



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

May 19, 2016

Meeting Minutes

2800 Gateway Oaks, Sacramento, CA

MEMBERS PRESENT

Garff Hathcock
Melody Meyer
Steven Sherman
Patrick Kennelly
Mindee Jeffery
Vernon Peterson
Sean Graham
Christina Augustine
Heather Podoll
Jennifer Shawgo
Chad Sokol
David Will

MEMBERS ABSENT

Stacy Carlsen
Thomas Chapman
Mio Owens

INTERESTED PARTIES

Jane Sooby- CCOF
Nathaniel Lewis- OTA

CDFA

Steve Patton
Rick Jensen
Marcee Yount
Danny Lee
David Carlson
Paul Collins
Scott Renteria
Laurel Rudolph

ITEM 1: ROLL CALL

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

ITEM 2: PUBLIC COMMENTS

There were no public comments.

ITEM 3: REVIEW AND APPROVAL OF MEETING MINUTES

Ms. Meyer asked for a motion to approve the September 23, 2015, Meeting Minutes as submitted.

MOTION: Mr. Garff Hathcock moved to approve the September 23, 2015, Meeting Minutes. Ms. Mindee Jeffery seconded the motion. The motion passed, with Mr. Vernon Peterson abstaining.

Ms. Meyer asked for a motion to approve the January 21, 2016, Meeting Minutes as submitted.

MOTION: Mr. Vernon Peterson moved to approve the January 21, 2016, Meeting Minutes. Mr. Garff Hathcock seconded the motion. The motion passed unanimously, with no abstentions.

ITEM 4: CALIFORNIA DEPARTMENT OF PUBLIC HEALTH UPDATE

Mr. Patrick Kennelly provided a California Department of Public Health (CDPH) update. He reported that by the end of 2015, there were 2,684 registrants, registered with CDPH. There were 14 complaints so far in 2016; 9 of those complaints have been completed, 4 were substantiated complaints, and 5 were found to be unsubstantiated.

Mr. Kennelly also distributed the CDPH's Organic Processed Product Registration Program Report. This report lists registrants by commodity and county, and also lists all processors and handlers who are registered as organic with CDPH.

ITEM 5: STATE ORGANIC PROGRAM REPORTS

I. Vacancy and Terms

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

Members whose terms will be expiring October 31, 2016, and are not eligible for reappointment are: Mr. Steve Sherman; Mr. Thomas Chapman; Mr. David Will; Mr. Steve DeMuri; and Ms. Melody Meyer.

The Committee asked the State Organic Program (SOP) to draft a document for potential new members that will outline committee background and duties, and how it can help impact the industry.

II. Revenue from Registration

Mr. Scott Renteria provided an overview of the SOP revenue from registrations. As of January 2016, the total projected revenue for the 2015/16 Fiscal Year (FY), exceeds \$1.3 million.

III. New Registrations

Mr. Renteria provided an overview of new registrant demographics. The total number of new registrations for 2015 was 484. The vast majority of the new registrants are producers, followed by handlers, processors, and then retailers. The SOP has a total of 3,987 total registrants.

IV. Complaints

Mr. Danny Lee provided an overview of the complaint activity for the months of May 1, 2015 to April 30, 2016. At that time, the California Department of Agriculture (CDFA) had 23 complaints that had been open for over 120 days, 3 that had been open for 90-120 days, 5 that had been open 60-90 days, 12 that had been open for 30-60 days, 8 that have been open for less than 30 days, and 42 complaints closed. Of the complaints that came into CDFA: 23 of those were assigned to a County Agricultural Commissioner; 12 were assigned to the CDFA (SOP); 7 were referred to the CDPH; 8

were referred to Accredited Certifying Agents; and 1 was referred to the Organic Input Material Program.

V. Appeals

Mr. Lee provided the SOP Appeals Status Report. As of May 4, 2016, the SOP has logged 3 appeals; 2 of those appeals are being reviewed by CDFA, and 1 was referred to the Department of Justice.

VI. Residue Analysis

Mr. Renteria provided the Residue Analysis report for the 2015/16 FY. As of April 10, 2016, there were 127 samples collected, 112 of those samples are from routine surveillance done by contacted counties and CDFA. Of the 112 routine samples, 9 detected residues, and 3 were above tolerance levels.

There were 15 samples collected from ongoing investigations, 8 of those samples detected residue, and 3 were above tolerance levels.

Mr. Renteria also discussed inspections performed so far this 2015/16 FY. As of March 31, 2016, contracted counties, along with CDFA, performed 874 inspections. Of those 874 inspections, 260 were spot inspections at production sites, handling facilities, processing sites, and retail facilities.

VII. Genetically Modified Organism (GMO) Testing

Mr. Lee discussed the GMO testing pilot program. The SOP has begun collecting samples to be tested for GMO's. Those samples include: alfalfa; blended cattle feed; a variety of seeds; and vegetables. Sampling will continue throughout the rest of the year, and a report with the findings will be released once the project has concluded. The findings will then be presented to the Committee. If the committee finds that there is enough evidence to continue testing for GMO's, the SOP will include GMO testing in their routine surveillance.

VIII. Legislative Update

Mr. Lee discussed the legislative update. He presented new amendments to Assembly Bill (AB) 1826. Some of the amendments to the bill include changes to registration requirements, including commodity-specific products, gross sales by commodity, and gross sales per acreage. The new requirements will now have commodities listed in more general categories, instead of itemized individually.

The Committee was concerned about the change in AB 1826 regarding the decrease in commodity information collected by the SOP. The amount of data that the SOP currently collects is extremely helpful to producers, giving insight into what types of commodities are being produced per acre, and what the gross sales are per commodity.

The Committee discussed how valuable the acreage and sales information are, and talked about possible ways for the SOP to gather that information without putting extra

work on the producers. The possibility of adding language to the bill that would ask the certifier to share the gross sales and acreage information with the SOP was debated. The Committee decided to send a recommendation to the CDFA Secretary to express their concern regarding the lack of information collected from registrants registered with the SOP.

The recommendation reads as follows:

The California Organic Products Advisory Committee would like to express its concern that changes to the status quo of the State Organic Program via AB 1826, will likely result in a significant loss of functionality in organic systems and enforcement thru lack of reporting on gross sales by commodity and production per acreage. The Committee recommends that AB 1826 reinstate the inclusion of this reporting of data to be remitted at registration either by the registrant or certification agency on their behalf. For the Committee to support AB 1826, reporting of data must be reinstated.

Ms. Meyer asked for a motion to approve the above statement as written, and to approve the statement be sent to the Secretary.

MOTION: Mr. Hathcock moved to approve the above statement as written, and to approve the statement be sent to the Secretary. Mr. Sherman seconded the motion. The motion passed unanimously, with no abstentions.

ITEM 6: BUDGET REVIEW AND APPROVAL

a. SOP Fund Condition:

Mr. Lee discussed the fund condition. As of March 31, 2016, the beginning balance was \$3,104,987, and total revenue was \$1,133,124. Total expenditures were \$1,039,509, and the ending balance was \$3,198,603.

b. FY 2016/2017 Budget:

Mr. Lee discussed the proposed program budget for the 2016/2017 FY. The total proposed program budget is \$1,679,705, and the proposed revenue is \$1,376,150. The committee discussed allocating additional money in the budget for outreach and education. After much discussion it was decided to postpone adding additional funding until the committee can meet at a later date.

Ms. Meyer asked for a motion to approve the 2016/17 FY budget as presented.

MOTION: Ms. Christina Jensen moved to approve the 2016/2017 FY proposed budget. Mr. Steven Sherman seconded the motion. The motion passed unanimously, with no abstentions.

ITEM 7: USDA COMPOST COMPLAINT

Mr. Nate Lewis of Organic Trade Association presented the recent complaint filed against the United States Department of Agriculture (USDA) and the National Organic

Program (NOP). The complaint states that in 2010, USDA improperly issued the Contaminated-Compost decision as a "guidance" document without providing public notice or comment opportunities. The Contaminated-Compost decision should have been subject to Administrative Procedure Act.

Mr. Lewis also discussed newly introduced language for the Cost Share Program legislation. He stated that the new language, which is currently in Senate Appropriations, proposes that the Cost Share program be expanded to include California's registration fees. It also proposes that Cost Share include transitional certifications as well.

Mr. Lewis also mentioned the Animal Welfare Rule. This year the NOP issued proposed rules to amend the organic and livestock poultry practices. Some of the proposed changes to the rule are: changes in requirements for indoor and outdoor space for poultry, clarity on justifications for confinements indoors for livestock and poultry, and a proposed implementation timeline following the issuance of a final rule. After some discussion the Committee decided to add this issue to the next meeting agenda.

ITEM 8: NEXT MEETING/AGENDA ITEMS

The next meeting will be held September 2016 in Sacramento, CA, date yet to be determined. Some of the Agenda items will include, the Animal Welfare Rule proposed changes, and an update on the Organic workgroup meetings ideas for outreach and education.

ITEM 9: ADJOURNMENT

Ms. Melody Meyer adjourned the meeting at 1:55 pm.

Respectfully submitted by:



Danny Lee, Supervising Special Investigator
State Organic Program