CCOF to register individual growers more efficiently and cost-effectively.

Ms. Damewood also commented on the CalCannabis update. She encouraged the Committee to maintain some form of oversight over organic cannabis production, given the Committee members' collective expertise in organic farming. She also suggested that the Committee discuss its role cooperating with the CalCannabis program.

Ms. Alexis Randolph of Quality Assurance International (QAI) also had comments for the Committee. Ms. Randolph noted that there are currently two separate registration processes for the NOP and SOP. She encourages the Committee to continue efforts to improve data sharing between agencies and counties.

### **ITEM 13: NEXT MEETING/AGENDA ITEMS**

The next meeting will be held during the Eco-Farm Conference on January 25, 2018 in Asilomar (Monterey), California.

Discussion of a new study from University of California Berkeley pertaining to federal and state organic programs was suggested as an agenda item for the next meeting.

### **ITEM 14: ADJOURNMENT**

Ms. Jeffery adjourned the meeting at 1:25 p.m.

Respectfully submitted by:



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Danny Lee, Supervising Special Investigator  
State Organic Program