

Seed Advisory Board (SAB) Meeting
California Department of Food and Agriculture (CDFA)
2800 Gateway Oaks Dr., Room 101
Sacramento, CA 95833

Tuesday October 13th, 2020
8:00 A.M.- 1:00 P.M.

1. Roll Call

Riad Baalbaki	Emi Kuroiwa
Joe Baglietto	Kraig Kuykendall
Cheryl Blomquist	Brenda Lanini
Mike Campbell	John McShane
Greg Cassel	Erica Moore
Emily Clay	Greg Orsetti
Ha Dang	Cathy Pinkerton-Roache
Jovan Djordjevic	Robert Price
Sandra Elles	Kelle Schroeder
Scott Emanuelli	Robert Simas
Adam Holmes	Connie Weiner
Kelly Keithly	Tom Tucker
Umesh Kodira	Allen Van Deynze
Juan Koponen	Hana Yokoyama-Hatch
Joshua Kress	

Meeting was called to order at 8:00am by Vice Chair Greg Cassel. New board member Emily Clay was welcomed and introduced to the board.

2. Review and Approval of Minutes

Brenda Lanini presented draft minutes from the February 18, May 5, and September 14 meetings to the Board for review and approval.

Review of Minutes from February 18, 2020 Board Meeting

It was moved, seconded, and unanimously passed by the Board to approve the minutes for the February 18, 2020 board meeting as presented.

Motion: Greg Orsetti

Second: Kelly Keithly

Yes: Joe Baglietto, Mike Campbell, Greg Cassel, Emily Clay, Scott Emanuelli, Kelly Keithly, Kraig Kuykendall, John McShane, Greg Orsetti

No: None

Absent: William White

Abstain: None
No Vote Recorded: Robert Simas

Review of Minutes from May 5, 2020 Board Meeting

It was moved, seconded, and unanimously passed by the Board to approve the minutes for the May 5, 2020 board meeting as presented.

Motion: Kelly Keithly

Second: Scott Emanuelli

Yes: Joe Baglietto, Mike Campbell, Greg Cassel, Emily Clay, Scott Emanuelli, Kelly Keithly, Kraig Kuykendall, John McShane, Greg Orsetti

No: None

Absent: William White

Abstain: None

No Vote Recorded: Robert Simas

Review of Minutes from September 14, 2020 Board Meeting

It was moved, seconded, and unanimously passed by the Board to approve the minutes for the September 14, 2020 board meeting as presented.

Motion: Kraig Kuykendall

Second: Greg Orsetti

Yes: Joe Baglietto, Mike Campbell, Greg Cassel, Emily Clay, Scott Emanuelli, Kelly Keithly, Kraig Kuykendall, John McShane, Greg Orsetti

No: None

Absent: William White

Abstain: None

No Vote Recorded: Robert Simas

3. CACASA Proposal for Enhanced Seed Law Enforcement

San Diego County Agricultural Commissioner Ha Dang provided a summary of the proposed Seed Law Enhancement Plan (SLEP) presented at the May 5, 2020 meeting and presented additional details on planned expenditures as requested by the board. The SLEP proposed to utilize \$1,204,000 of Unclaimed Gas Tax (UGT) funds allocated for Seed Law Enforcement by the California Agricultural Commissioners and Sealers Association (CACASA) and CDFA for a five-year period (Fiscal Years 2019/20 to 2023/24) to supplement the current \$120,000 subvention of county seed law enforcement activities and further improve compliance, reduce labeling issues and complaints, and promote consistent local implementation of the California Seed Law.

For the \$300,000 allocated for FY 2019/20, \$150,000 was reserved for unanticipated needs, such as complaints and investigations, and \$150,000 was rolled over to future years.

For the \$300,000 allocated for FY 2020/21, expenses were broken down as follows:

- \$180,000 to augment existing county subvention agreements and to provide funding for counties with no High Risk Pest Exclusion contract to conduct inspections of incoming seed shipments,
- \$20,000 for seed sampling equipment purchases,
- \$10,000 for development of county training materials, and
- \$90,000 for CDFA to conduct county training, including: web-based training, onsite field training, USDA Seed Sampler Certification, and travel costs for future in-person training.

The proposal also included rollover funds of \$98,000 to FY 2022/23 and \$48,000 to FY 2023/24 to continue augmentation of the county subvention agreements for those years, and a remaining balance of \$54,000 at the end of the five-year period.

Sandy Elles added that Senate Bill (SB) 1473 was passed by the Legislature and signed by the Governor, and it extended the provisions of the California Seed Law related to the \$120,000 subvention through July 1, 2024.

It was moved, seconded, and unanimously passed by the Board to recommend that the Unclaimed Gas Tax funds designated for Seed activities be allocated in accordance with the Proposal for Seed Law Enhancement as presented, and to evaluate implementation of the proposal annually.

Motion: Kelly Keithly

Second: Joe Baglietto

Yes: Joe Baglietto, Mike Campbell, Greg Cassel, Emily Clay, Scott Emanuelli, Kelly Keithly, Kraig Kuykendall, John McShane, Greg Orsetti

No: None

Absent: William White

Abstain: None

No Vote Recorded: Robert Simas

4. Proposed Changes to California Seed Regulations to Realign with Recommended Uniform State Seed Law (RUSL) and The Federal Seed Act and Regulations

Brenda Lanini reviewed sections of the Association of American Seed Control Officials' (AASCO) Recommended Uniform State Seed Law (RUSL) and Federal Seed Act and Regulations that existing California regulations. Lanini noted differences between the standardized mediation statement in RUSL and in California Code of Regulations (CCR), Title 3, Section 3915.1. The Board agreed that amending 3 CCR 3915.1 to align with the standardized statement will help facilitate interstate movement of seed.

Lanini reviewed the following changes to federal seed regulations, effective July 7,

2020:

- **201.2 (h) Agricultural Seeds.** - added camelina, radish, and teff to the list of agricultural kinds
- **201.10 Variety. (a)** - requires varietal name on the label for radish.
- **201.30c Noxious-weed seeds of vegetable seed in containers of more than 1 pound** - added restrictions for shipments of noxious weed seed in vegetable seed in containers weighting more than 1 lb.

The Board agreed that the corresponding California regulations should be amended to continue to align with federal seed regulations. No motions were made for this agenda item.

5. CDFA Seed Lab Activities Update

Riad Baalbaki presented a summary of activities conducted by the State Seed Laboratory during FY 2019/20. 464 regulatory samples were released to the Seed Lab. Of the inspected lots, 15% were found to have at least one violation, an increase from previous years. A total of 428 service (fee-based) samples were tested in FY 2019/20. Rice was the most frequently tested crop (138 samples), with vegetable seeds (168 samples) making up the bulk of the remainder. The Seed Lab also received more than 50 samples for seed identification.

The Seed Lab received 106 feed mill inspection samples, on which 106 visual inspections and 454 viability tests were conducted. Among these samples, 1,034 common and noxious weed seeds were found and identified. 15 of the post-devitalization processing samples contained viable weed seeds and two of these samples contained viable noxious weed seeds.

Regulatory compliance accounted for approximately 63% of the work performed by Seed Lab staff. Of that time, approximately 68% was spent on laboratory label compliance testing; 8% on providing consultations and information services related to seed testing and performance issues, and providing investigative services; 3% on validation of existing Rules governing regulatory testing; 5% on monitoring and inspection activities; 14% on training analysts on applications of test methods to enhance uniform and standardized testing for regulatory and labelling purposes, and development of guidelines for seed testing methods; and 2% on development and dissemination of seed testing protocols and procedures not covered by existing Federal and California seed laws.

It was moved, seconded, and unanimously passed by the Board to accept the Seed Lab Activities update.

Motion: Greg Orsetti

Second: Kraig Kuykendall

Yes: Joe Baglietto, Mike Campbell, Greg Cassel, Emily Clay, Scott Emanuelli, Kelly Keithly, Kraig Kuykendall, John McShane, Greg Orsetti

No: None

Absent: William White

Abstain: None

No Vote Recorded: Robert Simas

6. CDFA Seed Services Activities Update

Brenda Lanini presented a summary of activities conducted by the Seed Services Program during FY 2019/20. At the start of the COVID-19 pandemic, Seed Services paused sampling activities until new safety procedures were in place and sufficient personal protective equipment (PPE) could be provided to staff. Even with these in place, many firms did not want any outside people in their facilities, which further slowed sampling activities.

In FY 2019/20, there were 639 registered firms, 423 of which paid assessments. Ten firms provided approximately 50% of all assessments paid. In FY 2020/21, there were 539 registered firms as of October 10, 2020.

Lanini reviewed the program's goals for FY 2020/21:

- Hire Seed Services field staff to return to full staffing,
- Provide increased training to county inspectors,
- Continue to visit all registered seed sellers regularly, and
- Assist new seed labelers with information on proper seed labeling to meet California Laws and Regulations.

It was moved, seconded, and unanimously passed by the Board to accept the Seed Services Activities update.

Motion: John McShane

Second: Joe Baglietto

Yes: Joe Baglietto, Mike Campbell, Greg Cassel, Emily Clay, Scott Emanuelli, Kelly Keithly, Kraig Kuykendall, John McShane, Greg Orsetti

No: None

Absent: William White

Abstain: None

No Vote Recorded: Robert Simas

7. Proposed Budget for Seed Services Program for FY 2021/22

Lanini reviewed the Seed Services Program's proposed spending plan and fund condition for FY 2021/22. The Board asked for more detail on indirect cost and why

the expense changed from year to year. Erica Moore noted that the program's personal services increased, which results in increased indirect charges. Lanini noted that indirect costs are distributed throughout the department on a percentage basis. Joshua Kress added that factors such as fluctuations in personnel, support programs, and establishment of new programs within CDFA (such as Cal Cannabis) can affect the calculation and distribution of indirect cost throughout the department. Kress noted that the "224C" budget line item is Unclaimed Gas Tax funds that are allocated to help offset indirect costs for industry-funded programs like Seed Services.

It was moved, seconded, and unanimously passed by the Board to recommend a proposed spending plan for Seed Services for fiscal year 2021/22 totaling \$2,321,488, as presented.

Motion: Kelly Keithly

Second: Kraig Kuykendall

Yes: Joe Baglietto, Mike Campbell, Greg Cassel, Emily Clay, Scott Emanuelli, Kelly Keithly, Kraig Kuykendall, John McShane, Greg Orsetti

No: None

Absent: William White

Abstain: None

No Vote Recorded: Robert Simas

8. Additional Public Comments

None

9. Next Meeting/Agenda Items

The next meeting will be Wednesday, May 5, 2021 at 8:00am.

Next meeting agenda topic: Updating the economic assessment of the California seed industry.

10. Adjournment

The meeting adjourned at 10:03 a.m.

Respectfully submitted by:

Erica Moore, Associate Governmental Program Analyst-Seed Services
Nursery, Seed, & Cotton Program
California Department of Food & Agriculture