



**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
CERTIFIED FARMERS' MARKET ADVISORY COMMITTEE (CFMAC)**

**October 5, 2020
Teleconference
Meeting Minutes**

MEMBERS PRESENT

Ann Filmer
Ben Palazzolo – Vice Chair
Carla Rosin
Cynthia Ojeda
David Runsten
Ed Williams
James Murez
Karen Wetzel Schott – Chair
Kurt Floren
Lulu Meyer
Oscar De Leon
Phillip Rhodes
Portia Bramble
Suzi Grady
Tyler Thayer

MEMBERS ABSENT

Joyce Chan
Paul Stonebarger
Susan Hutchinson

CDFA

Jennifer Leidolf
Marcee Yount
Maria Tenorio Alfred
Mitchell King
Steve Patton
Thomas Osborn

ITEM 1: CALL TO ORDER

The meeting was called to order by Karen Wetzel Schott, Chair at 10:04 a.m.

ITEM 2: ROLL CALL/INTRODUCTIONS

Roll was called by Mitchell King and a quorum was established. Introductions were made. It was noted that Lulu Meyer would serve as a voting member in the absence of Joyce Chan and that Cynthia Ojeda would be serving as a voting member until the arrival of Ben Palazzolo. Vice Chair Palazzolo joined the meeting at 10:57 a.m., during Agenda Item 8.

ITEM 3: ELECTION OF OFFICERS

Maria Tenorio Alfred opened the floor for nominations for Chair.

MOTION: James Murez nominated Karen Wetzel Schott for Chair. Cynthia Ojeda seconded the motion. A vote by roll call was taken. The motion passed unanimously.

Chair Schott opened the floor for nominations for Vice Chair. There was a period of discussion regarding perspective nominees and their willingness to serve in the role.

MOTION: James Murez nominated Ben Palazzolo for Vice Chair. Karen Wetzel Schott seconded the motion. A vote by roll call was taken. The motion passed with Suzi Grady, David Runsten, Oscar De Leon, James Murez, Lulu Meyer, Karen Wetzel Schott, Tyler Thayer, Cynthia Ojeda, Kurt Floren, and Ann Filmer in favor, and Phillip Rhodes opposed.

ITEM 4: VACANCIES & TERMS REPORT

King provided the Vacancies and Terms Report. Tenorio Alfred noted that a press release would be published soon.

Discussion ensued regarding outreach efforts for CFMAC.

ITEM 5: PUBLIC COMMENTS

There were no public comments.

ITEM 6: FEBRUARY 26, 2020 MEETING MINUTES

Chair Schott requested a motion to approve the February 26, 2020 Meeting Minutes.

MOTION: James Murez moved to approve the February 26, 2020 Meeting Minutes as presented. Dave Runsten seconded the motion. A vote by roll call was taken. The motion passed, with Cynthia Ojeda and Ann Filmer abstaining.

ITEM 7: FUND CONDITION

Tenorio Alfred presented the Fund Condition. Tenorio Alfred explained that the report for the final month in Fiscal Year (FY) 2019/2020 had not been closed out and therefore the Fund Condition was a projection. As of June 30, 2020, the beginning fund balance was \$1,826,265, total revenue was \$1,437,271, available cash was \$3,263,536, total expenditures were \$1,537,376, with a cash adjustment of \$86,174 for an ending balance of \$1,639,986.

There was a period of discussion regarding revenue, expenditures, and cash adjustments. Thomas Osborn explained the impact of Pro Rata adjustments in the Fund Condition.

ITEM 8: MARKET TRENDS/HEALTH OF INDUSTRY

Tenorio Alfred presented information on Market Trends/Health of Industry. Tenorio Alfred stated that between 2016 and 2019, there was a downward trend in both the average number of Certified Farmers' Markets (CFM) and the number of Certified Producer Certificates; from 733 to 671 and from 3,207 to 2,634 respectively. Tenorio Alfred also noted that annual CFM revenue was relatively stable, having been \$1,448,806 in 2016; \$1,439,457 in 2017; \$1,557,759 in 2018; and \$1,419,204 in 2019. According to Tenorio Alfred, approximately 15 new CFMs opened throughout

California during the COVID-19 pandemic, and there are still many direct marketing opportunities available.

James Murez asked Tenorio Alfred if it was possible to break the data presented into a month-by-month display in a future meeting to show whether there is a trend of new markets or new producers joining the industry during particular times of the year to better identify trends.

Tenorio Alfred stated that efforts to further break down the data can be made, but it may not be possible until the Program has a more robust database.

Suzi Grady asked Tenorio Alfred to explain the data on annual CFM revenue. Tenorio Alfred explained that this data is based on the two-dollar fee collected for every vendor at each CFM, per market day. Revenue also includes late fees, penalties, and actions taken by the Program.

There was further discussion regarding whether there could be a breakdown of data on CFMs by county to show whether there may be an oversaturation of markets in some areas of the state. Portia Bramble noted that the California Alliance of Farmers' Markets may be able to assist with a survey of CFM operators and an analysis of the industry. Bramble offered to bring this idea before the California Alliance of Farmers' Markets.

Tyler Thayer asked if it would be possible to show how many new Certified Producer Certificates are issued compared to how many have not been renewed to show how many producers are being lost to the industry. This led to some discussion about how this data would be gathered. Steve Patton asked for input from both Kurt Floren and Ed Williams. Floren stated that this data is currently not tracked, but it could be. However, Floren expressed concern about whether this data may be misleading depending on how long producers have been in the industry. Floren suggested limiting the data to producers that have been active for multiple years in the industry. Williams agreed with Floren's assessment.

ITEM 9: ENFORCEMENT UPDATES/PESTICIDE PILOT PROJECT

Tenorio Alfred presented the Enforcement Updates. Currently there are approximately 2,800 certified producers and 670 CFMs throughout the state. Tenorio Alfred further noted that over 1,200 CFM inspections are conducted annually.

During FY 2019/20, there were a total of 64 Notices of Proposed Action (NOPA) issued. Of these, 32 were for selling products not of own production, 14 were for an unsealed scale, five were for operating a CFM without a valid certificate, three were related to organic registration, and other miscellaneous violations.

There were also 759 Notices of Non-Compliance (NNC) issued. Of these, the most egregious were listed as: 31 were for selling products not of own production, 48 were for producer not having a valid certificate, 42 were for an unsealed scale, and 58 were for not having an organic registration posted.

There was a period of discussion regarding the data presented. Several members of the committee voiced concern about the flagrant violations at CFMs.

Jennifer Leidolf presented information on the Pesticide Pilot Project. Leidolf explained that since the CFMAC approved the Pesticide Pilot Project, the 10 counties with the most CFMs have been chosen to help collect 50 samples for the project. Leidolf stated that the 10 counties were Alameda; Contra Costa; Los Angeles; Orange; Riverside; Sacramento; San Diego; San Mateo; Santa Clara; and Sonoma.

Vice Chair Palazzolo thanked Leidolf for the update and asked when the 50 samples will be collected and whether the project will run through to the end of the FY. Leidolf answered that it is difficult to say when the samples will all be collected; the counties have been encouraged to use the samples available sparingly and that the pilot project will be completed by the end of FY 2020/21.

ITEM 10: PROPOSED REGULATIONS/DATABASE UPDATES

Tenorio Alfred informed the committee that the proposed regulations have been approved by the Office of Administrative Law and have been filed with the California Secretary of State. Tenorio Alfred thanked the committee and the industry for their input on the draft regulations during their development. Tenorio Alfred stated that the new regulations would become effective January 1, 2021.

Tenorio Alfred stated that the Direct Marketing Program plans to have training sessions throughout the state with counties to update them on the new regulations and sent a FAQ document to market managers with the quarterly remittance forms. Tenorio Alfred also said that program plans to provide a PowerPoint online to allow access to information on the new regulations. Murez suggested translating these new documents into Spanish to allow for a broader audience. There was a period of discussion about how the new regulations will be shared with members of industry and market operators. Oscar De Leon volunteered to assist the Direct Marketing Program with translating documents into Spanish if needed.

Tenorio Alfred also provided information on the current database project. Tenorio Alfred informed the committee that CDFA's Office of Information Technology Services (OITS) has received approval to construct the database and expects to have a minimum viable product available within five months of beginning construction. OITS has provided both a timeline and costs for the development of the database. The minimum viable product will cost \$255,000 and the full product will cost \$426,000. Tenorio Alfred then described some of the features of the database as a minimum viable product and its features with future developments. Discussion ensued regarding the features and functionalities available in the database once it has been built.

The next Database Subcommittee was scheduled for November 9, 2020.

Murez asked Tenorio Alfred if it would be necessary for the committee to make a motion approving the Direct Marketing Program to move forward with developing the database with OITS. Patton stated that in order to make the motion clear, a dollar amount for spending on the database should be included in the motion. A brief discussion on the amount to be included occurred.

MOTION: James Murez moved to support moving forward with the construction of the Database with a funding amount not to exceed \$500,000. Karen Wetzel Schott seconded the motion as amended. A vote by roll call was taken, the motion passed unanimously.

ITEM 11: DIRECT MARKETING DURING THE PANDEMIC

Tenorio Alfred provided an update on the Direct Marketing Program during the COVID-19 pandemic and thanked members of the industry for adapting quickly to the changing circumstances. Tenorio Alfred also discussed some of the challenges the Direct Marketing Program has encountered during the pandemic. There was discussion regarding formally thanking members of industry. De Leon stated that market managers should be thanked for their hard work during the pandemic.

Vice Chair Palazzolo asked about providing Personal Protective Equipment (PPE) and respirators to farms and farm workers throughout the state during the pandemic and fires. Floren briefly explained that while efforts were being made to provide PPE to farms and farm workers, these efforts have faced logistical challenges, including ensuring that masks meet the standards of the Occupational Safety and Health Administration. There was also discussion of the impact of market shutdowns due to smoke on farmers. Phillip Rhodes noted that this had caused frustration for small farmers.

Grady asked if it would be possible to restate that market managers are implementing the regulations put forward by the state during the pandemic. Grady's concern is that some markets have seen individuals who do not wish to wear masks. Patton explained that mask wearing falls outside of the purview of CDFA and that CDFA has only provided guidelines, which were obtained from the California Department of Public Health. Murez described having posted additional rules at CFMs to inform the public that they are expected to wear masks if they wish to shop at the market. Several other members of the committee expressed concern about masks at markets.

ITEM 12: FUTURE AGENDA ITEMS

Rhodes suggested a future agenda item regarding a standard approach to closing markets due to air quality concerns.

Murez and Vice Chair Palazzolo suggested a future agenda item regarding the progress of the database as well as an agenda item to address updates to the Market Manager Manual.

Murez also suggested an item on the updated regulations.

Grady suggested an update to educate the public about the safety of eating produce after ash from fires has settled on it. There has been concern among consumers regarding the effects of smoke and ash on produce.

ITEM 13: NEXT MEETING

The next meeting will be held on March 1, 2021.

ITEM 14: ADJOURNMENT

The meeting was adjourned at 12:40 p.m. by Chair Schott.

Respectfully submitted by:



Maria Tenorio Alfred, Program Supervisor
Direct Marketing Program
Inspection and Compliance Branch
Inspection Services