



**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
CERTIFIED FARMERS' MARKET ADVISORY COMMITTEE (CFMAC)**

**March 7, 2022
Teleconference
Meeting Minutes**

MEMBERS PRESENT

Karen Wetzel Schott – Chair
Ben Palazzolo
Kurt Floren
James Murez
Phillip Rhodes
Tyler Thayer
Ed Williams
Portia Bramble

MEMBERS ABSENT

Joyce Chan – Vice Chair
Oscar De Leon
Diana Martinez
Lulu Meyer
Cynthia Ojeda

CDFA

Steve Patton
Marcee Yount
Jennifer Leidolf
Dominic Hickman
Brandi Alston
Thomas Osborn
Chris Cox
Marc Grijalva
Raza Muzaffar

INTERESTED PARTIES

Doug Hayden, California Farmers' Market Association
Greta Shutler, Alameda County
Keri Brumfield, Contra Costa County
Aldo Zuniga, San Mateo County
Helena Roberts, Santa Clara County
Lukas Steinrueck, Sonoma County

ITEM 1: CALL TO ORDER-INTRODUCTIONS/ROLL CALL

The meeting was called to order by Karen Schott, Chair, at 10:02 a.m. Roll was called by Thomas Osborn, a quorum was established, and self-introductions were made.

ITEM 2: PUBLIC COMMENTS

There were no public comments.

ITEM 3: REVIEW OF DECEMBER 6, 2021 MEETING MINUTES

Chair Schott asked for a motion to approve the December 6, 2021, Meeting Minutes.

MOTION: James Murez moved to approve the December 6, 2021, Meeting Minutes as presented. Ben Palazzolo seconded the motion. A vote by roll call was taken. The motion passed unanimously.

ITEM 4: OUTREACH SUBCOMMITTEE

As the CFMAC member who had requested this topic was not present at the meeting, Chair Schott moved forward to the next agenda item.

ITEM 5: REGULATIONS SUBCOMMITTEE UPDATE

Tyler Thayer, Regulations Subcommittee Chair, provided an update on the subcommittee's progress. A complaint was received pertaining to uniform enforcement of processed agricultural products being sold in the defined marketing area where only agricultural products may be sold. The subcommittee explored steps that can be taken to achieve uniform enforcement of Direct Marketing rules and regulations.

The subcommittee recommended that the specific complaint received be resolved between the CDFA and the respective parties and counties involved. The subcommittee inquired with the CFMAC whether a formal recommendation with a position should be given to the parties involved in the complaint.

Chair Schott asked if the California Agricultural Commissioners and Sealers Association could publish a compendium to help clarify regulations and law interpretations for inspectors. Kurt Floren stated that it would be a decision by the CDFA and that other state agencies use compendiums of this sort that serve as formal interpretations of laws and regulations.

Floren advised the subcommittee to not lose sight of the origins of direct marketing; to provide specific exemptions from standard packaging and labeling requirements. Floren also suggested creating a list of considerations that focus solutions designed to provide overall guidance to both the industry and regulators.

James Murez suggested that the subcommittee draft a recommendation letter or propose a specific action for the CFMAC so that it can make a formal motion at the next meeting.

The Committee agreed that the subcommittee should continue its work. The next subcommittee meeting is tentatively scheduled for March 21, 2022.

ITEM 6: DATABASE UPDATE

Chris Cox, CDFA Office of Information Technology Services Chief Information Officer, provided the database update. The program cost estimate is \$665,700 and covers program costs through April 2022, an increase of approximately \$65,000 from previous projections. This increase is due to scope changes that occurred in December 2021 where critical process functions were added, including the ability for CDFA and County Agricultural Commissioner's to enter paper applications.

An update on the project milestone schedule was presented. Cox explained that future database development progress has been broken up into three phases. Each phase consists of a set of deliverable components, along with scheduled start and finish dates. Of the total project scope, Phase 1 is 80% complete. New estimates put Phase 2 completion by July and Phase 3 completion by the end of October, pending no disruptions to the project.

Marcee Yount requested clarification for the funding needed to complete Phase 2 and Phase 3 that will be included on the Fiscal Year (FY) 2022/23 Proposed Budget. Cox clarified that the \$665,700 will cover the project through Phase 1 and estimated that an additional \$180,000 would be needed to complete the project.

A period of discussion pertaining to database capabilities, development processes, and functionality ensued. Members voiced concerns regarding costs and the final functionality of the database as costs have far exceeded expectations and it appears that the database won't meet the Program's needs entirely. Murez and several other members requested that a Database Subcommittee meeting be held in advance of the CFMAC's fall meeting to discuss the future progression of the project. A Database Subcommittee meeting was scheduled for April 4, 2022.

ITEM 7: FISCAL YEAR 2022/23 PROPOSED BUDGET

Jennifer Leidolf presented the FY 2022/23 Proposed Budget. Total proposed expenses include: \$707,506 for Personal Services; \$763,520 for Operating Expenses and Equipment; and \$447,898 in Departmental Services, for a total program cost of \$1,918,924, with a Gas Tax credit of \$30,399. The total Proposed Budget for the FY 2022/23 was \$1,886,715 with a projected revenue of \$1,451,752. Included in the proposed budget is a line item for the Pesticide Pilot Project with \$20,000 for proposed expenditures.

Discussion ensued regarding the \$75,000 proposed for the database and whether it should be approved before the Database Subcommittee meets. Steve Patton explained that if the budget was approved, even though the \$75,000 is not sufficient to see the project through to Phase 3, it would continue the development of the project and funding could be augmented with an amendment at a later date.

Chair Schott asked for a motion to approve the FY 2022/23 Proposed Budget as presented.

MOTION: Ben Palazzolo moved to approve of the FY 2022/23 Proposed Budget as presented, with an understanding that adjustments to the database may be needed to ensure adequate funding and that functionality is present. Chair Karen Wetzel Schott seconded the motion. A vote by roll call was taken. The motion passed unanimously.

ITEM 8: REINSTATING PESTICIDE PILOT PROJECT FUNDING

Leidolf provided background of the Pesticide Pilot Project and presented a summary of pesticide testing results. The pilot project included 10 counties that were selected based on their geographical region and number of markets and is an additional tool to show evidence of not of own production violations. Since the last update, there were 22 positive results in which five Notices of Proposed Actions were taken by counties. All were for civil penalties, with no suspensions given. Leidolf recommended the project continue testing as a pilot project for another year or two in order to gather enough data to assess its success.

Palazzolo inquired about the counties who were selected but did not participate and questioned what barriers, if any, caused them to not participate. Ed Williams stated at least two counties did not participate due to Covid-19. Palazzolo asked what could be done to increase participation by the counties. Williams explained that some of the counties did not fully understand the project, and some did not have time or personnel to conduct follow-up testing.

Williams suggested that the pilot project continue for the remainder of the year with the funds that were not utilized by counties in FY 2021/22. Yount responded that in order to move forward, the Program must confirm with CDFA's Center for Analytical Chemistry (Chem Lab) if they have the ability to receive additional samples.

Williams further proposed that the project include all counties and inquired if funding from their regular Certified Farmers' Market county agreements could be used if needed. Patton responded that the project should remain operating with its current selected counties and that they could use their current funding pending confirmation that the Chem Lab is capable of receiving additional samples.

MOTION: Ben Palazzolo moved to continue the Pesticide Pilot Project for FY 2022/23 funded at \$20,000. Tyler Thayer seconded the motion. A vote by roll call was taken. The motion passed unanimously.

ITEM 9: DAIRY AND MEAT PRODUCTS IN THE AGRICULTURAL SECTION OF CERTIFIED FARMERS' MARKETS

Leidolf reported that a legal referral has been submitted to determine whether counties have the legal authority to investigate and inspect non-certifiable agricultural product. Leidolf suggested that this be placed as an agenda item for the next meeting with an expected response of the legal referral to be provided to the Committee.

ITEM 10: NEXT MEETING/AGENDA ITEMS

It was requested that the next meeting agenda include an update on the Database and from the Regulations, Database, and Outreach Subcommittees. Also requested is a discussion of dairy and meat products in the agricultural products section, review of the

section of a Certified Producer's Certificate listing authorized counties where commodities may be sold, and a report on quarterly remittance participation numbers. A Database Subcommittee meeting is scheduled for April 4, 2022.

The next meeting of the CFMAC will be held in the fall. A Doodle Poll will be conducted to determine the meeting date.

ITEM 11: ADJOURNMENT

The meeting was adjourned at 12:22 p.m. by Chair Schott.

Respectfully submitted by:

Jennifer Leidolf, Program Supervisor
Direct Marketing Program
Inspection and Compliance Branch
Inspection Services