



**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
CERTIFIED FARMERS' MARKET ADVISORY COMMITTEE (CFMAC)
Meeting Minutes
Sacramento, California
October 14, 2009**

MEMBERS PRESENT

William Lewis
Fred Ellrott
Russell Hall
Jennifer McColm
Jacquelyn Byers
Gene Etheridge
Karen Wetzel Schott
Pompea Smith
Greta Dunlap
John Silveira
Amelia Saltsman

ALTERNATES MEMBERS

Deborah Yashar
Dale C. Whitney

INTERESTED PARTIES

Cathy Roache

CDFA

Rick Jensen
Steve Patton
Thea Lee
Maria Hicks
Brian Cote

ITEM 1: ROLL CALL

Mr. Gene Etheridge called the meeting to order at 10:02 a.m. A quorum was established and introductions were made. Ms. Amelia Saltsman arrived at approximately 10:30 a.m.

ITEM 2: APPROVAL OF MARCH 4, 2009 MEETING MINUTES

Mr. John Silveira proposed to amend the March 4, 2009 meeting minutes by adding "Small Farm Conference, President" to Mr. Allen Moy's title under the Interested Parties.

MOTION: Mr. Silveira moved to approve the March 4, 2009 meeting minutes as amended. Mr. William Lewis seconded. The motion passed unanimously.

ITEM 3: APPROVAL OF AGENDA

Mr. Gene Etheridge proposed to amend the agenda by adding 7B, "Letter of Appreciation". Mr. Steve Patton proposed to amend the agenda by removing Agenda Item 5 due to Mr. Kurt Floren not being present at today's CFMAC meeting.

MOTION: Mr. Fred Ellrott moved to approve the agenda as amended. Mr. Russell Hall seconded. The motion passed unanimously.

ITEM 4: CDFA REPORTS

A.) Enforcement Progress-

Mr. Steve Patton gave a report on the enforcement progress. Mr. Patton explained that the program's goal is to complete ten market inspections quarterly and forty market inspections annually. The main violation found were markets selling products that were not listed on their certificate. A compilation of the costs for the entire year was provided to the committee. The projected yearly expenditures for market enforcement were \$30,000. The final expenditures were \$18,000 for the year. The remaining funds for the year are \$12,000. Mr. Patton proposed spending the additional \$12,000 to continue the enforcement of the markets, with some follow-up visits. Mr. Patton reported that most of the inspections in the winter were conducted in Southern California and the Bay area, as the majority of the markets in Northern California are closed half of the year because they are seasonal markets.

B.) Regulation Update-

Mr. Patton gave an overview of the proposed regulations associated with Assembly Bill (AB) 2168. These proposed regulations are now in CDFA's legal office awaiting review.

C.) Committee Vacancies-

Mr. Patton reported that there are currently two certified producer vacancies and multiple alternate certified producer vacancies. Mr. Patton reported that there will be an agricultural commissioner vacancy soon due to the retirement of Rick Landon.

D.) Financial Status-

Mr. Patton stated that there is a reserve fund of \$80,000 at this time. Mr. Patton explained that this is due to reallocating salaries, vacancies, and the revised Fiscal Year (FY) 2008/2009 budget. Revenue in FY 2008/2009 was \$190,000. Expenditures were \$183,000. Mr. Patton reported that Mr. Nate Dechoretz, Director of Inspection Services wanted to have \$50,000 in reserve. Mr. Patton stated that because we have \$80,000 in reserve, it would be ideal to spend the revenue on increasing enforcement.

ITEM 5: AGRICULTURE COMMISSIONER'S REPORT

Item removed from agenda.

ITEM 6: POSSIBLE NEW REGULATIONS

A.) Penalty Matrix-

Mr. Patton reported that the penalty matrix needs to be promulgated in a regulatory framework. The penalty matrix is not ready in its current form. A sub-committee of: Mr. Silveira, Mr. Ellrott, Ms. Karen Wetzel Schott, Mr. Floren, Mr. Etheridge, and Mr. Patton will meet December 16, 2009 to work on the matrix.

B.) Adding Producers List to Remittance Form-

Ms. Greta Dunlap composed a draft of language to change the market remittance form to include producers, that is submitted quarterly. Ms. Dunlap proposed that this would be used as a tool to assist CDFA with market enforcements. Discussion ensued on how this change would benefit CDFA. Mr. Silveira stated that he could support the concept if its intention was to ensure market managers were properly paying fees. The remittance form would inform CDFA as to how many times during the quarter producers were at each market. A regulation change will be necessary to reword the remittance form. The subcommittee that meets on December 16, 2009 will work on the rewording of the remittance form.

ITEM 7: CHAIRMAN'S REPORT

A.) Increasing Market Manager Responsibility-

Mr. Etheridge reported that he has been working on composing a tool that can be utilized by market managers to audit themselves. Mr. Etheridge proposed that this would assist market managers to assess situations occurring in their markets. Mr. Etheridge recommended having education and/or training readily available for market managers. Mr. Etheridge stated this would ensure market managers are aware of their responsibilities.

Mr. Patton reviewed market manager responsibilities. Mr. Patton informed the committee that trainings have been offered in several counties periodically, with several county agricultural commissioners and market managers participating. Mr. Patton stated that there are funding issues for trainings to be offered on a routine basis. Mr. Patton stated that one of the Small Farm Conference topics is the certification of market managers.

B.) Letter of Appreciation-

Mr. Etheridge composed a draft of a letter of appreciation that would tentatively be used to say thank you from CFMAC. This letter would be sent to businesses and/or markets that have gone the extra mile for the cause.

Mr. Patton informed the committee that any letter sent on behalf of the CFMAC would have to be approved by CDFA Secretary A.G. Kawamura. This could be a lengthy process. Mr. Silveira asked if the letters could be sent out by Mr. Etheridge himself, as being chairperson of the committee without having to get approval from CDFA Secretary A.G. Kawamura. Mr. Patton informed the committee that if Mr. Etheridge wanted to send out thank you cards on his own, that would be acceptable.

ITEM 8: NEW BUSINESS

Ms. Jacquelyn Byers opened a discussion inquiring why livestock, poultry, and current non-certifiable agricultural foods can not be certified. Mr. Patton explained that non-certifiable foods can be sold inside of the Certified Farmers' Market. Mr. Patton stated that a certified producer can sell only what they produce. Discussion ensued regarding the issue of certifying livestock and poultry.

Ms. Dunlap inquired if Certified Farmers' Markets can be exempt from maturity standards when selling avocados after the permit expires. Mr. Patton stated that a letter can be written to the agricultural commissioner with a tentative date of when the market manager anticipates product will be gone.

Mr. Silveira reported that the University of California Small Farm Center will be closing at the end of this year.

Mr. Rick Jensen requested that all members provide a current email address to CDFA. Mr. Jensen informed the committee that they will now be receiving notices and agendas electronically and in hard copy form. Mr. Jensen offered the option of receiving electronic copies only, and requested members designate that next to their email address if this is the option they've chosen. Mr. Jensen proposed adding a standing agenda item on committee meetings to inform committee members who have had three consecutive unexcused absences.

Mr. William Lewis stated that after reviewing the prices of airline fares booked through CDFA versus the prices booked individually, the prices were significantly higher through CDFA. Mr. Lewis stated he believes in order to lower expenses; committee members should have the option to book their own flights. Mr. Jensen stated that members have the option to book their own flights; the reason CDFA flights are more expensive is because CDFA books flights with refund/cancellation options, which given the amount of changes to travel plans can be less expensive in the long run.

ITEM 9: MEMBER ROUNDTABLE DISCUSSION

Mr. Dale Whitney reported that market managers received a flyer stating do not accept Cash Value Vouchers (CVV) that state fresh, canned, and frozen on them. Discussion ensued regarding CVV.

Ms. Saltsman inquired on the number of vacancies in the CFMAC. Mr. Patton stated that he will be sending out a roster to the CFMAC.

Mr. Ellrott stated that he believes market enforcement is necessary, even if routine trainings are put in place for market managers.

Ms. Byers stated that being a farmer, she believes consumer education is important. Ms. Byers suggested that when selling livestock, poultry, and non-certifiable agricultural products in a Certified Farmers' Market, standards should be put in place.

ITEM 10: NEXT MEETING/AGENDA ITEMS

The next meeting is scheduled for January 20, 2010 at CDFA, 560 J Street, Suite 395, Sacramento, CA, from 10:00 a.m. - 3:00 p.m.

ITEM 11: ADJOURNMENT

MOTION: Mr. Ellrott moved to adjourn the meeting at 1:20 p.m. Ms. Saltsman seconded. The motion passed unanimously. The meeting was adjourned at 1:20 p.m. by the chairperson.

Respectfully submitted by:

Steve Patton, Supervisor
Certified Farmers' Market Program
Inspection and Compliance Branch