

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

**Meeting Minutes  
January 24, 2008  
Pacific Grove, CA**

**MEMBERS**

Blake Alexandre  
Garff Hatchcock  
James Rickert  
Larry Hirahara  
John Foster  
John Ashby  
Sajeemas Pasakdee  
Karen Klonsky  
Sean Swezey, Chair  
Melody Meyer  
Pat Kennelly  
Julie Spandow  
Aaron Turner  
Stacy Carlsen

**ALTERNATES MEMBERS**

Greg Raumin  
Thomas Chapman

**CDFA**

Rick Jensen  
Susan Shelton  
Ray Green  
Dave Carlson  
Pierre Labossiere

**INTERESTED PARTIES**

Jeffery Stiles, Marin County Department of Agriculture  
Thomas Quick, Grow More, Inc.  
Tim Stemwedd, California Organic Fertilizers  
Deborah Stemwedd, California Organic Fertilizers  
Caren Wilcox, Organic Trade Association  
Bryce Lundberg, Lundberg Family Farms  
Stephanie Alexandre, Alexandre EcoDairy Farms  
Will Dainiels, Earthbound Farm/CCOF  
Mary Mulky, Foodwise, Inc.  
Gay Timmons, Oh, Oh Organic, Inc.  
Judy Low, Molric Creek Farm  
Juan Hidalgo, Santa Cruz County Agriculture  
Patricia J. Smith, SCS  
Doug Graham, New Era Farm Service  
Isaac Nelson, Port Organic Products  
Carmela Beck, DSA  
Robin Allan, CCOF  
Stephen P. Pavich  
Jake Lewin, CCOF  
Erick Schmidt, Biosphere Technologies  
Luke C. Blotsky, Global Organics  
Michael L. Lindsey, Global Organics  
Chris Simas, The Tremont Group  
Cynthia Ortegon, CCOFPT RSR  
Steve Beckley, OFAC  
Gerry Wiley, ASCO  
Katherine Borchard, ASCO

**ITEM 1: INTRODUCTIONS**

The meeting was called to order at 1:07 p.m. A quorum was established and introductions were made.

**ITEM 2: APPROVAL OF MINUTES**

**MOTION:** Mr. Blake Alexandre moved to approve the October 24, 2007 Meeting Minutes as amended. Mr. John Ashby seconded. The motion passed unanimously.

***A copy of the October 24, 2007 Meeting Minutes are attached as EXHIBIT A.***

### **ITEM 3: CDFA UPDATES: LIGHT BROWN APPLE MOTH (LBAM)**

Mr. Stacy Carlsen reported that the California Department of Food and Agriculture (CDFA) issued a *Questions and Answers* press release on January 23, 2008, which addresses many of the issues related to the treatment programs developed by the United States Department of Agriculture (USDA) and the CDFA. The Light Brown Apple Moth Program is considered an eradication project and is being funded primarily by the federal government.

The press release identifies Monterey, Santa Cruz, San Mateo, Contra Costa, San Francisco, and Marin as infested counties subject to the proposed eradication plan. The proposal includes aerial treatment using pheromones, ground treatment using pheromones, Spinosad/Bacillus thuringiensis organic treatments for larva control, and releasing egg parasite wasps in areas with high levels of infection.

The protocol for each infected county is uncertain. Monterey and Santa Cruz counties intend to use aerial applications of pheromones due to prior experience. The USDA is experimenting with three new pheromone formulations. The eradication activities will not commence until the late summer in order to determine which application is working best and to consider the environmental impact. The pheromones do not have an impact on organic certification.

### **ITEM 4: ORGANIC PROGRAM REPORTS**

Mr. Ray Green presented a brief history and outline of the California Organic Program. Subsequently, Mr. Green reported on the reorganization of the Organic Program. The mandate of the program is to ensure compliance with National Organic Program regulations in California. The program goals include, increasing compliance within the industry, increasing enforcement, improving the utilization of resources, and increasing industry confidence in the program.

Mr. Dave Carlson provided reports on the 2007 New Organic Program Registrations, Complaints from January 1, 2007 to December 31, 2007, County Spot Inspections for 2007, and Residue Analysis for 2007. The committee members asked Mr. Carlson to include totals as well as provide receipt and resolution dates in future complaint logs.

The committee took a ten-minute break at 2:35 p.m. and reconvened at a 2:45 p.m.

***A copy of the 2007 Complaint Log is attached as EXHIBIT B.***

***A copy of Organic Program Reorganization Update is attached as EXHIBIT C.  
A copy of the Registration Form for the CDFA Organic Program is attached as EXHIBIT D.***

***A copy of the 2007 New Organic Program Registrations report is attached as EXHIBIT E.***

**ITEM 5: CALIFORNIA DEPARTMENT OF PUBLIC HEALTH (CDPH) REPORT – PAT KENNELLY**

Mr. Pat Kennelly provided reports on organic product registrations and CDPH complaints for 2007. According to Mr. Kennelly, the estimates provided in the report are on the low side and are provided by registrants. However, the report illustrates the volume and breadth of organic products. Mr. Kennelly subsequently provided an overview of organic trends and suggested that they are moving in a positive direction.

According to Mr. Kennelly, the 2007 CDPH Complaint Log documents the types of complaints received and whether they were substantiated. Mr. Kennelly conveyed that the majority of the findings indicate that there is a correlation between misunderstanding industry guidelines and violations. The committee asked Mr. Kennelly to provide receipt and resolution dates in future complaint logs.

**ITEM 6: MEMBER REPORTS**

Ms. Melody Meyer reported on the status of the 2007 Farm Bill. According to Ms. Meyer, there are two versions of the 2007 Farm Bill that require US Senate and US House of Representatives reconciliation. Ms. Meyer also provided information and resources to contact elected federal representatives.

Mr. Ashby voiced concerns over non-organic foods being portrayed as organic products. Mr. Ashby is concerned that the latter mentioned phenomenon may reduce demand for organic products.

Ms. Meyer asked members to give opinions on how natural labeling may influence the organic food industry.

Ms. Julie Spandow discussed issues related to the California Organic Products Act of 2003 and restaurant menu advertising.

**ITEM 7: PUBLIC COMMENTS**

An unidentified member of the public explained that she received notification of the COPAC meeting a week in advance and suggested that the committee plan to notify interested parties earlier.

Ms. Gay Timmons of Organic and Sustainable Industry Standards (OASIS) invited the committee members to comment on the movement toward providing a standard definition of organic cosmetics.

**ITEM 8: NEWS ITEMS**

None.

**ITEM 9: ADJOURNMEENT**

The meeting adjourned at 3:36 p.m.

Respectfully submitted by:

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Ray Green, Supervisor  
California Organic Program  
Inspection and Compliance Branch  
Inspection Services

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

**Meeting Minutes  
October 24, 2007  
Sacramento, CA**

**MEMBERS**

Blake Alexandre  
Larry Hirahara  
Steve DeMuri  
James Rickert  
Lauree Bradley  
Sajeemas Pasakdee  
Sean Swezey  
Stacy Carlsen  
Karen Klonsky  
Julie Spandow  
Pat Kennelly

**ALTERNATES MEMBERS**

Gary Edwards (Voting Alternate)  
Melody Meyer (Voting Alternate)  
John Ashby (Voting Alternate)  
Myron Cooper  
Martin Guerena

**INTERESTED PARTIES**

Pablo Guzman, CCIA  
John Armstrong, CA Gros. Assn  
Doug Graham, OFAC  
Isaac Nelson, OFAC  
M. Treleven

**CDFA**

Nate Dechoretz  
Ray Green  
David Carlson  
Asif Maan  
Carol Roberts

**ITEM 1: INTRODUCTIONS**

The meeting was called to order at 10:10 a.m. A quorum was established, and introductions were made.

In the absence of Ms. Gay Timmons, Chair, Dr. Sean Swezey, Vice-Chair, conducted the meeting.

**ITEM 2: APPROVAL OF MEETING MINUTES**

“Mr. John Ashby stated this is an actual tightening of the standard, and not a loosening as most media have portrayed”, was added under the member reports to the August 15, 2007 meeting minutes.

**MOTION:** Mr. Blake Alexander moved the minutes be approved as amended. Mr. Ashby seconded the motion. The motion passed unanimously.

**ITEM 3: CDFA Updates: Light Brown Apple Moth (LBAM), Fertilizer, and Fruit Fly**

Mr. Asif Maan, Branch Chief of Feed, Fertilizer, Livestock Drugs, and Egg Regulatory Services Branch (FFLDERS), gave an overview presentation of his branch. FFLDERS is comprised of the following programs: Feed & Livestock Drug Inspection, Fertilizer Materials Inspection, Shell Egg Quality Control, and Office Support Staff.

The representative from the Light Brown Apple Moth Program was unable to attend. No update of the program was provided.

Mr. Ray Green stated a different CDFA program would give a presentation at each future meeting.

#### **ITEM 4: ORGANIC PROGRAM REPORTS**

Mr. Green and Mr. Dave Carlson gave reports on the Organic Program, which included the following: Revenue History, Graph of Revenue Growth, Complaint Log, and Organic Program Enforcement Activities.

***A copy of Revenue History, Revenue Growth, Complaint Log, and Enforcement Activities are attached to these minutes and labeled as EXHIBIT A, B, C, and D respectively.***

#### **ITEM 5: COPAC NOMINATIONS APPROVAL**

It was explained the committee does not decide the appointments of committee members; however, COPAC can make recommendations to the Secretary. Dr. Swezey stated alternate members who have been supportive by regularly attending meetings should be considered first for appointments as voting members. Appointments are for three years, unless otherwise noted.

Mr. Green explained to the committee both Mr. Hunter Nadler and Ms. Timmons sent correspondence withdrawing their reappointment requests.

The committee recommends removal of Mr. Brian McElroy from all categories except Wholesale Representative.

**MOTION:** Ms. Lauree Bradley moved to recommend the appointment of Mr. David Will, Mr. Garth Hathcock and Mr. John Foster as Producer Representatives. Mr. Ashby seconded. The motion passed unanimously.

**MOTION:** Mr. Larry Hirahara moved to recommend the appointment of Ms. Melody Meyer as Wholesale Representative and Mr. Brian McElroy as alternate. Mr. Alexandre seconded. The motion passed unanimously.

**MOTION:** Dr. Swezey moved to recommend the appointment of Mr. Steve DeMuri for two years, Mr. Ashby for three years as Processor Representatives, and Mr. Myron Cooper as alternate. Ms. Sajeemas Pasakdee seconded. Mr. Ashby abstained. The motion passed with one abstention.

**MOTION:** Dr. Swezey moved to recommend the appointment of Ms. Bradley for Retail Representative. Mr. Gary Edwards seconded. Ms. Bradley abstained. The motion passed with one abstention.

**MOTION:** Mr. Hirahara moved to recommend Ms. Julie Spandow for three years, Mr. Aaron Turner for two years as Consumer Representatives and Mr. Jack Young, Alternate. Mr. Alexandre seconded. Ms. Spandow abstained. The motion passed with one abstention.

#### **ITEM 6. CALIFORNIA DEPARTMENT OF PUBLIC HEALTH (CDPH) REPORT**

Mr. Pat Kennelly reported CDPH received ten complaints last year. They also have some issues in cosmetics. An employee of a Leafy Green Processor has tested positive for Shigella, and three others are being tested. The FDA and CDPH are moving forward with research on food safety as it relates to salad products. They have conducted several surveys and will be conducting more to evaluate the success of the current industry practices.

#### **ITEM 7. MEMBERS REPORTS**

Dr. Karen Klonsky discussed a Genetically Modified Organism (GMO) free report and gave a website address. [Lawyer@flaginc.org](mailto:Lawyer@flaginc.org)

#### **ITEM 8. MEMBERS DISCUSSION ITEMS: POSITIVE PRESS, GENETICALLY MODIFIED ORGANISMS (GMO'S), FARM BILL, SCIENTIFIC CERTIFICATION SYSTEMS', SUSTAINABLE STANDARDS, AND EPA CHANGE OF LIST 4.**

Ms. Meyers provided two handouts regarding GMOs. Mr. Ashby stated he thinks this will be the big issue of 2008. It is impossible to keep GMO's completely out of organic products. The Non-GMO Project is discussing the non-GMO verified label.

Mr. DeMuri reported he will attend the National Organic Standards Board (NOSB) meeting the end of the month. He stated there was a lack of comments during the public comment period, and he would like to receive some, especially regarding the sunset clause. The committee would like a report on the NOSB meeting at each COPAC meeting, and included it on the agenda.

Ms. Meyer reported on the 2007 Farm Bill. She stated there are currently no markups. She stated Senator Harkins wants to limit subsidies. The House and Senate versions will be different. She provided two handouts.

Mr. Green reported Scientific Certification Systems (SCS) is developing a draft standard for sustainable products. Mr. Stacy Carlson will be attending a stakeholders meeting and will report at the next COPAC. The committee requested the report be included on the agenda for the next meeting.

As Ms. Timmons was absent, Mr. Ashby addressed the issue of EPA change to List 4. He stated some substances been moved from List 4 to List 3. The EPA evaluation of all List 4 substances is not complete and others may be moved. List 3 is not allowed in organic. CDFA will agree with the determination of the National Organic Program (NOP).

Positive Organic Press - Mr. Ashby asked why the industry was silent about negative reports. The committee would like Secretary A. G. Kawamura to release a statement to the press regarding the industry. Mr. Nate Dechoretz said the program should submit reports to Public Affairs for approval. Dr. Swezey would like the Secretary on the agenda to address what he would approve. It was also decided COPAC needs a subcommittee to write a release. Mr. Dechoretz said he would explore the issue internally.

**ITEM 9: SET MEETING DATES FOR 2008**

The meeting dates for 2008 are as follows:

January 24, 2008 at Eco Farms, 1:30pm to 3:30pm  
May 7, 2008  
July 30, 2008  
October 24, 2008

Mr. Green will reserve a block of rooms for the January 24, 2008 meeting at Eco Farms. Dr. Swezey requested Monterey host the summer meeting. Meetings were approved by acclimation.

**ITEM 10: NEW BUSINESS**

No new business

**ITEM 11: ADJOURNMEENT**

The meeting adjourned at 2:30 p.m.

Respectfully submitted by:

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Ray Green, Supervisor  
California Organic Program  
Inspection and Compliance Branch  
Inspection Services

# Complaints From January 1, 2007 to December 31, 2007 Exhibit B

Attachment 4  
Page 1 of 5  
Complaint

Number	Summary of complaint	Referred to for resolution or investigation	Source; Competitor, Consumer, ACA, USDA, ect.	Resolution	Date complaint resolved
02-03/06/07	Organic Acai drink contains organic soy protein isolate, which has been voted down by NOSB. Also questioned organic hemp protein.	Dept. of Public Health Services	Valery Frances NOSB	Referred to DPHS	N/A
01-03/06/07	Alleges company sells and markets "organic flavors" and displays USDA Organic seal on its webpage but does not list organic ingredients	Dept. of Public Health Services	Organic Reasearch Associates	Referred to DPHS	N/A
03-03/16/07	Company selling H2O drink with panel that states sweetened with organic cane juice. May be less than 70% organic.	Dept. of Public Health Services	Competitor	Referred to DPHS	N/A
01-04/03/07	Mushroom company Shipping organic product and are not certified to do so. Making false documents	certifier, QAI	Ex-employee	Reffered to certifier	Certifier added facility, omitted from certificate.4/11/07
02-04/11/07	Company selling conventional and organic product certificate states from QAI all organic operation	certifier, QAI	Buyer	Reffered to USDA, certifier, certifier states mistake on certificate, is an organic and conventional operation.	4/16/2007

03-04/11/07	Bread & Pastry company advertising bread on sign as organic. Bread made with organic ingredients.	Dept of Public Health Services	Consumer	Referred to DPHS Certifier sent letter to complaintant explaining investigation, no problems found with operation.	N/A
04-04/30/07	Complaintant had allergic reaction to strawberries	Certifier, GOCA	Consumer		5/8/2007

## Attachment 4

Page 2 of 5

Complaint

Number	Summary of complaint	Referred to for resolution or investigation	Source Competitor, Consumer, ACA, USDA, ect.	Resolution	Date complaint resolved
01-05/06/07	Foreign olive oil certified by AIAB, not accredited by NOP	Referred to USDA	State during routine audit.	Referred to USDA	N/A
02-05/08/07	Label on cosmetics. Certifier thinks representing product as certified	Dept. of Public Health Services and State	Certifier	Only making certified organic claim on ingredients. OK	5/21/2007
03-05/11/07	Organic's alive Co. selling soil admendment with microorganism's including organic inputs.	Division of measurement standards	Consumer	Product can state organic, wants calculation for organism's. Referred to DMS	5/11/2007
04-05/20/07	Organic Bouquet website Using USDA SEAL not all products organic.	Marin County	Consumer	Issued Notice of Violation/ corrected	3/15/2007
05-05/26/07	Alleges vineyard owner sprayed diesel fuel on blackberries	Medocino County	Nieghbour	Had county pull residue sample for analysis no residue found.	7/2/2007
01-06/06/07	Alleges grape growers certified ground has prohibited substances applied	CCOF	Competitor	Talked to complaintant does not have any evidence/CCOF check operation	6/15/2007
02-06/11/07	Alleges pesticide applied to wrong site.	Colusa County	Anonymous	County pulled residue sample for analysis, residue found.	Pending Appeal/Notice sent by ACA.

03-06/12/07	Complaint alleges that Certifier is telling people to not do business with him.	State	Ray Christie	Phoned names given to me by complaintant and Bill Bent/Referred by USDA	Info given to Bill Bent at USDA./Done/ 6/18/07
02-06/13/07	Found one onion in bin with 4000PLU sticker on it states third time in 6 months/states conventional onion with 4000 sticker	Santa Barbara County	Consumer	Santa Barbara county will check out company	County checked operation no violations found. 06/21/07
03-06/15/07	In april or may of 2006 Dairy allegedly applied round-up and applied commercial fertilizer to pasture	Humbolt County	Neighbour	Referred to county may be hard to prove long time before reporting	County investigated could not prove a violation occurred. 7/20/07

04-06/28/07	Coffee roasters displaying signs that advertises organic coffee but not selling organic. Sells wholesale	Sonoma County	Competitor	Referred to county, removed signs. Wholeselling referred to DPHS	7/13/2007
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Complaint Number	Date of receipt	Summary of Complaint	Referred to for resolution or investigation	Complaint from	Resolution	Date complaint resolved
1-07/07/06	7/7/2006	Tea in Crumpets Co. product does not list certifier	Dept. of Public Health services	USDA	Referred to DPHS, processed product	N/A
2-07/14/06	7/14/2006	George McClelland Dairy using partially treated sewage water on pasture	QAI, certifier	USDA	Using reclaimed water, allowed on pasture	7/26/2006
3-07/14/06	7/14/2006	Albert Mello Dairy using partially treated Biosolids	QAI, certifier	USDA	Using reclaimed water, allowed on pasture	7/26/2006
4-07/19/06	7/19/2006	Growers packing conventional strawberries into organic labeled cartons	Monterey County	USDA	Label put over organic claim	7/22/2006
5-07/24/06	7/24/2006	Calif. Academy of Health is labeling Juice products incorrectly	Dept. of Public Health services	USDA	Referred to DPHS, processed product	N/A
6-07/27/06	7/27/2006	Conventional strawberries being packed into VB farms certified boxes	Monterey County	CCOF	Container company sold organic boxes to conventional growers who did not know organic laws. Notices of non-compliance issued to several growers and shipper	
1-08/14/06	8/14/2006	Newhall Coffee Co. roasting and selling organic coffee without certification	Dept. of Public Health services	USDA	Referred to DPHS, processed product	N/A
2-08/24/06	8/24/2006	Jack Russell Brewing Co. selling certified organic beer with no certifier on label	Dept. of Public Health services	Consumer	Referred to DPHS, processed product	N/A
1-09/06/06	9/6/2006	Fred Simon buys hay and grain that is non-organic and sells to people in Calif.	Certifier CCIA	anonymous	Unsubstantiated certified and registered.	9/14/2006
2-09/26/06	9/26/2006	Belmont Heritage store selling products that are not organic as organic	LA County	ex-employee	Store is no longer in business	10/5/2006
1-10/02/06	10/2/2006	Bossa Nova Beverage Co. products label using USDA Seal, no certifier on label	Dept. of Public Health services	Competitor	Referred to DPHS, processed product	10/2/2006
2-10/18/06	10/18/2006	Natures Frist Law selling organic product without being certified	Dept. of Public Health services	Competitor	Referred to DPHS, processed product	10/19/2006

## Organic Program Reorganization Update Jan 24, 2008

The organic program is implementing the following measures:

### Goals and Objectives

- Ensure Compliance with the regulations
- Increase effectiveness of enforcement
- Maximize resources
- Build confidence in the program

### Enforcement Team Participants

- CDFA
- County agricultural commissioners
- USDA organic program compliance staff
- Accredited certification agents (eg: CCOF, QAI, Oregon Tilth)
- Center for analytical chemistry

### Action Plan Will Result in

- Enhanced depth and scope of inspections/audits
- Increase in chemical analysis of organic samples
- Thorough and timely investigation of complaints
- Reviews of certification agent activities,
- Coordinate enforcement activities

### Administrative Support

- Provide written policies to enforcement team
- Provide auditing and investigative training to the enforcement team
- Increase funding for enforcement activities
- Utilize website and electronic communications to fullest extent
- Develop accountable tracking systems
- Provide maximum field supervision to enforcement team

### Achieved Results

- Improved compliance
- Create a more level playing field
- Utilize resources efficiently
- Increased industry confidence in program

California Department of Food and Agriculture Organic Program  
ORG100-RF (Rev 12/07)  
Registration Form for Organic Program

Registration number: \_\_\_\_-\_\_\_\_\_  
Assigned by the County: \_\_\_\_\_

All Registrants must complete this form along with the CheckList form and Public Information Form and for first time registrants a copy of your certification or a letter from the certifying agent stating you have demonstrated compliance.

In the box below indicate your company name (use the same company name that you are or will be certified with)

Return this application to the County Agricultural Commissioner for review and approval.

Company Name: \_\_\_\_\_  
Address: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Website: \_\_\_\_\_ : Email: \_\_\_\_\_  
Indicate others with permission to access the account information: \_\_\_\_\_

This is a new registration.  
 This is an amendment to an existing registration.  
If an amendment briefly describe below what the change is.  
\_\_\_\_\_

Read date and sign the following block.

According to the Laws of the State of California I certify, under the penalty of perjury, that the information associated with this registration is true and correct to the best of my knowledge and I agree to abide by the California Organic Products Act of 2003 and the USDA organic regulations.  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Official use only by the County Agricultural Commissioner

Registration number: \_\_\_\_-\_\_\_\_\_: Expiration date: \_\_\_\_\_ (the first day of the month)  
Indicate in the boxes all the forms that were reviewed and attached:  
 Maps attached  Substance list attached  Site history attached  
 Pesticide use reports reviewed  Registration number issued  Application packet complete  
FEES DUE: \_\_\_\_\_ Date Approved: \_\_\_\_\_  
Name of Reviewer: \_\_\_\_\_ Signature: \_\_\_\_\_  
\_\_\_\_\_

## 2007 New Organic Program Registrations

Exhibit E

	Farm	Dairy and Livestock	Poultry	Wholesale	Retail Store	Commission Merchant	Custom Contract	Total New Registrations
Chart for tracking of new registrations								
January	2	16	0	2	0	0	0	20
February	31	4	0	0	1	2	0	38
March	48	5	0	2	2	2	0	59
April	23	4	0	1	0	1	0	29
May	19	15	1	0	0	0	0	35
June	26	13	1	2	0	0	1	43
July	33	6	2	1	3	3	1	49
August	35	5	0	1	2	1	1	45
September	29	1	0	2	0	1	1	34
October	33	0	0	3	0	0	0	36
November	22	2	0	1	1	1	0	27
December	24	1	0	0	1	1	0	27
Grand Total's	325	72	4	15	10	12	4	442

2007 New Organic Registrations by Month and Category.