



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

**May 9, 2012 Meeting Minutes  
2800 Gateway Oaks Drive  
Sacramento, CA**

**MEMBERS PRESENT**

Melody Meyer, Chair  
Garff Hathcock, Vice Chair  
Blake Alexandre  
David Will  
Larry Hirahara  
Melody Meyer  
Lauree Bradley  
Karen Klonsky  
Michelle Dennis  
Sandra Schmaier  
Ione Conlan  
Jenny Lester Moffitt  
Thomas Chapman  
Steven Sherman  
Sean Swezey

**MEMBERS ABSENT**

Steve Demuri  
Ann King Filmer  
Janice Woodhouse  
Michael Sencer  
Thomas Chapman  
Thomas Azwell  
Martin Guereña  
Mary Anne Hanthorn  
Emma Laskey  
Pat Kennelly  
Stacy Carlsen

**CDFA**

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

**INTERESTED PARTIES**

Mark Griffith, Interactive Consultancy  
Ray Green, Go Green Consulting  
Pat Matteson, California Department of  
Pesticide Regulation  
Jaclyn Bowen, QAI  
Sonia Acuna Rubio, QAI

**ITEM 1: INTRODUCTIONS**

The Committee was called to order at 10:05 a.m. by Ms. Melody Meyer, Chairperson. Roll was called, a quorum was ultimately established, and introductions were made.

**ITEM 2: PUBLIC COMMENTS**

Ms. Ione Conlan stressed the importance of educating certified farmers' market (CFM) consumers that not all products sold at a CFM are organic. The term "certified" in CFM relates to the certification of the market by the California Department of Food and Agriculture (CDFA) and county agricultural commissioners, not the organic status of the products offered for sale by producers. Mr. Steve Patton explained that California farmers may transport for sale and sell California-grown fresh fruits, nuts, and vegetables that they produce, directly to the public at a CFM. Accordingly, not all of the products offered for sale at a CFM are organic.

Ms. Melody Meyer inquired in regard to the United States v. Peter Townsley and whether CDFA's State Organic Program (SOP) and/or the Feed, Fertilizer, and

Livestock Drug Regulatory Services (FFLDRS) Branch would be providing testimony. Mr. Patton stated that the SOP and FFLDRS will be providing a statement to the federal judge presiding over this case in regard to the detrimental impact of Mr. Townsley's actions on the organic industry.

### **ITEM 3: REVIEW AND APPROVAL OF FEBRUARY 2, 2012 MEETING MINUTES**

**MOTION:** Mr. Blake Alexandre moved to approve the February 2, 2012 Meeting Minutes as submitted. Ms. Michelle Dennis seconded. The motion passed unanimously.

### **ITEM 4: CALIFORNIA DEPARTMENT OF PUBLIC HEALTH UPDATE**

Mr. David Carlson provided the California Department of Public Health's (CDPH's) update on behalf of Mr. Patrick Kennelly. Mr. Carlson reported that 1,948 registrants are currently registered with CDPH. Since the last reporting period, CDPH has received four complaints. Out of the four complaints, two were unsubstantiated, one is still being investigated, and one was resolved (the operation successfully registered with CDPH).

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

#### I. Vacancy Announcements

Ms. Sarah Cardoni provided a vacancy report. Currently, there is one producer member vacancy, three alternate producer member vacancies, one alternate processor vacancy, and one alternate retail representative vacancy. In addition, approximately half of the terms will expire on October 31, 2012.

#### II. Revenue from Registration

Mr. Brian Cote provided an overview of the SOP revenue from registration by month and year. From July 2011 through February 2012, the SOP collected \$787,991 in revenue and is projected to collect \$1,173,264 in revenue from registration by the end of the fiscal year (FY).

#### III. New Registrations

Mr. Cote provided an overview of new registrant demographics. From July 2011 through February 2012, there have been 251 new registrants. The vast majority of the new registrants are producers, followed by handlers, commission merchants, and retail operations.

#### IV. Complaint Report

Mr. Paul Collins provided an overview of the complaint report. From July 2011 through March 1, 2012, the SOP received a total of 23 complaints. There are six active complaints with two complaints active 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 March 31, 2012, the SOP has received 18 appeals. Of the 18 appeals received, 15 have been resolved and three are currently active. Two of the active appeals are currently being reviewed by CDFA's Hearing Officer and the other active appeal is set to be heard by the Office of Administrative Hearings on September 25, 2012 in Van Nuys, California.

#### VI. Spot Inspection Report

Mr. Cote provided the Organic Spot Inspection Program Report. For the reporting period July 1, 2011 through March 1, 2012, approximately 366 spot inspections were conducted, resulting in 43 violations. In order to ensure consistency throughout the counties, the SOP conducted 40 harmonized spot inspections with county staff. The majority of the violations were found at CFMs.

#### VII. Residue Analysis Report

Mr. Scott Renteria provided the residue analysis report. Since the beginning of the FY until the March 1, 2012, there have been a total of 10 samples pulled by SOP and county staff. Prohibited substances were detected on three of the samples and were assigned for investigation to determine the source of contamination.

#### VIII. Database Update

Mr. Collins discussed the progress of the SOP's transition to an online database and accounting system. The SOP contracted with Interactive Consultancy to develop the new database and has been holding application design sessions with the vendor since November 2011. Mr. Collins introduced Mr. Mark Griffith, the lead consultant for Interactive Consultancy responsible for the project. Mr. Griffith provided an overview of the online database and accounting system. The Committee had several recommendations for improving the public and user accessibility, which were noted by the SOP and the developer.

### **ITEM 6: STATE ORGANIC PROGRAM BUDGET APPROVAL**

An overview of the SOP's budget and fund condition were provided to the Committee. Mr. David Will suggested that the Program spend more of its reserve on enhanced enforcement. The Program will provide enhanced enforcement models to the Committee over the next several meetings. Mr. Patton requested that the Committee approve the proposed FY 2012/13 budget of \$1,325,515.

**MOTION:** Mr. Alexandre moved to recommend approval of the FY 2011/12 proposed budget as submitted. Ms. Hathcock seconded. The motion passed unanimously.

**ITEM 7: NATIONAL ORGANIC PROGRAM STANDARDS BOARD UPDATE**

This item was not discussed.

**ITEM 8: NEW ITEMS**

Mr. Hathcock discussed the industry's concerns with Asian citrus psyllid (ACP). The organic industry is attempting to develop an organic treatment for ACP. At this point, such attempts have been unsuccessful. Mr. Cote provided an overview of an April 6, 2012, memorandum issued by the SOP. In regard to ACP, when a prohibited substance is applied to a certified organic operation under the authority of CDFA's "Proclamation of an Emergency Program Regarding ACP" and the certified organic operation otherwise meets all federal and state organic statutes and regulations, the certification status of the operation shall not be affected as a result of the application of the prohibited substance provided that CDFA or a duly authorized representative has performed the treatment, and any harvested crop or plant part to be harvested that has contact with a prohibited substance applied as the result of a federal or state emergency pest or disease treatment program is not sold, labeled, or represented as organically produced. The Committee requested that an individual from Plant Health and Pest Prevention Services provide an overview of ACP's impact on the industry at the next advisory committee meeting.

Ms. Meyer announced that the Organic Trade Association is providing a forum for a federally regulated marketing order under the United States Department of Agriculture in order to distinguish organic products in the marketplace, increase demand, and enhance consumer education.

**ITEM 10: NEXT MEETING/AGENDA ITEMS**

The next meeting will be held in September 2012. Agenda items to be included are a discussion in regard to ACP and opportunities for enhancing organic enforcement.

**ITEM 11: ADJOURNMENT**

The meeting was adjourned at 1:07 p.m. by Ms. Meyer, Chairperson.

Respectfully submitted by:

  
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Steve Patton, Chief  
Inspection and Compliance  
Inspection Services