



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

**January 24, 2013 Meeting Minutes  
800 Asilomar Blvd.  
Pacific Grove, CA 93950**

**MEMBERS PRESENT**

Garff Hathcock, Chairman  
Melody Meyer, Vice-Chair  
Steve Demuri  
Blake Alexandre  
Thomas Azwell  
Stacy Carlsen  
Mary Anne Hanthorn  
Sean Swezey  
Karen Klonsky  
Michelle Dennis  
Pat Kennelly  
Ione Conlan  
Jenny Lester Moffitt  
John Ashby  
Steven Sherman  
John Foster

**MEMBERS ABSENT**

Lauree Bradley  
David Will  
Sandra Schmaier  
Thomas Chapman  
Mindee Jeffery

**CDFA**

Rick Jensen  
Brian Cote  
Sarah Cardoni  
Paul Collins  
David Carlson  
Scott Renteria

**INTERESTED PARTIES**

Ray Green, Go Green Consulting  
Alexis Randolph, QAI  
Heather Weightman, Ocean Beach  
People's Organic Food Co-op  
Brise Tencer, CCOF  
Cathy Calfo, CCOF  
Robin Allan Foster, CCOF  
Carmela Beck, Driscoll's  
Shayla Neufeld, Monterey County  
Helena Roberts, Santa Clara County  
Ellen Roggemann, McEvoy Ranch

**ITEM 1: INTRODUCTIONS**

The Committee was called to order at 1:01 p.m. by Ms. Melody Meyer, Chairperson. Roll was called, a quorum was established, and self introductions were made.

**ITEM 2: ELECTION OF OFFICERS**

The floor was opened for nominations.

**MOTION:** Ms. Melody Meyer nominated Mr. Garff Hathcock as Chairman. Mr. John Ashby seconded the motion. The motion passed unanimously and Mr. Hathcock was appointed Chairman of the COPAC.

**MOTION:** Ms. Karen Klonsky nominated Ms. Meyer as Vice-Chairman. Ms. Ione Conlan seconded the motion. The motion passed unanimously and Ms. Meyer was appointed Vice-Chairman of the COPAC.

**ITEM 3: PUBLIC COMMENTS**

This agenda item was moved to the end of the meeting.

**ITEM 4: REVIEW AND APPROVAL OF MAY 9, 2012 MEETING MINUTES**

**MOTION:** Ms. Meyer moved to approve the May 9, 2012 Meeting Minutes with the correction that Jenny Lester Moffitt was in attendance. Mr. Blake Alexandre seconded the motion. The motion passed unanimously.

**ITEM 5: REVIEW AND APPROVAL OF SEPTEMBER 12, 2012 MEETING MINUTES**

**MOTION:** Mr. Alexandre moved to approve the September 12, 2012 Meeting Minutes with the correction that Sean Swezey was in attendance. Ms. Meyer seconded the motion. The motion passed unanimously.

**ITEM 6: CALIFORNIA DEPARTMENT OF PUBLIC HEALTH (CDPH) UPDATE**

Mr. Patrick Kennelly provided a CDPH update. He reported that 2,037 registrants are currently registered with CDPH, an increase of approximately 150 registrants from the prior year. Since the last reporting period, CDPH has received 11 complaints. There is a mixture of both unsubstantiated and substantiated complaints. The nature of the complaints include: labeling; representation; use of prohibited substances; misbranded products; and falsified organic certification documents.

**ITEM 7: STATE ORGANIC PROGRAM UPDATE**

I. Vacancy Announcements

Ms. Sarah Cardoni provided a vacancy report. Vacancies include: five producer alternates; one wholesale distributor alternate; one processor alternate; one environmental representative alternate; one technical representative alternate; and one consumer representative alternate.

II. Revenue from Registration

Mr. David Carlson provided an overview of the SOP revenue from registration by month and year. The projection is that the program will collect roughly \$1.3 million dollars in revenue from registration by the end of the fiscal year.

III. New Registrations

Mr. Carlson provided an overview of new registrant demographics. From July 2012 through December 2012 there have been 183 new registrants, 18 less than the prior year. The vast majority of the new registrants are producers, followed by handlers, dairy and livestock, retail operations, and commission merchants, respectively. Projected number of registrants for FY 2012/13 is 436 registrants.

#### IV. Complaint Report

Mr. Brian Cote provided an overview of the complaint report. From July 1, 2012, through December 1, 2012, the SOP received a total of 27 complaints. There are currently 12 active complaint reports, with five active for over 120 days.

#### V. Appeals Report

Mr. Cote provided the appeals report. These records are from 2007, when the appeals regulations were promulgated until the present. As of December 1, 2012, the SOP has received 26 appeals. Of the 26 appeals received, 18 have been resolved. Out of the twelve active appeals, four have been active for over 120 days. Seven of the active appeals are currently being reviewed by CDFA's Hearing Officer and the other was referred to the Department of Justice.

#### VI. Spot Inspection Report

Mr. Cote provided the organic spot inspection activity report. For the reporting period July 2012 through December 2012, approximately 333 spot inspections were conducted, resulting in 31 violations. The majority of the violations were found at CFMs.

Mr. Swezey inquired on the frequency of residue analysis testing during spot inspections. Mr. Cote stated that the SOP is contracted with CDFA's Center for Analytic Chemistry Branch for a set number of tests per fiscal year. SOP staff work with County Agricultural Commissioner's to identify and collect the samples.

Mr. Stacy Carlsen stated that the California Department of Pesticide Regulation (CDPR) is now detecting residue samples in parts per trillion and this could create a dilemma. The reporting of that data to the public is going to generate an additional layer of concern or discussions on this topic. He stated that CDPR is working on a guideline policy on how they will interpret the lowest levels in terms of enforcement.

**MOTION:** Mr. John Ashby moved to form a subcommittee that will look at issues of sensitive residue analysis, such as enforcement, how the National Organic Program (NOP) is responding to the issue, and to come up with a recommendation. Ms. Meyer seconded the motion. Members are: Mr. Swezey; Mr. Carlsen; Mr. Ashby; Ms. Michelle Dennis; and Ms. Jenny Lester Moffitt. The motion passed unanimously.

#### VII. Residue Analysis Report

This agenda item was discussed concurrently with the spot inspection report.

#### VIII. Database Implementation

Mr. Cote discussed the progress of the SOP's transition to an online database and accounting system. The online database is slated to go live in March 2013. SOP staff will be training with county agricultural commissioners and accredited certifying agents on the transition into the new online system.

### **ITEM 3: PUBLIC COMMENTS**

Ms. Alexis Randolph, Quality Assurance International (QAI), stated that there is a need and desire for a certifier position on the COPAC. In regard to the residue analysis testing and reporting, it is imperative that the SOP and the NOP are consistent in the enforcement levels that are set.

Mr. Rick Jensen stated that CDFA will be hosting two outreach sessions for the United States Food and Drug Administration (FDA) on the Food Safety Modernization Act (FSMA). The sessions will be held in Tulare and Woodland in April 2013. To assist small farmers, the Department has secured a special crop block grant and has developed a small farm good agricultural practices (GAP) training program. This program has developed a GAP handbook that was translated into seven different languages, as well as hosted multiple training sessions throughout the state.

Ms. Conlan stated that organic farmers feel that there is too harsh of competition with conventional farmers at certified farmers' markets (CFM). Furthermore, they feel there is unfair competition between small local organic producers and producers of larger operations who travel long distances to multiple CFMs. Mr. Cote responded that the CFM Advisory Committee would be a good avenue to direct these concerns.

### **ITEM 8: PENALTY MATRIX SUBCOMMITTEE**

Mr. Cote provided the committee with a brief introduction of the penalty matrix topic. He stated that a student intern assisted in drafting a penalty matrix based on NOP's penalty matrix by identifying sections of the Food and Agricultural Code (FAC) in which a violation would result in a penalty. A subcommittee needs to be formed to review the draft penalty matrix and make a recommendation on a completed penalty matrix.

**MOTION:** Ms. Meyer moved to form a subcommittee to review a penalty matrix and to provide a recommendation to the COPAC. Mr. Ashby seconded the motion. Members are: Mr. Hathcock; Mr. Carlsen; Ms. Meyer; Mr. Steven Sherman; Ms. Alexis Randolph, QAI; and Ms. Robin Allan Foster, California Certified Organic Farmers (CCOF). The motion passed unanimously.

### **ITEM 9: NATIONAL ORGANIC PROGRAM STANDARDS BOARD UPDATE**

This item was not discussed.

### **ITEM 10: NEW ITEMS**

There were no new items discussed.

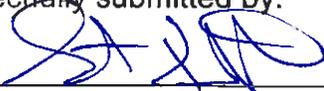
### **ITEM 11: NEXT MEETING**

The next meeting will be held in May 2013 in Sacramento.

**ITEM 12: ADJOURNMENT**

The meeting was adjourned at 2:58 p.m. by Mr. Hathcock, Chairperson.

Respectfully submitted by:



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Steve Patton, Branch Chief  
Inspection and Compliance  
Inspection Services