

**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
STANDARDIZATION ADVISORY COMMITTEE MEETING
Coalinga, CA
Meeting Minutes
March 20, 2008**

Members Attending

Pete Dinkler
Jon Zaninovich
Gilbert Coelho
Kerry Whitson
Mark Perez, Jr.
Dennis Johnston
Jerry Prieto, Jr.
Jim Simonian

CDFA Representatives

Rick Jensen
Amadou Ba
Steve Patton
Andrew Valero
Mario Cortez
Brian Cote

Interested Parties

Richard Homer, Stanislaus County
Richard Ordenez, Monterey County
Don Mayeda, Merced County
Ruben Arroyo, Kern County
Bob Willhite, San Bernardino County
Ron Bray, Riverside County
Dennis Bray, Alameda County
Tom Oliveri, WGA
Steve Schweizer, Kings County

ITEM 1: ROLL CALL

Mr. Jim Simonian called the meeting to order at 10:00 a.m. Roll was called and a quorum was established.

ITEM 2: COMMITTEE VACANCIES AND TERMS

Dr. Amadou Ba announced that Mr. Pete Dinkler, Mr. Kerry Whitson, Mr. Mark Perez, Jr., Mr. Kerry Whitson, and Mr. Simonian were reappointed to the Standardization Advisory Committee. There are also four vacancies on the Committee, including, one fresh fruit member, two fresh vegetable/lettuce members, and one mixed vegetable member. Dr. Ba announced that the following members have terms expiring on August 31, 2008, Mr. Dean Thonesen, Mr. Jon Zaninovich, Mr. Gilbert Coelho, Mr. Mike Gardoni, Sr., Mr. Jerry Prieto, Jr., and Mr. Eric Lauritzen. Since Mr. Prieto and Mr. Zaninovich have served four consecutive terms, they will be termed out following the completion of their current term.

ITEM 3: APPROVAL OF MARCH 22, 2007 AND NOVEMBER 15, 2007 MEETING MINUTES

MOTION: Mr. Simonian moved to approve the March 22, 2007 and November 15, 2007 minutes as submitted. Mr. Perez seconded. The motion passed unanimously.

Copies of the March 22, 2007 and November 15, 2007 Meeting Minutes are attached as EXHIBIT A and EXHIBIT B, respectively.

ITEM 4: REGULATION UPDATE

A. Lettuce regulations

Dr. Ba announced that the 45-day comment period has expired for the proposed lettuce regulation and the CDFA did not receive any comments related to the regulation.

B. Citrus assessment/freeze language

Dr. Ba provided an update on the status of the proposed citrus assessment. On November 16, 2007, CDFA published a notice of proposed action concerning the regulation on the citrus assessment. Upon review, CDFA legal counsel determined that CDFA should request an expedited review and the proposed regulation would not require a review from the Office of Administrative Law on the basis of Government Code Sec. 11340.9 (g). The proposed citrus assessment would be exempt from review as a rate change. The Office of Administrative Law senior staff and management met and determined that the assessment does not qualify as a rate, price, or tariff. The rate exemption does not apply in a situation wherein an agency collects money from the entities it regulates to pay for the costs of its work or services; in that situation the charge is considered a fee that is subject to OAL review. Consequently, resubmitting the regulation and trying to introduce it as an emergency regulation may not work.

ITEM 5: COUNTY CONTRACTS/BUDGET APPROVAL

Dr. Ba provided handouts comparing the Standardization County Contracts for fiscal year (FY) 2007/08 with FY 2008/09. The following counties presented a synopsis of the proposed budget for FY 2008/09:

Fresno County: the changes in the contract reflect an increase in cost of living adjustments. Fresno County stayed within the amount specified in the contract granted for FY 2007/08. Due to an increase in watermelon inspections, Fresno County is requesting to increase its budget to \$224,621 for FY 2008/09.

Alameda County: ten market violations were found during FY 2007/08. Alameda County would like to have more of a presence in the markets.

Kern County: Kern County's increase reflects cost of living adjustments and wage increases. Kern County would like to expand its grape inspection program by 200 hours.

Kings County: will maintain the same contract for FY 2008/09.

Merced County: is anticipating an increase of approximately \$700 for FY 2008/09.

Monterey County: the budget increases in the FY 2008/09 contract reflect salary increases and cost of living adjustments.

Riverside County: Riverside County provides inspections throughout southern California. Riverside County inspects ports in Los Angeles, Ventura, and San Diego counties. Riverside County also inspects wholesale markets in Riverside, Orange, Los Angeles, Ventura, San Diego, and Imperial counties. Riverside County would like to provide the same level of service for FY 2008/09. The 2.2% to 2.5% increase is a result of a collective bargaining agreement with the inspectors.

San Joaquin County: the cherry inspection program is essentially staying the same, however, the budget increases reflect cost of living adjustments.

San Mateo County: will maintain hourly rates. According to Mr. Rick Jensen, there have been many violations and penalties levied against wholesale market distributors in San Mateo County.

Stanislaus County: the contract reflects an 80-hour increase in supervision.

MOTION: Mr. Dinkler moved to approve the county contracts as submitted. Mr. Zaninovich seconded. The motion passed unanimously.

Dr. Ba provided information on issues related to the Standardization Program Budget. According to Dr. Ba, a balance of approximately \$1.2 million is expected for the Standardization Program by the end of FY 2007/08. The FY 2008/09 proposed budget for the Standardization Program is approximately \$1.98 million.

Mr. Whitson inquired whether the Governor's proposed budget would impact the Standardization Program. Mr. Jensen explained that the Governor's proposals are for general fund reductions and will not affect the Standardization Program.

MOTION: Mr. Johnston moved to approve the Standardization Program budget proposal as submitted. Mr. Perez seconded. The motion passed unanimously.

A copy of the Standardization County Contracts comparing FY 2007/08 with FY 2008/09 are attached as EXHIBIT C and EXHIBIT D.

A copy of the Standardization Program Projection and Proposals is attached as EXHIBIT E.

ITEM 6: REPORT 8 V. STANDARDIZATION CONTRACT

Mr. Steve Patton discussed upcoming changes to Report 8 and the Standardization Program County Contract Invoice.

ITEM 7: BRANCH/PROGRAM ORGANIZATIONAL UPDATE

Mr. Jensen provided an update on organizational changes within the Inspection and Compliance Branch.

ITEM 8: ASSESSMENT ISSUE

Mr. Patton explained that the California Citrus Advisory Committee is attempting to standardize the containers utilized for assessments. Mr. Simonian explained that in the past, every commodity had standard containers. Mr. Jensen explained that he would like to implement a mechanism to identify standardized reporting that is revenue neutral. Mr. Jensen stressed the need for historical research and working with the industry to identify common practices and establishing regulations to ensure that directions are clear.

ITEM 9: OTHER BUSINESS

Mr. Jensen discussed AB 2168 (Jones), which relates to the sales of agricultural products and processed products at farm stands. Mr. Jensen explained that AB 2168 would amend Section 47001 of the Food and Agricultural Code to authorize the Secretary of the CDFA to adopt regulations to encourage the direct sale by farmers to "the public" of all types of California agricultural products. "The public" includes individual and entity members of the public buying for resale purposes. Mr. Prieto explained that he believes that AB 2168 provides an avenue for individuals to avoid placing commodities in standardized containers. The members subsequently discussed their concerns related to the bill and the difficulties associated with enforcement and food safety if AB 2168 passes without modification.

The members discussed sending representatives from the Standardization Advisory Committee and CDFA to the Agricultural Commissioner's Association meeting in Monterey, CA in May 2008.

Since it is likely that Mr. Prieto and Mr. Zaninovich will be termed out prior to the next Standardization Advisory Committee meeting, Mr. Jensen thanked Mr. Prieto and Mr. Zaninovich on behalf of CDFA for their dedication and service to the Standardization Advisory Committee.

ITEM 10: NEXT MEETING

The next meeting will be held in October or November 2008.

ITEM 11: ADJOURNMENT

The meeting adjourned at 11:08 a.m.

Respectfully submitted by:

Amadou Ba
Standardization Program
Inspection and Compliance Branch

AB/bc