



**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)  
CERTIFIED FARMERS' MARKET ADVISORY COMMITTEE (CFMAC)  
September 18, 2023 Meeting Minutes  
Teleconference**

**MEMBERS PRESENT**

Ben Palazzolo - Chair  
Oscar De Leon  
James Murez  
Phillip Rhodes  
Tyler Thayer  
Ed Williams  
Portia Bramble - Vice Chair  
Cynthia Ojeda  
Cameron Crisman  
Nick Schuller  
Kurt Floren

**INTERESTED PARTIES**

Nina Zlatkov, Los Angeles Co.  
Kimberly Richartz, Los Angeles Co.  
Max Regis, Los Angeles Co.  
Kayla Martain, Placer Co.  
Keri Brumfield, Contra Costa Co.  
Yvette Pellman, Monterey Co.

**CDFA**

Natalie Krout-Greenberg  
Marcee Yount  
Jennifer Leidolf  
Rene Mendoza  
Sarah Cardoni  
Jasmine Toledo

**MEMBERS ABSENT**

Karen Wetzel Schott  
Chrisandra Flores

**ITEM 1: CALL TO ORDER-INTRODUCTIONS/ROLL CALL**

The meeting was called to order by Jennifer Leidolf at 10:03 a.m. Roll was called, a quorum was established, and self-introductions were made.

**ITEM 2: ELECTION OF OFFICERS**

Leidolf opened the floor to nominations for Chair.

**MOTION:** Ed Williams nominated Ben Palazzolo for the office of Chair. Tyler Thayer seconded the motion. A vote by roll call was taken. The motion passed unanimously, with no abstentions.

Leidolf opened the floor to nominations for Vice Chair.

**MOTION:** Ed Williams nominated Portia Bramble for the office of Vice Chair. Ben Palazzolo seconded the motion. A vote by roll call was taken. The motion passed unanimously, with no abstentions.

**ITEM 3: PUBLIC COMMENTS**

Phillip Rhodes requested background information for authorized representatives be placed on a future meeting's agenda.

#### **ITEM 4: REVIEW OF MARCH 20, 2023 MEETING MINUTES**

Chair Palazzolo asked for a motion to approve the March 20, 2023 Meeting Minutes, as presented.

**MOTION:** Ed Williams moved to approve the March 20, 2023 Meeting Minutes as presented. Oscar De Leon seconded the motion. A vote by roll call was taken. The motion passed unanimously, with Cameron Crisman abstaining.

#### **ITEM 5: DIRECT MARKETING PROGRAM UPDATES**

Jennifer Leidolf provided program updates and announced that Jasmine Toledo was recently appointed as the Staff Services Analyst for the Direct Marketing Program.

Discussion about the database proceeded with many members describing the technical issues encountered while entering information into the database for their initial Certified Producer Certificate (CPC).

Cameron Crisman brought to attention issues he faced such as there being no save feature, varieties not listed, and the varieties drop down list always beginning with "A" and increasing the time required to enter varieties. Crisman suggested an "other" category for varieties so that in the event a variety is not listed, the application can continue without having to contact CDFA for resolution.

Nick Schuller shared that as a market manager, a big fear echoed by producers is being required to enter load sheet information into a centralized database.

Leidolf thanked the committee for their feedback and producers for their patience with the launch of the database. It was requested that any issues be directed to the Direct Marketing Program by email so that solutions can be identified. Program continues to add standardized units of measure and commodities using a standard naming convention.

Oscar De Leon requested CDFA Office of Information Technology Services (OITS) be present at every meeting moving forward during this crucial time in the database development. It is important that technical questions can be asked directly to OITS staff and for the committee to get answers until all issues are resolved.

Chair Palazzolo requested that a meeting of the Database Subcommittee with OITS staff be scheduled.

##### **i. Vacancies and Term Report**

Leidolf provided the Vacancies and Terms Report. Current vacancies include: four certified producer members; six certified producer alternates; and four certified farmers' market (CFM) operator alternates. Leidolf also provided the names of members who will be eligible for reappointment as of January 22, 2024.

ii. Compliance Report

Leidolf provided the Compliance Report. For FY 2022/23, 734 Notice of Noncompliance's were issued; of which 346 were categorized as minor, 55 as moderate, and 333 as serious. A total of 121 Notices of Proposed Actions were issued, with two having penalties and suspensions proposed.

Several questions were asked by the committee about how the Compliance Report is compiled and how the data is displayed and disseminated to industry, as this information is an important tool for enforcement purposes. De Leon requested that market managers be provided on a continuous basis a detailed list of all suspensions that include the name of the producer, CPC number, the county the producer is from, the violation, and the action that was taken.

Rhodes raised concern with the allowance of packinghouses to obtain a CPC and asked how regulators are confirming packinghouses are selling only products of their own production. Crisman agreed that packinghouses should not be allowed to sell at CFMs. A request was made to have the Compliance Report on the Department's website.

iii. Participation Report

Leidolf provided the Participation Report. For 2022, quarterly remittance participation for markets reporting by quarter were: 636 for Quarter 1; 667 for Quarter 2; 691 for Quarter 3; and 644 for Quarter 4. Total markets reported as non-operational by quarter were: 204 for Quarter 1; 70 for Quarter 2; 59 for Quarter 3; and 89 for Quarter 4. Revenue collected by quarter was: \$301,693 for Quarter 1; \$388,164 for Quarter 2; \$417,669 for Quarter 3; and \$312,448 for Quarter 4. For 2023 Quarter 1, total quarterly remittance participation for markets reporting was 399, total markets reported as non-operational was 97, and revenue collected was \$269,309.

iv. Fund Condition

Leidolf provided an overview of the Fiscal Year (FY) 2022/23 Fund Condition. As of June 30, 2023, the beginning fund balance was \$815,421. Total revenue was \$1,446,333, with available cash of \$2,261,754. Total expenditures were \$1,276,346. Cash Adjustments were \$164,483, with an ending balance of \$820,925.

Chair Palazzolo requested the database expenditures and funding be discussed at the next Database Subcommittee meeting.

**ITEM 6: LEGISLATIVE SUBCOMMITTEE RECOMMENDATION**

Chair Palazzolo provided background of the Legislative Subcommittee's work to explore a change in the Food and Agricultural Code (FAC) that would alter how the Direct Marketing Program can change fees. Many concerns were brought up during subcommittee meetings and included the current integrity of direct marketing industry with today's funding level and the fear that CDFA will raise fees significantly without industry support and without providing additional services. Chair Palazzolo reiterated

that in the event the legislative change was adopted, the committee would still have the authority internally to determine the fees collected by the Direct Marketing Program. Furthermore, a minimum and maximum dollar amount must be included in the language to allow for the modification of fees in regulation.

Chair Palazzolo expressed other concerns discussed by the subcommittee, which included county funding and how program resources are currently being utilized. Chair Palazzolo urged that any future proposed change in fees must be adequately communicated to industry. Furthermore, more information is needed and how future fee changes would be communicated to industry must be identified before consideration of a fee change.

The subcommittee met on August 7, 2023. After lengthy discussion, one motion was made by the subcommittee and was approved by unanimous vote; to move accept the proposed Food and Agricultural Code language with the amendment of a maximum fee level set at \$6, \$3 for rural counties, and to bring forward the Legislative Concept Proposal to the CFMAC for consideration.

**MOTION:** James Murez moved to extend the meeting past 1:00 p.m. Chair Ben Palazzolo seconded the motion. A vote by roll call was taken. The motion passed unanimously, with no abstentions.

Discussion ensued among members about concerns of accepting the legislative proposal, one of which was the costly database and use of program resources for future database development. Members stated that more transparency and better communication in how funding is being utilized is needed.

Portia Bramble, Legislative Subcommittee Chair, shared highlights of subcommittee discussions and expressed that many of the same sentiments being raised today were also concerns brought up during subcommittee meetings. Bramble assured that concerns were discussed in length and the census was to take action and move forward with the legislative proposal. Bramble recommended the committee bring the database issue directly to the attention of the Secretary.

Marcee Yount confirmed that the legislative proposal is merely a means to have a mechanism in place in the event something happens and there was a need to increase the fee down the road. Any future fee change would require the recommendation of the committee and Secretary and would require a regulatory change. These processes include public participation and members of the industry can make public for consideration.

Chair Palazzolo asked what would occur if the legislative proposal was not approved by the committee. Yount responded that the committee could revisit the legislative proposal at a later time.

The committee requested more information before consideration of moving forward with the legislative proposal. It was agreed that the proposal should be revisited next year when better consensus among members is present.

**MOTION:** James Murez moved to accept the Legislative Subcommittee recommendation to accept the proposed Food and Agricultural Code language with the amendment of a maximum fee level set at \$6, \$3 for rural counties. Oscar De Leon seconded the motion. A vote by roll call was taken. The motion failed by unanimous vote, with no abstentions.

After discussion the committee decided to reconvene on October 30, 2023, at 10:00 a.m.

### **October 30, 2023**

The meeting was reconvened on October 30, 2023, at 10:00 a.m. by Chair Palazzolo. Roll was called, a quorum was established, and self-introductions were made.

### **ITEM 7: REGULATIONS SUBCOMMITTEE UPDATE**

Tyler Thayer, Regulations Subcommittee Chair, provided an update on the subcommittee's progress. The subcommittee met on October 23, 2023, and continued its discussion on value added products. Thayer stated that the subcommittee will meet again for further discussions before making a recommendation to the CFMAC.

Bramble stated that the subcommittee began its work by looking at cooked agricultural products that have been processed and is now examining the California Code of Regulations (CCR) Section 1392.2. Definitions. Several proposals have been discussed such as adding leaveners to allow for the sale of baked goods and adding cuttings from nursery stock and trees so that cuttings can be used for fastening wreaths and flower arrangements.

The committee reexamined mushrooms listed on the CPC as it has come to question whether producers are practicing the agricultural arts as specified in FAC 47000.5 (b) when harvesting mushrooms from pre-inoculated blocks. Williams shared that he plans to submit draft language to the subcommittee for review.

### **ITEM 8: NEXT MEETING/AGENDA ITEMS**

Natalie Krout-Greenberg, Director of Inspection Services Division, suggested the committee revisit the work of the 2010 Technical Planning Committee. The 2010 Technical Planning Committee had similar conversations and questions to those of the current committee and after helping facilitate discussions, a road map with action items was created and helped set the vision for the direct marketing industry for the past ten years. Krout-Greenberg proposed taking a step to look at how the committee can get circled around the table in order to collectively set the vision for direct marketing for the next decade ahead.

The next meetings are scheduled for January 22 and March 4, 2024, and will be held via Zoom. The Database Subcommittee and Regulations Subcommittee will be scheduled after a doodle poll confirms member availability with proposed dates.

Future agenda items and topics of discussion include: Farmers Market Nutrition Program eWIC update; authorized representative background; looking at how regulatory agencies can promptly exchange information; CDFA sharing CPC information; clarification of proprietary information on CPC; 2010 Technical Planning Committee report and presentation; and reports from the Regulations Subcommittee and Database Subcommittee.

**ITEM 9: ADJOURNMENT**

The meeting was adjourned on October 30, 2023, at 11:55 a.m. by Chair Palazzolo.

Respectfully submitted by:

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Jennifer Leidolf, Program Supervisor  
Direct Marketing Program