



**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
STANDARDIZATION ADVISORY COMMITTEE (STDZ)
October 29, 2019 Meeting Minutes
4437 South Laspina Street, Tulare, CA 93274**

MEMBERS PRESENT

David Silva
Patrick Tucker – Vice Chair
Marko Zaninovich – Chair
Ed Williams

MEMBERS ABSENT

Jeff Simonian

INTERESTED PARTIES

Melissa Cregan – Fresno County
Angel Gibson – Fresno County
Scotti Walker – Fresno County
Eddy Greynolds – Kern County
Steve Schweizer – Kings County
Katherine Takata – Los Angeles
County
Carrie Mitchell – Merced County
Yvonne Perez – Monterey County
Dinna Morris – San Diego County
Tom Tucker – Tulare County
John Bixler – Tulare County
Tesfaye Jimma – Tulare County
Christopher Greer – Tulare
County
Joel Reyes – CA Citrus Mutual
Courtney Razor – CA Fresh Fruit
Association

CDFA

Steve Patton
Marcee Yount
Stacey Hughes
Karrie Batchelor
Andrea Todd
Thomas Osborn
Mitchell King

ITEM 1: ROLL CALL/INTRODUCTIONS

The meeting was called to order at 10:04 a.m. by Steve Patton, Branch Chief of the California Department of Food and Agriculture (CDFA) Inspection and Compliance Branch. Roll was called, a quorum was established, and self-introductions were made.

ITEM 2: ELECTION OF OFFICERS

Patton opened the floor to nominations for Chairperson.

MOTION: David Silva moved to nominate Marko Zaninovich for the position of Chairperson. Patrick Tucker seconded the Motion. The Motion passed unanimously, with no abstentions.

Patton opened the floor to nominations for Vice-Chairperson.

MOTION: Marko Zaninovich moved to nominate Patrick Tucker for the position of Vice-Chairperson. David Silva seconded the Motion. The Motion passed unanimously, with no abstentions.

ITEM 3: PUBLIC COMMENTS

There were no public comments.

ITEM 4: REVIEW AND APPROVAL OF MARCH 12, 2019 MEETING MINUTES

Chairperson Zaninovich requested a Motion to approve the March 12, 2019 Meeting Minutes as submitted.

MOTION: Patrick Tucker moved to approve the March 12, 2019 meeting minutes. David Silva seconded the Motion. The Motion passed unanimously, with no abstentions.

ITEM 5: COMMITTEE VACANCY AND TERMS REPORT

Mitchell King provided the Committee Vacancy and Terms Report. Current vacancies include: two fresh fruit members from oranges, other citrus fruit, and/or table grapes; four fresh vegetable members from broccoli, lettuce, or tomatoes; two other fresh vegetable members from any fresh vegetable commodity subject to standardization assessments; and one other commodity member subject to standardization assessments. King also provided the names of members who will be eligible for reappointment beginning September 1, 2020.

Patton encouraged the county and industry representatives present to submit recommendations for potential Committee members to King to help fill the vacancies on the Committee.

ITEM 6: FY 2018/19 COUNTY ENFORCEMENT ACTIVITY REPORTS

Stacey Hughes began the presentation of the 2018/19 County Enforcement Activity Reports. Hughes noted the importance of the work performed by the counties and thanked the county representatives present for attending the committee meeting. Hughes then asked those present to reference the county summaries included in the meeting packet. Counties present were asked to present their activities while Hughes presented the information for counties not in attendance.

Hughes provided the reports for: Alameda County; Riverside County; San Bernardino County; San Francisco County; San Joaquin County; San Mateo County; Stanislaus County; Sutter County; and Yolo County.

Refer to the Standardization Cooperative Agreement County Enforcement Activity Summary FY 2018/19, marked Agenda Item 6, for the above county enforcement details.

The remainder of the reports were provided by County representatives.

Scotti Walker provided the report for Fresno County. During the 2018/19 FY, the County inspected 5,454 lots, 1,410,000 containers, rejected 7,829 containers, and issued 60

Notices of Noncompliance. There was brief discussion regarding the number of rejections. Walker stated that many of the rejections were for labeling problems and noted the benefit of performing inspections at production versus after the product has entered into commerce. Walker also noted that they expended \$14,317 over their agreement amount.

Eddy Greynolds provided the report for Kern County. During the 2018/19 FY, the County inspected 1,600 lots, 444,021 containers, rejected 2,024 containers and issued ten Notices of Noncompliance. Greynolds also briefly discussed an investigation Kern County conducted based on a complaint received regarding table grapes being sold in unauthorized containers. Hughes commended Kern County for their quick work to investigate the complaint after being notified of it by CDFA. More discussion followed regarding mislabeled produce, produce without proper receipts, and the importance of both origin and destination counties working together to ensure produce is obtained and sold legally.

Steve Schweizer provided the report for Kings County. During the 2018/19 FY, the County inspected 776 lots, 146,348 containers, issued no Notices of Noncompliance, and rejected no containers.

Katherine Takata provided the report for Los Angeles County. During the 2018/19 FY, the County inspected 17,995 lots, 1,533,168 containers, rejected 99,656 containers, and issued 777 Notices of Noncompliance. Takata noted that many of the violations were a result of failing to meet the requirements for maturity, proof of ownership, container labeling, minimum size, size variation, and quality. Takata also shared some of the county activities that were held to educate their wholesale vendors about the various laws in an effort to reduce repeat violations.

Carrie Mitchell provided the report for Merced County. During the 2018/19 FY, the County inspected 51 lots, 8,264 containers, rejected no containers, and issued no Notices of Noncompliance.

Yvonne Perez provided the report for Monterey County. During the 2018/19 FY, the County inspected 1,023 lots, 496,511 containers, rejected 4,556 containers, and issued 30 Notices of Noncompliance.

Dinna Morris provided the report for San Diego County. During the 2018/19 FY, the County inspected 6,640 lots, 771,359 containers, rejected 6,448 containers, and issued 87 Notices of Noncompliance. Morris also went on to say that their primary enforcement efforts focus on the numerous wholesale locations within their county.

Christopher Greer provided the report for Tulare County. During the 2018/19 FY, the County inspected 6,271 lots, 1,072,992 containers, rejected 39,356 containers, and issued 25 Notices of Noncompliance. Greer also noted that the County increased their table grape field inspections and extended enforcement efforts to ensure the later varieties are also inspected.

Ed Williams provided the report for Ventura County. During the 2018/19 FY, the County inspected 1,252 lots, 158,322 containers, rejected 338 containers, and issued three Notices of Noncompliance.

ITEM 7: STATE REPORTS/UPDATES

Hughes informed those present that the assembly bill that extends the Standardization Program statutes for another five years was signed. Hughes went on to report that the Program was not working on any commodity regulation changes at this time, however, there had been some inquiries regarding the process to modify the current juice grape regulations, specifically; the nonconsumer container weight statement labeling requirements. Hughes also noted that there are a few handlers currently experimenting with two cantaloupe and two citrus nonstandard containers.

Hughes mentioned the Program Handler Audits that are performed annually were suspended this year in an effort to reduce costs. The previous years' audits did not reveal any issues so it was decided the savings at this time would be appropriate, given the current Program reserve.

Hughes then shared the 2018/19 Table Grape Port Inspection information with the Committee. Over five million containers of imported table grapes were inspected at the Port of Long Beach, for container labeling and minimum maturity requirements. Violations were the lowest seen in years. Hughes also provided the committee members a detailed port inspection summary created by Riverside County personnel.

Hughes gave an overview of the Standardization enforcement work performed by Shipping Point Inspection (SPI) staff at the Otay Mesa border crossing. Their past year inspection efforts resulted in 26 Notices of Noncompliance for substandard quality, improper or no container markings, and use of reused tomato containers.

Hughes also reported on the melon inspections that are conducted by state personnel each year in Imperial County. Field inspections this past season revealed several issues with an Arizona melon handler growing various melon varieties inside the California border. Upon further investigation, it was determined that the Arizona melon handler was in violation of multiple state laws, related to the Standardization Program and the California Cantaloupe State Marketing Order. Several measures were taken to gain compliance which included registration with the Program and California Cantaloupe Advisory Board, payment of current and prior season assessments, cantaloupe maturity and quality inspections performed by Arizona Department of Agriculture, food safety audits, and an agreement to be in full compliance with California laws effective January 1, 2020.

Hughes also discussed the county commodity trainings conducted by Program staff throughout the state. Nineteen counties sent over 192 staff members to the various trainings that covered the requirements for citrus, cherries, apricots, watermelons, cantaloupes, honeydew melons and table grapes. The online commodity seasonal

licensing program maintained by the Standardization Program also continues to be a valued resource for counties that utilize part time or seasonal staff.

Patton gave an update on the Food Safety Modernization Act (FSMA) Produce Safety Rule (PSR). Starting January 1, 2020, small farmers will become subject to PSR inspections. Patton also mentioned that there has been a ballot initiative proposed that would require a three percent reduction of a variety of herbicides and other chemicals that do not meet the National Organic Program (NOP) standards with the objective of eliminating any agricultural chemicals that do not meet NOP standards by 2050. This is the California Herbicides and Pesticides Reduction Initiative (#19-0020). As of this Committee meeting, the initiative is pending official review.

ITEM 8: FUND CONDITION AND ASSESSMENT INCREASE PROPOSAL

Patton began discussion of the fund condition by bringing attention to the assessment level for Standardization. Patton expressed concern that the Standardization Program has been expending more money than it is taking in and that this is not sustainable. Patton further noted that the assessment fee for Standardization has not been changed in the 27 years since the Program became industry funded. This lack of change in the assessment fee poses challenges for the Program due to the rise in operating costs over the past 27 years.

Patton expressed that the Program budgetary situation leads to the Committee either recommending the Program cut more costs and services or raise the assessment fee. Patton asked that the Committee consider a 1 mil (1/10th of a penny) increase, making the fee 2 mils for mandatory and 4 mils for non-mandatory assessments respectively, in the Standardization assessment fee to help offset increased costs and help make the budget sustainable.

Patrick Tucker asked Patton to clarify whether the change in the assessment would merely maintain status quo or provide improvements. Patton explained that this would not maintain status quo and would allow for more assets to be brought to the Standardization Program. Hughes explained that the projected portions of the fund condition do reflect what the fund will look like with both the increased revenue and increased/reinstated expenditures.

Hughes also clarified that current statutes require this committee to approve any assessment increases prior to March 1st of the following year and that the Program budget details will be thoroughly reviewed at the Annual Spring Advisory Committee Meeting. Hughes also stated that should the Committee vote to increase the assessment fee, the increase would not go into effect until July 1, 2020, the beginning of the fiscal year 2020/2021.

Chairperson Zaninovich asked for a motion to approve the assessment fee increase.

MOTION: Patrick Tucker moved to approve the fee increase from 1 mil to 2 mils for the mandatory assessment rate and from 3 mils to 4 mils for the non-mandatory

assessment rate. David Silva seconded the Motion. The Motion passed unanimously, with no abstentions.

ITEM 9: COUNTY WHOLESALER REGISTRATION STATUTE – CACASA UPDATE

Williams passed out information presented at the California Agricultural Commissioners and Sealers Association (CACASA) fall conference as a concept for legislation that would require wholesale distributors to register with counties across the state. Williams stated that currently there is a fee for wholesaler registration within California, but it is only applicable in counties with a population of more than 6 million and thus applies only to Los Angeles County as written.

Williams informed the Committee that the current fee was established in 1984 at a rate of \$250 annually. Williams said that the recommendation from CACASA is to change the fee from \$250 to \$500 and remove the population requirement. Williams said that CACASA members are willing to explore the possibility of finding a legislative sponsor but would like input from the Committee first. Discussion between Williams and Chairperson Zaninovich ensued. Zaninovich raised concerns over the doubling of the fee and asked if there was potential for it to be a gradual increase. Williams explained that this can be explored as this revision in the fee for wholesale distributors is currently only a concept. Chairperson Zaninovich asked if this proposal has to have the support of the Committee. Williams explained that CACASA would be reluctant to pursue the legislation without the support of the Committee.

Silva asked that the Committee be given more time to evaluate this statutory concept and more information regarding precisely who and what type of wholesale businesses this proposal could potentially impact. Chairperson Zaninovich expressed similar opinions. Williams said that CACASA can continue working on the proposal and revisit it at a later Committee meeting.

ITEM 10: NEXT MEETING/AGENDA ITEMS

The next meeting will be held on Thursday, March 5, 2020 at 10:00 a.m. in Tulare County, at the Tulare County Agricultural Commissioner's Office.

ITEM 11: ADJOURNMENT

The meeting was adjourned at 12:40 p.m. by Chairperson Zaninovich.

Respectfully submitted by:



Stacey Hughes, Program Supervisor
Standardization Program