

**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (Department)
FERTILIZER INSPECTION ADVISORY BOARD (FIAB)
DEPARTMENT OF CANNABIS CONTROL, 2750 GATEWAY OAKS DRIVE,
SACRAMENTO / HYBRID**

**October 23, 2024
9:00 AM – 12:00 PM**

MINUTES

BOARD MEMBERS

Andrew Larson
David McEuen
Gary Silveria, Chair
Greg Cunningham
Jake Evans
Melissa McQueen
William Oglesby

MEMBERS ABSENT

Chris Gallo, Vice Chair

CDFA STAFF

Angelia Johnson
Arima Kozina
Brandi Alston
Brittnie Williams
Carla Sanchez
Elizabeth Moseby
Elsa Poon
Emad Jahanzad
Evelyne Ndiaye
Kelsey Dodd
Kris Gulliver
Leo Campos
Maria Tenorio Alfred
Mark Cady
Michelle Berjikian
Natalie Krout-Greenberg
Nick Young
Nicole Smith
Teresa Bowers
Yanhong Li

INTERESTED PARTIES

Dr. David Ingram

INTRODUCTIONS AND ANNOUNCEMENTS

Gary Silveria, Chair, called the meeting to order at 9:01 AM and self-introductions were made.

ROLL CALL – ESTABLISH QUORUM

Roll was taken and a quorum was established.

APPROVE JUNE 26, 2024, MEETING MINUTES

Chair Silveria requested the board review the minutes from the June 26, 2024, FIAB meeting.

MOTION: Melissa McQueen moved to approve the minutes as presented; William Oglesby seconded. The motion passed unanimously by all board members present with a vote of 7 to 0.

DEPARTMENT / DIVISION / BRANCH UPDATES

Arima Kozina, Deputy Secretary for Administration and Finance, gave an update on the statewide budget and its impact on the Department. Kozina reported a significant deficit this year for the state of California. The Department has offset many deficits in the budget with cuts to one-time funding not available this year due to existing one-time general funds. The Administration and Legislature came to an early action agreement in spring to settle this year's budget. This current fiscal year (FY) and ongoing, 10,000 vacant positions across the state will be eliminated. The second agreement was for the state to cut operational budgets across all fund sources by 7.95% (general funds and special funds). Details of the impact on the Department will be announced as part of the January budget.

Natalie Krout-Greenberg, Division Director, recognized FIAB member Francis (Gus) Olson by sharing condolences to the FIAB and to the Olson family on Olson's passing. Krout-Greenberg announced Dr. Amadou Ba's recent retirement and Jenna Leal as the newly appointed Branch Chief for the Feed, Fertilizer and Livestock Drugs Regulatory Services (FFLDRS) Branch. Dale Rice, Special Investigator for the Fertilizing Materials Inspection Program (FMIP), has also recently retired from the Branch.

The Southwest Longitudinal study, conducted by the Food and Drug Administration (FDA), was a direct result of the 2018 romaine lettuce outbreak in Yuma, Arizona. FDA, in partnership with the University of Arizona, administered a five-year longitudinal study considering the environment, water, and movement of dust over that period to understand causation and correlation. Jim Jones, Deputy Commissioner of the FDA Human Foods Program, will visit California's Imperial Valley and Yuma, Arizona in January 2025. Krout-Greenberg commented on California's five-year cooperative agreement with FDA where the Feed program performs inspection work on their behalf in the state of California. It is the largest agreement in the United States. A lot of growth in the produce space in relation to the Food Safety Modernization Act has led the Division to watch this study's outcomes closely. The focus is taking the known hazards and understanding true risks.

Jenna Leal, Branch Chief for FFLDRS, shared that she has been with FFLDRS for 18 years, starting her career as a field inspector conducting inspections in feed and fertilizer facilities in the Central Valley. In 2008, FFLDRS split, and Feed and Fertilizer became separate programs, advisory boards, budgets, etc. Leal expressed excitement at the challenge of leading the Branch. FFLDRS is also working diligently to backfill the Feed Program's Environmental Program Manager I (EPM) position. The Feed Program has been focused on the enteric methane reduction per Senate Bill 1383. At the Feed Inspection Advisory Board meeting held on October 3, 2024, recommendations were made to the Secretary for the first feed additive FDA allowing market access to Bovaer

10. That products sole purpose is to reduce enteric methane emissions from lactating dairy cattle when included in a total mixed ration. Thirty-eight states have allowed market access to Bovaer 10 including California.

Leal reported the highly pathogenic avian influenza outbreaks. The Branch continues to offer support for the Department's Animal Health Branch and provide guidance especially to haulers delivering feedstuffs to dairy and poultry facilities. Biosecurity procedures are important. The milk supply is safe and does not impact pasteurized milk.

PROGRAM UPDATES

Nick Young, FMIP's EPM I, acknowledged current FIAB member Francis (Gus) Olson's passing in July 2024. Olson is a great testament to California agriculture who was very passionate about the agricultural industry with about 60 years of experience in agriculture. FIAB held a moment of silence to honor Olson.

Young announced Dr. Ba's retirement after 23 years of service with the Department. Rice retired after 50 years of work for the Department. Rice was a great resource and mentor to many. Leal was recently appointed as Branch Chief beginning September 2024. Young has worked with Leal for 17 years sharing that Leal is a great problem solver and communicator who focuses on process improvement.

Young shared personnel updates under FMIP announcing two new promotions within the program. At the last FIAB meeting, an agreement was made to split prior Dr. Martin Burger's Senior Environmental Scientist (SES) (Supervisory) position into two with one overseeing the conventional fertilizer and the other overseeing organic input material (OIM). Yanhong Li, newly appointed SES (Supervisory) for the OIM program. Li has worked with FMIP for seven years with a PhD in Chemistry and Molecular Biology. Evelyne Ndiaye, newly appointed SES (Supervisory) for the Conventional Fertilizer program. Ndiaye has worked for FFLDRS for 16 years with a Masters in Soil Science. Michelle Berjikian, newly appointed Environmental Scientist for the conventional registration unit, started her career in September. Berjikian has a Bachelors in Sustainable Agriculture and Food Systems from University of California, Davis.

The annual FMIP's Industry Workshop is November 5-6, 2024, in Sacramento. Secretary Ross will provide opening remarks. The workshop will feature presentations on Conventional Licensing and Registration, Inspection and Sampling, OIM Registration and Inspection, the Department's Database, Mill Assessments, Tonnage Report, and Efficacy Data Submission. An appointment-based open registration clinic will be the following day. Interested participants must pay a registration fee but walk-ins are welcome. Firms may network with FMIP staff, ask questions regarding pending registrations, figure out problems or ask for guidance on label requirements.

The Association of American Plant Food Control Officials (AAPFCO) Winter Annual Conference is February 17-18, 2024, in New Orleans, Louisiana. The most notable change was the passing of the uniform beneficial substances bill adopting the definitions of beneficial substance and plant biostimulant. The discussion at the conference will be to identify specific ingredients qualified as plant biostimulants and will specifically review California's comprehensive list of beneficial microorganisms for AAPFCO recognition and acceptance as plant biostimulants.

Melissa McQueen asked if there are concerns with other states accepting California's microbial list. Young responded, stating FMIP will identify the dual-use microbes that are pesticidal and pesticidal products cannot be considered plant biostimulants. Firms would have to either register such products as dual-use or not make any pesticidal claims and only reference the plant biostimulant benefits. AAPFCO had also asked for input on the California's microbial list from Oregon, Washington, and Pennsylvania, but California's list largely represented what those other states accepted with few exceptions.

The Biostimulants World Congress is November 12-15, 2024, in Miami. Young will speak on plant biostimulant regulation in California and throughout the U.S. He will also serve on a panel regarding plant biostimulant regulation in North America. The Fertilizer Institute (TFI) and the Biological Products Industry Alliance (BPIA) are also on the panel.

At the last FIAB meeting, FIAB requested FMIP reach out to experts for guidance on the pathogen pilot study. The goal of the study was to determine if salmonella is present in various organic fertilizer products including meals, processed animal manure, microbes, carbohydrates and biosolids. FMIP obtained 403 samples including 123 different manufacturers or guarantors. Of the 403 samples, there were a total of 27 detections. There were 13 manufacturers and guarantors with detections and nine detections that were above the United States Department of Agriculture (USDA) National Organic Program (NOP) processed animal manure threshold three most probable number per four grams. Young continued to report 24 of 27 detections contained Bone Meal; 15 of 27 detections only Bone Meal; 23 detections were OIM, and four detections were conventional fertilizer; and 11 detections did not have a lot number.

Young introduced Dr. David Ingram, Consumer Safety Officer for FDA's Office of Food Safety, Division of Produce Safety. Dr. Ingram joined the FDA/Center for Food Safety and Applied Nutrition in 2013 as a Consumer Safety Officer in the Office of Food Safety. Previous experience includes over 14 years of service as a Research Microbiologist with the USDA-ARS, where he integrated his experience in clinical, food and environmental microbiology to investigate mission critical pre- and post- harvest food safety issues. Pre-harvest areas of interest included the mitigation of foodborne pathogen prevalence and persistence through irrigation water management and

disinfection practices and the application of various practices for the treatment and handling of soil-amendments. Dr. Ingram had also investigated virulence factor regulation/expression on the influence of foodborne pathogen growth and persistence in farm environments, as well as during the post-harvest processing and packaging of fresh-cut produce. Dr. Ingram's research on the fate of human microbial pathogens during the production of compost and agricultural teas has led his current work with FDA to promulgate feasible science-based policy for the safe production, utilization and storage of biological soil amendments of animal origin. Dr. Ingram will share thoughts on the results of the study, potential risk for application and handling, and thoughts on future sampling.

Dr. Ingram stated the Office of Food Safety is in the development of regulations associated with the use of soil amendments of animal origin. Risk assessment research activities are complete, and the peer review process is almost complete. This was designed to link human illness associated with the use of raw manure with scenarios for treatment of soil limits of animal origin. FDA has been focused on microbial microbiological pathogens. FDA recognizes California's leadership in agriculture and the FMIP's pathogen pilot study in largely considered processed materials that would not typically consider pathogen free. Dr. Ingram's responsibility is to craft feasible regulations associated with the use of soil amendments to help growers understand how to use products safely. FDA does not ban the use of any soil amendment but is working to allow products to be used safely on the grower level. Human pathogens are expected to be in raw manure and the amount and what occurs in soil and how it is transferred to crops FDA can associate risk with those use of products in different regions of the country but currently FDA falls back on NOP standards until new regulations are proposed. NOP has days to harvest restrictions around raw manure. USDA has a limit of microbes that those processes can have the end products less than three mpn per four grams of salmonella. FDA regulations reflect similar numbers, but zero detection of salmonella is allowed for any treated soil amendment of animal origin. If salmonella is in the products, these products are not labeled with a statement that states the products are biologically devoid of salmonella. FDA's Code of Federal Regulations (CFR), Title 21, Chapter 1, Subchapter B, Part 112, Subpart F Section 112.54 pertains to the treatment standard for biological soil amendment of animal origin applied in the growing of covered produce. Dr. Ingram believes there are steps that the industry can take to apply the label on their product indicating the product has been processed to meet FDA CFR Section 112.54.

FDA has worked with the United States Composting Council standards for compost. FDA's regulations for composting the end product of a composting process have a limit for fecal coliforms. If composting is done correctly and maintained with process control and documentation of the process, it is critical to understand the safety of the product. FDA would not recommend end to end product testing. FDA's codified section for composting shows the time and temperature and a process if upon inspection. If

records are shown to meet these standards it is certain that the end product if used in accordance with the produce safety rules and requirements for that product. Using compost usage as a baseline risk level. Dr. Ingram emphasizes the importance of education and outreach to help industry understand these products are not sterile and the risk associated with the use of these products which may not be the application, the products grown in the products, the handling, but it could be storage or other things that FDA is open to conversation.

Jake Evans asked Dr. Ingram thoughts on when a product has been heat-treated into meal form that now has tested significant levels of salmonella and whether it is seen as a metric in regulation. Dr. Ingram responded, stating there is no concern with products already on the market. The pathogen content data coming from California, the prevalence of pathogens in these products and how the products are used leaves no concern with the safety of the produce being grown in the products. Main issue of concern is the controlled environmental agriculture's hydroponics, aquaponics operations that are dumping this product in their water systems and the safety of the agricultural water. The other issue is products being used with less liquid fertilizer type system where these products are being added to increase the microbiological structure of agricultural tea. However, the produce safety rule has requirements about the use of these products to make agricultural tea. Dr. Ingram expressed the importance of education and outreach materials on this.

Evans asked Dr. Ingram if it is necessary to call for regulatory enforcement on the retail bag in the ag sector sold to local hardware stores that are testing positive. This study is focused on those who do not have Leafy Greens Marketing Agreement (LGMA) requirements, where these products are not being tested causing risk in human health and safety and challenges in how the industry leaders can help this part of the industry. Dr. Ingram stated FDA's public health mission has been focused on controlling the largest sector of the industries that affect most consumers which is controlled by powers beyond his Office. Dr. Ingram can assist with the education and outreach materials to distribute through schools and homes. FDA's new reorganization created a new product safety program where they are seeking partners to assist in professing easy measures to assist when utilizing these products to prevent illness. Dr. Ingram focuses on helping people understand the use of organic products such as bone meals. With potential human pathogens among these products, the importance of helping illuminates what should not be done with these products. One of which could be industry assistance with the labeling of these products.

Chair Silveria suggested how to assist with the education and outreach to homeowners or schools for end users' awareness of the factors and allow end users to make the decision to use the product or not.

Evans commented on how to improve in this space and protect consumers with some form of regulations for the 2% of products detected as a risk. Evans suggested regulatory action on the bad actors with concern of labeling all organic fertilizers as dangerous.

William Oglesby commented that stating producers adhering to established standards for producing these products appears to be more related to marketing.

Chair Silveria stated the 2% does not equal necessary illnesses. Dr. Ingram stated it is difficult to quantify sporadic illness, so it is possible not to see the large outbreak scenario that would require state and federal operations. Things to explore is whether the products are labeled as USDA organic and secondly is understanding the operation needed to help assist industry understand process controls and everything else downstream from how to bag the products so there are many variables unknown.

Evans asked Dr. Ingram for guidance and thoughts on whether the study results and risks found lead to a regulatory solution and if it is risk that the FMIP should pursue or not. Dr. Ingram stated when products are utilized in accordance with the product safety rule requirements, they are not labeled with any treatment process which means the product needs to be handled, conveyed, stored and utilized as if it were raw manure which would be completely safe. The problem is how these products are being used.

Leal commented on the Feed program's implementation of the Food Safety Modernization Act, looked at the front-end hazards and attempted to control it rather than the focus on end product. Leal suggested a multipronged approach where modifications in inspection procedures that do not require regulatory change such as hazard control at the manufacturer level. This could be worked on thoroughly within the program but involvement from the Fertilizer program could be on the front-end process and controlling hazards upfront as well as outreach and education. Some regulatory change may be any label requirements with a warning or caution statement on the packages that contain bone meals.

Krout-Greenberg stated with regards to CFR Section 112.54 labeling standards on the products mentioned by Dr. Ingram, when a CDFA inspector is on farm inspecting products, there are farms covered under FSMA and some exempt from FSMA. The 2–4-pound bags would not typically be seen on farm. Krout-Greenberg mentioned it appears individuals can choose to label the products and shared thoughts on where the inspection is taking place, its intended use with focus on where to go from here as an industry. Krout-Greenberg thanked Dr. Ingram for their expertise and providing additional context on FDA rulemaking process and evaluation of risk presented and navigate through outreach and education or through regulatory framework, or both to ensure continuous improvement but also consumer awareness. When a product is brought home and made into compost tea or a concoction of other things into a viable

state where cells can grow and amplify it becomes an issue. Krout-Greenberg expressed the focus is not FSMA in totality but this specific area of shelf space for these home and garden type products.

Dr. Ingram asked if there are plans to publish some form of data that FMIP has uncovered to allow the public to digest the information. Melissa McQueen stated it was not the original intent to, but it was simply a discovery on our part in the purpose of stating that, but one area is that unsure of if we went back to manufacturers where there were detections.

Nicole Smith, Senior Environmental Scientist (Supervisory), added that staff did go to the manufacturers that had detection, reporting six samples were from bulk and those were positives on the retail samples. Staff targeted the registered OIM products, and none were positive.

Evans appreciated FMIP's success with the study suggesting FMIP continue to collect samples and inform manufacturers of the issue and best practices. To Natalie's point, where do we go from here -- do we continue the pilot study or lean on regulation. Evans believes the pilot study to pull these samples to let industry become aware of where improvement needs to happen also brings value if it is to save one life.

Smith stated the challenges foreseen that if one product is tested on retail shelf and there are multiple suppliers of bone meal and multiple locations of manufacturing, it would be difficult to trace where the products are coming from. Smith expressed the importance of being involved in this space but voiced that it would be a lot of work by the time results are received as positive.

Leal advised the focus to be on outreach, rather than as a better solution.

Greg Cunningham stated Scotts Company organic products inform consumers to feed the soil, not the plant, so there is an emphasis on soil direct application, wearing garden gloves when using the product or other planting materials, use with adult supervision, and washing hands after use. Cunningham expresses that outreach can be done on the back end to educate consumers.

Chair Silveria suggested tabling of this topic for the next FIAB meeting to discuss a plan and consider enforcement options, and thanked Dr. Ingram for his time and providing this information.

Dr. Ingram stated the data provided by program is plenty to provide a publication. FDA can assist with language to integrate program findings into the context of the produce safety rule. Process control is key and understanding the safety of the end product.

Krout-Greenberg asked Dr. Ingram if there will be an FDA public workshop or outreach that accompanies the upcoming announcement of regulations or information released in December and suggested a possible opportunity for California to focus efforts as a partner in helping build awareness. Dr. Ingram responded; FDA is finalizing risk assessment with an anticipated publication date by end of November. The risk assessment will include five years of research and data streams, peer review comments, and FDA's responses and comments. Based on the whole risk assessment, FDA will create new regulations to remove reserved portion in Subpart F and add new provisions. FDA is likely planning public seminars and announcements and will have discussions about what it all means in the future which will likely happen in the first quarter of next calendar year.

Evans complimented FIAB and FMIP staff on the pathogen pilot study stating the program executed at a level that is incredible, including inviting Dr. Ingram to join in on this discussion. FMIP did extraordinarily well on this challenge.

David McEuen asked if the secretary is aware of this. Krout-Greenberg stated Secretary Ross is aware of the study and is eager to hear FIAB discussion and recommendations surrounding this topic. With Michelle Jay-Russell's, Program Manager of University of California Davis' Western Center of Food Safety, recent retirement, the importance is identifying the next step for the lab.

Young reported FMIP fund conditions and mill assessment. As of July 1, 2024, the beginning balance of Commercial Fertilizer was \$7.23 million and OIM was \$3.09 million for a combined total of \$10.3 million. The adjusted balance for Commercial Fertilizer is \$7.94 million and OIM is \$2.96 million with a combined total of \$10.9 million.

Evans asked FIAB thoughts on the funds maintaining even with fertilizer crop values down the past year. Melissa McQueen commented on the challenge going forward where crop values and growers are cutting back on fertilization or using lower cost opportunities. Chair Silveria further commented that some markets may improve slightly noting a loss in some geographies of rice acres due to water issues but that there is a silver lining to trend back up. Chair Silveria agreed with Evans' statement on crop values dictating less use.

Young presented mill assessment trends for FY 2023/24 at 2.5 mill totaled \$8,368,279. This trend aligns with prior years' mill assessment trends of \$8,144,819.

The Fertilizer Research and Education Program (FREP) has a beginning balance of \$8.9 million. Revenue was \$386,725; expenditures were \$254,075 million; and encumbrances for grants through June 30, 2025, totaled \$4.9 million. As of August 30, 2024, FREP's ending adjusted balance was \$3.4 million.

Young stated a few key considerations when reviewing the proposed budgets FY 25/26. Young recapped the Governor's Office requirement of a 7.95% budget reduction across all Departments and Programs and presented the California Association of Professional Scientists (Bargaining Unit 10) negotiated salary increases that became effective July 1, 2024. This includes up to a 23% increase over a three-year period for classifications at the top salary range and a 9% increase over a three-year period for those not at the top of the range. Scientists have not received a pay increase since July 2020. Young noted to the FIAB that FMIP does not anticipate it will affect services for registration and turnaround times, the same number of inspections and sampling.

Young presented the proposed budgets FY 25/26. Salary and benefits are fixed costs. With Evelyn Ndiaye and Yanhong Li's recent promotions, FMIP is working to backfill their positions to have a full registration staff team. For conventional fertilizer's proposed budget FY 25/26, total personnel services of \$3,290,199 and total operating expenses of \$589,000 with a total net program cost of \$6,141,498. For OIM program's proposed budget FY 25/26, total personnel services of \$1,362,080, total operating expenses of \$370,465 with a total net program cost of \$2,294,046. The grand total proposed budget FY 25/26 for both conventional fertilizer and OIM is \$8,435,545. The previous year's budget compared to proposed budgets FY 25/26 went down. The revised budget FY 24/25 for both conventional fertilizer and OIM program's total personnel services of \$4,520,149, total operating expenses of \$884,915 with total net program costs of \$8,157,481.

Young presented the FREP proposed budget FY 25/26. The total personnel services are \$1,195,234, total operating expenses is \$2,545,200 with a total net program budget of \$3,930,002. The bulk of the total operating expenses are the research contract/grant and University of California Agriculture and Natural Resources.

MOTION: Melissa McQueen moved to approve the FMIP's, OIM's and FREP's revised budget FY 24/25 and proposed budget FY 25/26; David McEuen seconded. The motion passed unanimously by all board members present with a vote of 7 to 0.

Kris Gulliver, SES (Specialist), gave a tonnage report update, reporting the 2023 data published on CDFA's website. Gulliver presented data trends for different nutrients and commodities from 2019-2023. Total Nitrogen tonnage has a slight upward trend with an increase in 2023 of 835,431 compared to 2022. Available phosphoric acid appears to not have a stable trend with 227,802 phosphorus tonnage reported in 2023. Soluble potash continues an upward trend with 437,010 potash tonnage reported in 2023 – the highest data reported since 2019. With perfluorooctane sulfonate (PFOS) and perfluoroalkyl and polyfluoroalkyl substances (PFAS) and environmental concerns, sewage sludge has been tracked. Sewage sludge has lowered from previous years with 300,174 sewage sludge tonnage reported in 2023. Gulliver mentioned only a few companies report sewage sludge in a couple of different counties.

McQueen asked if there had been inquiries about specific chemicals in packaging for PFAs concerns. Gulliver responded, stating it is something the program has not addressed or received concerns but that the industry and AAPFCO is aware.

Krout-Greenberg mentioned USDA held a meeting in September with states and others with a focus on PFAS, including loading, movement, packaging and container leaching, and outreach and education, including steps to take and how to solve long-term issues. A couple of upcoming meetings will be held with USDA and partners at the Water Board.

Gulliver reported that gypsum tonnage has had a downward trend in the last five years. Gulliver has finished auditing January to June 2024 data and identified inaccuracies in reporting received by FMIP. The upcoming FMIP workshop will allow staff to provide education and outreach on proper reporting of tonnage.

Young presented FMIP proposed rulemaking updates. The FMIP regulatory subcommittee have made suggestions on the proposed rulemaking text that will be presented on the agenda. At the February FIAB meeting, FMIP identified proposed rulemaking for 2025. With the passing of Senate Bill (SB) 1522, additional revisions pertaining to beneficial substances and plant biostimulants were added to better align with other states across the United States. The new rulemaking is more comprehensive to address the product category change in SB 1522. References of auxiliary soil and plant substance and packaged soil amendment product categories will change to beneficial substances. Label format for “contains nonplant food ingredients” will be revised to “contains beneficial substances”. “If claimed” for nitrogen, phosphorus, and potassium (NPK) will be added to provide industry with flexibility whether to claim NPK when present. Sections will be included on “beneficial substances intended to condition soils solely through physical means” for guidance on materials previously ingredients for soil amendments. Changes to the product registration cycle with senate bill (SB) 1522 revision from two years to four years. Costs per year remain the same for new or renewal of product registration. OIM renewal fee will be \$1,000 after the registration cycle changes. Conventional fertilizer fee is currently \$100 for new registration and \$50 for renewals, but that will increase to double that amount to account for a new registration cycle that will be twice as long. With industry changes and evolving, FMIP estimates half of the product renewals have label updates that require program review.

Young asked FIAB if FMIP should keep a renewal fee for conventional fertilizer product registration to be the same price as a new registration or leave at half the cost. Young noted to FIAB that the cost is not a significant driver of revenue for the program.

Cunningham commented, from company standpoint that there is no push back on increased costs if the Department justifies the needs that benefit the actual registration program.

William Oglesby commented that the registration cycle change to four years will be beneficial.

Young suggested FMIP draft proposed rulemaking to include language regarding potential increase in pricing for conventional fertilizer product registration.

McQueen asked what the requirement is for FMIP to increase the conventional fertilizer product registration fee. Young responded FMIP's authority is up to \$200 for renewals but an increase in the fee to that amount would require proposed rulemaking.

Leal added a suggestion to also provide workload analysis for justification of what the costs would be.

Young announced FMIP has implemented a registration application number system. Registration staff can assign what registration applications to review by identifying at glance 1) for minor changes, 2) for moderate changes, or 3) for significant changes required. This newly implemented number system has made it easier for registration staff to determine "at a glance" within their work queue which records may be processed quickly. FMIP, specifically with Gulliver's work on the database, will look at automated renewals for commercial fertilizer and bulk agricultural minerals. No fees involved but commercial fertilizer and bulk agriculture minerals account for 20% of FMIP renewals. This will also help gain efficiencies in turnaround times.

Young presented the graph illustrating 2024 fertilizer applications received per month noting the uptick for conventional fertilizer applications at the start of the year. OIM applications were fewer except for June. From January to September 2024, a combined total of 6,742 both conventional fertilizer and OIM label applications were reviewed by program. New metrics data presents the amount of new conventional fertilizer/OIM applications and resubmitted conventional fertilizer/OIM applications turnaround time over 90 days. FMIP goal is 90-day turnaround time for new applications and 30 days for resubmitted applications. Of the 6,742 applications reviewed, 2,468 were second half renewal applications which have not been over 90 days therefore resulting in a total of 4,274 label applications. At the present time, only 5% of those 4,274 label applications are over 90 days in queue. With measures in place, the percentage of label applications should be reduced further by the next FIAB meeting in February.

Smith provided FMIP field staff updates. As of September 25, 2024, FMIP received a total of 939 samples: 472 conventional fertilizer and 467 OIM. FMIP reclassified a field

staff position to Environmental Scientist position for the registration staff which has not impacted the workload of the field staff.

As of September 25, 2024, a total of 18 Notice of Proposed Actions (NOPA) were filed; seven paid, two unpaid, and nine awaiting responses from firm or firm has requested hearing. To date, the program has collected \$30,867.56 in administrative penalties. A total of 20 complaints were filed in 2023: 19 closed and one pending further investigation. A total of 17 complaints were filed in 2024: 11 closed and six pending further investigation.

Mark Cady, FREP SES (Supervisory), provided updates on FREP and the Technical Advisory Subcommittee (TASC). Cady announced four TASC member terms expire this year for Tom Bottoms, Jairo Diaz, Ehsan Toosi and Rob Mikkelsen, and of those four only Mikkelsen did not reapply. Mikkelsen has been a great resource for FREP. FREP received nine applications and presented them to TASC. TASC recommended Tom Bottoms, Jairo Diaz, Chris Shogren and Ehsan Toosi for appointment.

MOTION: Melissa McQueen moved to approve the four applicants recommended by TASC to recommend to the secretary; William Oglesby seconded. The motion passed unanimously by all board members present with a vote of 7 to 0.

Cady presented FREP staff fall and winter 2024-25 outreach, highlighting the California Plant and Soil Conference in February is nutrient management focused and all aspects of agronomy, including pest management. The Western Plant Health Nutrient Management Conference is October 29-30, 2024, in Seaside, California. Following the conference there will be a TASC meeting to discuss research grant program priorities for the coming year. Jerry Spinelli, a container nursery Houston farm advisor, will provide a presentation about the needs of the container nursery industry.

CENTER FOR ANALYTICAL CHEMISTRY (CAC) LAB UPDATE

Teresa Bowers, Environmental Program Manager I of CAC, reported from July 1, 2023, through June 30, 2024, CAC completed a total of 6,035 assays with an average turnaround time of 14 days. Majority of analysis were among NPK. During April 1, 2024, through June 30, 2024, CAC processed a total of 1,759 assays with an average turnaround time of 11 days. As of July 1, 2023, CAC has processed a total of 1,056 samples; 90.2% were routine samples and 9.8% were priority samples. Beginning April 1, 2024, CAC processed a total of 380 samples; 90.3% were routine samples and 9.7% were priority samples.

Bowers reported from July 1, 2023, through June 30, 2024, CAC completed a total of 6,035 assays which includes re-run samples, with an average of 5.7 assay completed per sample. From April 1, 2024, through June 30, 2024, CAC completed a total of 1,759

assays with 149 re-run samples and an average of 4.6 assay completed per sample. Despite the increased workload, the CAC lab team reached an average turnaround time from 12 days in Q3 to 11 days in Q4. Elsa Poon, SES (Supervisory), leadership, well experience lab staff and cross training between lab staff are a few factors to the improvement in turnaround time. The lab update of benches, utility lines, electric, etc. is complete as part of efforts to further modernize and improve infrastructure. Bowers shared this project was completed using CAC Deferred Maintenance funds. The International Standards Organization (ISO) 17025 audit was successful resulting in CAC certification renewal of two years. The Ion Chromatography Technology was added to ISO 17025 scope. CAC's new sulfur analyzer installation was complete, and validation is in progress to serve as a secondary confirmation platform.

As Young mentioned the BU 10 special salary increases, there is a small increase in CAC's proposed budget FY 25/26 total personnel services. Bowers noted the total distributed costs of \$249,222 was lower than distributed costs of \$296,835 in the approved budget FY 24/25. CAC's total program proposed budget FY 25/26 is \$1,918,294 which is about a \$25,000 increase from the program costs of \$1,892,239 in the approved budget FY 24/25.

MOTION: William Oglesby moved to approve CAC's proposed budget FY 25/26; Melissa McQueen seconded. The motion passed unanimously by all board members present with a vote of 7 to 0.

FIAB VACANCIES

Young announced FIAB terms expire on December 31, 2024, for Jake Evans, Greg Cunningham and Gus Olson. A press release announcement noting applications are accepted through November 25, 2024. Because of this, FIAB is not able to review applicants and make recommendations at this meeting due to applications still being accepted until November. Therefore, Young stated a virtual FIAB meeting must be held to make board applicant recommendations to the secretary prior to December 31, 2024.

Chair Silveria suggested a virtual FIAB meeting on December 9, 2024, at 1:00 p.m. FIAB members all agreed with the FIAB meeting date.

PUBLIC COMMENTS

There were no public comments.

AGENDA ITEMS FOR FUTURE MEETINGS

Chair Silveria suggested an update on the pathogen pilot study. David McEuen added renewal fee for conventional fertilizer product applications be an agenda item.

NEXT MEETING

The next meeting will be a virtual FIAB meeting on December 9, 2024, at 1:00 p.m. to discuss and vote on the three FIAB vacancies, followed by a full meeting to be held on Wednesday, February 26, 2025, in Fresno, California.

ADJOURNMENT

The meeting was adjourned at 12:09PM.

MOTION: Melissa McQueen moved to adjourn the meeting; William Oglesby seconded. The motion passed unanimously by all board members present with a vote of 7 to 0.

ORIGINAL SIGNED BY NICK YOUNG

Nick Young
Environmental Program Manager I
Fertilizing Materials Inspection Program

10/23/2024

Date