Seed Advisory Board Meeting
CDFA Gateway Oaks Facility
2800 Gateway Oaks Drive
Sacramento, CA 95833

8:15 AM, Wednesday November 19, 2014

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1. **Call to Order – Roll call**
   Chairman McShane called the meeting to order at 8:20 am. The following members and guests were present:

Kelly Keithly*	George Hansen*	Duane Schnabel
John McShane*	Greg Orsetti*	Nick Condos
Marc Meyer*	Deborah Meyer	Kristina Weber
Larry Hirahara*	John Heaton	Erin Lovig
Derek Winn*	Joshua Kress	Nancy Iljana
Janice Woodhouse*	Kent Bradford	Laureen Chiesa
Bill White*	Cathy Vue	

   * Denotes a Seed Advisory Board Member.

   Chairman McShane welcomed Derek Winn as the newest appointed member to the Seed Advisory Board. Derek was appointed by the Secretary to complete the term of former member, Paul Frey who recently retired.

2. **Acceptance of Minutes from May 7, 2014 meeting**
   John Heaton noted corrections about attendance on the draft of the minutes for the May 7, 2014 meeting. Member Kelly Keithly motioned for approval of the corrected minutes. Greg Orsetti seconded the motion. Motion carried.

3. **Seed Biotechnology Center (SBC) – Activities Report**
   Chairman McShane explained that since funds from industry are provided to the Seed Biotechnology Center through a grant, the SBC is required to present a summary of their activities to the Board each year. He requested Dr. Kent Bradford briefly summarize the activities of the SBC during the last year.

   Some of Dr. Bradford's key points were:

   - Several Genome Mapping Projects have been conducted or are in progress, including for:
     - Spinach
     - Cotton
     - Lettuce
     - Eggplant
     - Pepper
     - Carrot
     - Tomato

   - Several classes were offered in 2014, including:
     - Program Management for Plant Breeders – offered by Dr. Fred Bliss
       - Targeted to new professional plant breeders
     - Seed Business 101 – which covers activities across the seed industry. The format is primarily a case study approach.
       - A field crop version and a horticultural crop version of Seed Business 101 is offered.

   - Upcoming Courses

    - A Seed Biology Production Quality Course will be offered in Feb. 2015
        - Deborah Meyer of CDFA has been requested to serve as one of the instructors for this course
    - Plant Breeding Academy continues
        - Class IV of Davis and Class 1 of Asian PBA graduated in June.
        - Class V of Davis started in Sept. 2014
        - EU Class III started Oct. 2014 and met in Netherlands
        - African PBA in association with the African Crops Consortium started in December 2013. Bradford will be teaching the last session in December 2014.
- Significant Developments
    - A Vegetable Research and Development Forum was held in April to identify emerging issues and possible collaborations. Issues identified will be brought to the attention of the American Seed Trade Association (ASTA) and the California Seed Association (CSA).
    - SBC is working on a survey for industry to prioritize issues
    - Charlie Brummer has been hired as the Director of the Plant Breeding Center at UCD. Several goals have been identified:
        - Expand educational programs (BS MS, PhD)
        - Hire faculty for breeding positions across commodities
        - Improve breeding infrastructure
        - Coordinate with SBC and Seed Central
        - Amanda Pietras was recently hired as a Program Representative to assist the Plant Breeding Center and Seed Biotechnology Center
    - Work continues on a program called the Collaboration for Plant Pathogen Strain Identification (CPPSI)
        - The idea is to create differential host sets and reference pathogen strains.
        - CPPSI is an important step to match disease resistance in cultivars to the correct pathogen or pathotype.
        - Financial support has been initiated by interested parties
        - Initial efforts will focus on vegetable crops. There is hope the efforts will prove beneficial for a larger type of phytosanitary operation.
    - The World Food Center continues to develop. Within the World Food Center, the Institute for Food and Agricultural Literacy has a goal is to provide better communication about the science of food and agriculture.
    - On November 13, 2014 Seed Central conducted a session showcasing cutting edge technologies such as:
        - Automated, high-throughput phenotyping from assay plates to field plots.
        - Accelerating marker assisted selection
        - Selection of microbes for crop trait improvement.

Dr. Bradford acknowledged the contributions by other SBC staff and thanked the Board for its continued support.

Member Larry Hirahara asked if the new strawberry breeder will be hired under the Plant Breeding Center.

Bradford explained that the position will have academic and research responsibilities but will also participate with the Plant Breeding Center. He added that the Director of the Plant Breeding Center is not the formal supervisor of the breeders but will work closely with them.

Member Greg Orsetti asked about the scope of the Plant Breeding Center.

Dr. Bradford replies that the Plant Breeding Center will work on improving all types of plants, including tree crops, vegetable crops, row crop and even vegetatively propagated crops.

Chairman McShane provided some additional background about the SBC for the benefit of new Board members. He explained that a three year was initiated in FY2013. The current grant provides $200,000 per year and is scheduled to expire on June 30, 2016. Consequently the SBC is in the middle of its 2nd year of the grant. Per a prior agreement with SBC, the Board is to notify SBC one year in advance if the Board does not wish to continue funding at its present level. During the May 2015 meeting the Board will discuss the level of funding that might be awarded for the SBC beyond fiscal year 2015, which ends June 30, 2016.

Marc Meyer motioned the Board accept the report from SBC as presented by Dr. Bradford. Larry Hirahara seconded the motion. Motion carried.

4. Quarantine enforcements involving seed

Chairman McShane requested John Heaton to present a brief summary of recent quarantine activities involving seed.

John Heaton noted the following pests were identified and suspected of being introduced to the contaminated fields via the planting seeds. Several fields and seed lots were placed under quarantine orders as a result of the finds. Brief summaries and handouts were presented for the following:

- **Cucumber Green Mottle Mosaic Virus (CGMMV)**
  - No finds in seed production fields but some in commercial melon fields:
    - 5 fields in SJ County ~ 250 acres
    - 1 field in Fresno County ~ 156 acres
    - 1 field in Kern County.~ 145 acres
      ~ 500 acres known to be infected
  - Trace Backs
    - Suspect seed lots of multiple companies led to dead ends
    - Infected fields traced back to two transplant houses

        - Investigators suspect that one or more shipments of transplants was infected and that cross contamination occurred, perhaps in the transplant house or possibly in the field
    - CGMMV is Federal actionable pest
        - USDA issued a letter of "finds" to State Plant Regulatory Officials – a SPRO Letter - on August 27, 2013 for the initial find (see attachment 1).
        - USDA issued a new SPRO letter on November 18, 2014 about the subsequent California finds.
            - Duane Schnabel explained that the SPRO letter stated the facts of the contaminated fields and that we continue to be under eradication and control measures. He emphasized CA is not under quarantine but affected fields are under regulatory holds.
            - Branch Chief Schnabel further explained that Bacterial Fruit Blotch (BFB) is a different pest and not a Federal actionable pest. The limited resources of the State have prevented implementation of control measures for BFB in the two counties it was found. Consequently the two affected counties can no longer state they are free of bacterial fruit blotch. This has implications for the trade of several commodities, including seed.
            - CDFA will review the most recent SPRO letter to determine if an additional advisory needs to be written and distributed.
    - Current mitigation measures include but are not limited to:
        - Disinfection of equipment and personnel
        - Crop rotation to non-hosts and trap crops
        - Monitoring and testing any volunteers
        - It takes two years of not finding the pest before the pest would be declared eradicated in those fields.
    - Other finds of CGMMV
        - Australia had recent findings of CGMMV in several thousand acres of melons and pumkins in certain areas. (attachment 2)
            - Australia no longer considers ELISA testing of 2,000 seeds adequate. They are now requiring testing of 10,000 seeds using PCR.

- **Egyptian broomrape**
    - a federal noxious weed (attachment 3)
    - a parasitic plant
    - found in a single commercial tomato field in Solano County
    - detection was published in the August 2014 issue of First Detector Network News (attachment 4)
    - trace back efforts on seed lots were uneventful (i.e. no finds).
    - Mitigation/eradication is currently under way and include:

        - the crop residue was flamed with a propane burner
        - burnt seeds were tested for viability
        - the field was disked
        - methyl bromide will be applied
        - a trap crop will be planted
        - the field will be monitored for three years
        - must be free of the pest for three years before eradication can be declared
    - A copy of last year's advisory from CDFA was provided (attachment 5)

- **Branched broomrape**
    - Single parasitic plant can produce 500,000 tiny seeds that can remain viable in soil for many years
    - Field inspectors for tomato processors were on alert due to find of Egyptian broomrape
    - Inspectors found broomrape in a few tomato production fields of San Joaquin County. These fields had infestations of branched broomrape <u>not</u> Egyptian broomrape.
    - CDFA has long history dealing with branched broomrape (back to 1950s)

The Department issued advisories for each broomrape. Main points of the mitigation and eradication efforts include:

- Non-host planting, such as strawberries (fumigation), wheat, carrots and almonds.
- Equipment must be cleaned before moving.
- Water runoff must be monitored.

- Overall summary of recent seed related quarantine efforts related to seed lots:
    - Investigations and meetings of federal, state, county and seed industry representatives, as well as representatives of affected commercial operations, require extensive planning and coordination.
    - Counties are finding it very difficult, and expensive to respond to these quarantine issues.
    - CDFA Plant Division/Interior Pest Exclusion Branch is also incurring significant costs to investigate these incidents.
    - The cost of response and potential losses to the industry are driving an effort to address the health of imported seeds

Heaton explained that although the Seed Services Program is not typically involved in quarantine response, he does attend various meetings to keep track of how the issues might affect the seed industry. The Seed Services Program has provided assistance to investigative efforts by sampling suspect seed lots. In addition, the CDFA seed laboratory has performed testing and provided diagnostic services for numerous investigative seed samples.

5. **Produce Dealers License**

Chairman McShane explained that item five was placed on the agenda after the Seed Services Program was made aware of a recent licensing request (attachment 6) upon a vegetable seed company by the CDFA Market Enforcement Branch. The issue was addressed by the company but can be somewhat confusing. John Heaton invited the CDFA Market Enforcement Branch, specifically Nancy Iljana, Branch Chief and Laurene Chiesa, Supervising Special Investigator II, to provide insight on the licensing requirements of the Produce Dealer's Act.

Branch Chief Nancy Iljana provided a handout (attachment 7) with the pertinent sections of the Food and Agricultural Code related to the issue at hand.

Laurene Chiesa explained that the Act establishing market enforcement goes back to 1928 and has changed through the years. The main impetus for the act was that growers were not always paid for the products they produced, or were not paid the agreed amount. The main purpose of the Market Enforcement Branch is to protect the grower. The Branch handles hundreds of commodities which are listed on their website.

Ms. Chiesa explained the law requires firms which purchase seed from a grower or producer, to obtain a produce dealer's license when the purchase is for the purpose of reselling the seed. She noted that if the firm only buys from another dealer, then the company does not need a produce dealer's license. She added that if a company owns the planting seed and only contracts for services of a grower, then the company does not need a produce dealer's license.

On occasion, a seed dealer may purchase seeds from growers on the open market. Under those circumstances, the dealer needs a produce dealer's license.

Member Bill White explained many companies provide planting seed to a grower and contract that grower to produce seed of a certain quality. A contract may typically state the harvested seed must have a germination of eighty five percent. If the percent germination is less, the company will not pay the grower for the inferior quality seed.

Ms. Chisea agreed that under those circumstances the company would not have to obtain a produce dealer's license.

John Heaton noted that the same scenario of a grower not being paid for inferior quality seed results in the grower having a large inventory of unsold seed. Under such circumstances, Heaton has observed some growers trying to sell that seed on the open market. When this occurs, they are entering into the business of selling seeds and the seed law requires they obtain authorization to sell seed. Heaton suggested the situation becomes some dealers have argued that once a grower enters the seed business that designation makes subsequent purchases by seed companies a dealer to dealer transaction what should be exempt from the requirements for a Produce Dealer's License.

Member Larry Hirahara noted that some people's business is to solely purchase seeds from growers and market them to other buyers.

Ms. Chisea recognized that but explained that under those circumstances, such persons or companies need a produce dealer's license.

Chairman McShane asked if transactions between seed companies were exempt.

Ms. Chisea replied that in the definition of farm product, there is an exemption for seed sold under dealer to dealer circumstances. She encouraged Board members to visit the website (www.cdfa.ca.gov/mkt/meb) of the Market Enforcement Branch in order to learn more about the commodities that are regulated and to view a list of seed companies that have produce dealer's licenses.

Member Janice Woodhouse asked if a company needs a produce dealer's license to purchase seed produced by a grower in another state.

Ms. Chisea explained a seed company only needs a produce dealer's license when they purchase seed crops from a grower in California.

Chris Zanobini noted there seems to be a gray area about when a grower becomes a "dealer" of seed and when they are a "grower" selling a farm product. He suggested that simply removing five words from the current law could address the issue.

Member Kelly Keithly motioned the issue be referred to the Seed Dealer's Committee of the California Seed Association for consideration and direction. Derek Winn seconded the motion. Motion passed.

6. Form 700 Requirements

Chairman McShane requested John Heaton explain the Form 700 and recent developments regarding it.

Heaton reminded the Board the Fair Political Practices Commission previously mandated every Department to have a Conflict of Interest Policy. He shared a recent email (attachment 8) that announced the Department's Notice of Intention to amend the CDFA's Conflict of Interest Policy. Heaton noted that completion of the Form 700 is required of Board members and certain CDFA employees.

Heaton noted that some members of the Board previously stated the requirement to complete a Form 700 each year seems excessive and might be an obstacle for industry participation on the Board. They suggested that since the Board only advises and makes recommendations to the Secretary, it does really control any funds. Consequently Board members pose little Conflict of Interest concerns, if any.

Other members of the Board stated that while annoying, they understood the general concern about conflict of interest by the public and consequently did not consider the requirement to complete a Form 700 too burdensome.

Heaton explained he brought the Notice of Intent to the Board's attention because it provides them an opportunity to formally state their objections or support the proposed changes to the CDFA Conflict of Interest Policy. He further stated that prior concerns were heard and efforts are nearly complete to implement an online process for annual completion of the Form 700 as well as certification of interactive ethics training.

Chairman McShane asked if the Board wished to make a motion concerning the proposed change discussed. None were made.

7. Business Needs Analysis versus Value Chain Analysis

Chairman McShane explained that during the last meeting of the Seed Advisory Board, there was an initial proposal for the Department to contract a business needs analysis (BNA) or value chain analysis (VCA). It wasn't clear at the time what the Board would be contracting so a motion was made for a more detailed proposal to be presented at the current meeting. Specifically, the Board wanted to know the difference between a BNA and a VCA.

Chairman McShane explained that basically a value chain analysis is a process where you identify the primary and support activities that add value to your final product and then analyzes those activities to reduce costs and improve value for your customer.

A business needs analysis, on the other hand, aims to identify the changes to an organization that are required for that organization to achieve strategic goals. He further explained the process of a business needs analysis typically includes:

1. Articulation of the organization's strategic goals
2. Documentation of current processes
3. Utilization of some form of gap analysis to identify how well the organization delivers on its goals
4. Compilation of a list of business needs based on the results of the gap analysis
5. Compilation of a list of improvement opportunities.
6. Workshops with stakeholders to identify and prioritize improvements

Chairman McShane asked John Heaton and Nick Condos if they could specifically address other questions the Board had, such as:

1. What are the costs and benefits the costs and benefits of a BNA?

2. Is there an example of the benefit delivered to a similar government program from the analysis proposed?

Chairman McShane noted the distribution of a sample Request For Offer (RFO) [attachment 9] drafted in 2010 for Animal Division. He asked Nick Condos, Director of CDFA's Plant Division, if he would briefly explain to the Board the present proposal for a business needs analysis.

Director Condos noted that during discussions of activities conducted at the CDFA Seed Lab, it became obvious to him that since different individuals in the seed industry had very different ideas of what the seed lab does or should do, it might be helpful to the Board to have a professional business needs analysis. The goal is to identify everything that the Department and Agricultural Commissioners do to for the industry and try to identify what the industry would like to see continued, as well as which activities or efforts the industry might like to see in the future.

He explained that his limited experience with business needs analyses has been through a project involving Information Technology and statewide trapping of insects. The program involves trapping insects and reporting those results in a binder. The servicing of traps relies on county staff as well as CDFA personnel. The BNA looked at the current state of operations, specifically how trapping information is collected and recorded, and then identified gaps and how future applications might be built. The cost for the BNA was approximately $70,000. Director Condos observed that the BNA for insect trapping relied on participation by fewer stakeholders than a BNA for the Seed Program would probably need. He noted however, that a BNA can be designed and scaled to capture input from representatives of many categories of stakeholders. The hope is that that a BNA will provide a strategic roadmap for the industry and CDFA.

Nick explained the first step for obtaining a cost estimate is to draft a scope of work and then publish it as a request for offer (RFO). This will generate bids from companies that do business needs analyses, which can then be evaluated.

Chris Zanobini commented that since the seed law is quite old and the seed industry is completely different from when the law was originally written, there is a need to consider if the Program at CDFA is delivering what the industry needs and a need to identify what services the seed industry needs in the future.

John Heaton focused the Board's attention on the sample RFO. He informed the Board that after the last Board meeting he wrote an initial scope of work and recently met with CDFA staff of the Contracts and Acquisitions unit to discuss the process. He learned the most important step is to clearly define the "deliverables." He anticipates drafting the deliverables will require considerable input from various individuals if the final BNA is to provide a thorough understanding of what the department and commissioners deliver to the industry, as well as what the industry needs now and in the future.

Heaton also learned that if the cost of the BNA exceeds $50,000, it will require a contract and review by the Department of General Services. Contracts over $50,000 also require a mission critical statement from the Plant Division Director. Heaton noted that when the Animal Division when through the process, they did not get any bids when they capped their BNA at less than $50,000. Consequently they had to rework their RFO and allocate more funds, after which they received several good bids.

Another reason for not setting the allocation too low is to insure the Program receives three bids. Heaton explained the Department must receive a minimum of three bids before proceeding. Once the bids are received, the bids are evaluated by a Committee of knowledgeable people. Heaton referenced the last page of the sample RFO as an example of an evaluation score sheet. He explained that the Committee only scores items one through three, while the CDFA Acquisitions Unit performs item four; the cost evaluation section.

Although a BNA will require a considerable time commitment, Heaton believes a business needs analysis is a valuable process that needs to be done.

Chris Zanobini expressed hope that the process can be fast tracked since the concept was first presented a year ago.

Director Condos stated he believes the biggest challenge will be to clearly identify the scope of work the Department wants completed by the contractor. He was optimistic the scope of work with deliverables can be defined in a about one month and the Department could receive some well thought bids in about three months.

Chairman McShane tabled the discussion of the business needs analysis until the Board received an update of the Program's current financial status.

8. Report from Renewal of Authorization to Sell Seeds – several handouts

John Heaton provided several handouts to summarize program compliance monitoring during the past year as well as reported sales and collections submitted during the July renewal process. The following handouts were discussed:

- Record of Seed Sampling by CDFA District Staff in FY2013 (attachment 10)
- Statewide Summary of Report 6s submitted by Counties in FY2013 (attachment 11)
    - 3094 total hours reported
    - Calculates to $38.78 per hour
- 2 Year Analysis of Reported Seed Sales in California: 2012 vs 2013 (attachment 12)
    - 2013 saw an increase in total number of firms authorized to sell
    - Reported seed sales in FY2013 were $10 million less than reported seed sales for FY2012.
    - Total grass seed sales increased in FY2013 despite the drought.
    - Almost all of the increase in grass seed sale was reported by out of state firms.

    - Reported vegetable seed sales were down by about one million dollars
    - Reported vegetable seed sales by California firms were $20 million dollars less than prior year while reported vegetable seed sales by out of state firms were about $20 million higher.
    - Both out of state and CA firms reported lower agricultural seed sales.
- Pie Chart of the Number of Firms Collecting Assessments in FY2013 – Grouped by Amounts Collected (attachment 13)
    - 65% of firms collect an average of $227 which corresponds to average annual reported sales of $90,800.
    - 2 firms collected over $100,000 in annual assessments, which corresponds to over $40 million in reported seed sales
- Pie Chart depicting a tally of firms paying various percentages of assessment collections from seed sales made in FY2013(attachment 14)
    - 2 firms collect 16% of total assessments
    - 15 firms are responsible for nearly 50% (i.e 47%) of total collections
    - 63% of assessment collections are from reported seed sales of 29 firms
    - 37 % of assessment collection are received from the remaining 403 firms
- Line Graphs of Reported Seed Sales versus the Seed Services Program's Budget and the Seed Laboratory's Budget: from 1993 with projections through 2016 (attachment 15).
    - Table at top shows multi-year projected sales and collections vs. actuals
    - Table also shows projections of sales and collections for 2014 through 2016.
    - Noted drop in reported sales for FY2013 of ~1.3%
    - Noted three upward slopes on Seed Services Budget:
        - 1999 start funding UCD SBC $150,000/year
        - 2006 increase UCD SBC funding to $200,000/year
        - 2014 Court ordered pay raises for CDFA Supervisors (attachment 16)
        - Support Staff promotions at headquarters
        - Additional seasonal employees for CDFA Lab and headquarters.
            - Critical for continuance of operations
    - Table in center at right of graphs contains budget projections by the Seed Services Program versus budget projections by CDFA Financial Services
        - Several iterations over months. Heaton projects
            - 2014 estimate = $1,842,400
            - 2015 estimate = $1,930,596
- Column Graph – Total Program Budget (w/o General Funds) as a Percentage of Reported Sales: 1993 – 2015 (attachment 17).
        - Average level of funding over the last 21 years is 0.29% of sales
        - 2014 funding is 0.30% of reported sales
        - 2015 projected budget is estimated to be 0.29% of projected sales.
            - Assumes 3.6% increase in FY 2014 versus a 21 yr. historical annual increase of 5.9%

Member Derek Winn suggested the trend line for sales may actually have reached its high point due to the fact that so many permanent orchard crops are being planted.

Chairman McShane asked John Heaton how much financial reserve the Program has.

Heaton replied that the Board will get a more complete accounting of the reserve in May 2015; however his current estimate is just over one million dollars in reserve. He also noted the Board previously expressed a desire to use reserves when expenditures exceed collections in order to maintain the assessment rate on reported seed sales at its present level.

Chairman McShane noted the prior discussion about funding a business needs analysis (agenda item 7) was tabled until Heaton presented the financial status of the program. He requested the Board to now consider the proposal for a business needs analysis.

Member Kelly Keithly stated he believes a business needs analysis is overdue considering the changes the seed industry and the government have undergone. It is important for the Board to consider how the Program at CDFA can be modernized to better serve the industry. Kelly recognized there will be a significant cost for the proposed business needs analysis but he noted there is also a significant cost for delay.

Chris Zanobini noted the graph of the program budget presented earlier showed an increase of about a half million dollars for the Seed Services Program from 2011to 2015. He suggested it would be foolish for any business with that level of increase to not perform a business needs analysis. Several Board members agreed.

There was a brief discussion about how much the Board might be willing to spend in order to procure the services of a qualified contractor to perform the business needs analysis.

Nick Condos noted that the cost will depend on the scope of work.

Heaton noted that a scope of work must include provisions for travel to meetings of stakeholders throughout the State, which can add significant costs to the business needs analysis.

Member Kelly Keithly advised the Board to get the best business needs analysis possible.

Member Marc Meyer asked if the scope of the analysis would include an examination of the California Seed Law.

Heaton replied that such a consideration can be part of a deliverable in the scope of work. For example, the scope can request the consultant to conduct a survey of the industry to identify changes they believe should be done to the California Seed Law.

Chris Zanobini commented that an examination of the seed law from the industry perspective is essential and will be instrumental in determining the kind of services the Seed Program needs to provide.

Marc Meyer asked if the business needs analysis will provide an outline for a long term plan.

Heaton replied that if the scope of work is structured appropriately, a deliverable request some sort of recommendation for a long range plan. This would undoubtedly involve the contractor making formal presentations to the Board and industry about stakeholder discussions, observations, comparisons and different strategies to move into the future. Heaton emphasized that dialog will be an important part of the deliverables because the more dialog that occurs, the better the finished product is likely to be.

Member Bill White asked what the chances are that changes recommended in the business needs analysis will ever be implemented, especially if it involves changes to the law.

Heaton acknowledged that some changes may be difficult but he believes such studies are very important to add credibility to requests or arguments of change, whether they are at the Department level or legislative level.

Member Larry Hirahara noted that some of the changes may result in recommendations that mean an increase in the assessment rate.

Chris Zanobini agreed but added that the process should involve placing everything on the table, then constructing a framework to serve the industry now and into the future. He suggested that the initial process should not include a whole lot of consideration for dollars and people. Once the framework is built however, the Board can consider the costs to build on that framework.

Member Derek Winn expressed a desire that there be some consideration in the process to replies and opinions of various classifications or categories of interests in the industry.

Nick Condos replied that such considerations can be built into the deliverables outlined in the scope of work.

Chairman McShane called the issue.

Member Kelly Keithly motioned the Seed Advisory Board initiate the process for a business needs analysis in the amount, but not limited to, $100,000.. The purpose should be to study the seed law and how it pertains to the industry, the Seed Services Program, the CDFA Seed Lab, as well as consider domestic and international factors that affect the California seed industry today and into the future.

Chairman McShane noted the motion was for $100,000 but could be subject to change.

Member Keithly agreed.

The motion was seconded by Marc Meyer.

Member Derek Winn asked if the Board has the discretion to not accept the bids.

Branch Chief Duane Schnabel explained that if the Request for Offer is setup for secondary method of evaluation, then content and not just price will be a consideration for awarding the bid. He explained that the initial step is not a contractual offer but simply a Request For Offer (RFO) for a business needs analysis.

Heaton noted that at the proposed dollar amount, the bid would have to be approved by the Department of General Services before the Department executes the contract.

Chairman McShane observed no further discussion and called a vote on the motion.

Motion carried.

Chairman McShane asked for input about a committee for development of the scope of work.

Member Kelly Keithly motioned that a subcommittee be formed to draft the scope of work necessary to initiate the business need analysis. He suggested that Chris Zanobini and the President of the California Seed Association could work with staff from the CDFA to draft a scope of work. .

Member Larry Hirahara commented that he thinks it is important for members of the Seed Advisory Board to be involved.

John McShane noted that everything will be ultimately brought to the Board for recommendations but he reminded the Board that when three or more members meet it triggers certain public meeting procedures under the Bagley Keene Act.

Marc Meyer added there are certainly other experts not present on the Board or perhaps at CSA that can offer a lot of constructive input.

Kelly Keithly commented that public meetings should not be a problem and he welcomed participation.

John Heaton stated that the initial drafts of the scope of work will be realistically be crafted by him and various people in the department. He will certainly work with the Board and whichever representatives the Chairman or Board see appropriate.

Chairman McShane directed Heaton to commence development of the scope of work that he could review. He announced he would set up a subcommittee to assist in the development and review of later drafts for the scope of work. The Board agreed.

9. Legislative Report

Chairman McShane noted the Board received two handouts of recent legislation passed into law.

- SB1399 (attachment 18)
  - extends the operative date for seed subvention to counties to July 1, 2019.
  - maintains the level of funding for counties doing seed law enforcement work at $120,000
  - provides more flexibility for establishing the method to apportion the funds to the counties.

- AB2470 (attachment 19)
  - Provides a definition of neighbor with regards to seed sales. A neighbor is now someone within 3 miles. Seed sold to a neighbor in the same county is exempt from the seed label requirements.
  - Expands the legislative intent for seed law to include the amount of seed and not just the quality of seed.
    - Heaton noted that the seed law booklet now contains a section from the Business and Professions Code that references section 10.10 in Handbook 130 of the National Institute of Standards (NIST 130). This section specifically addresses how to label quantity on packet seeds containers.
  - Adds section 52334 to the seed law, which prohibits a city, county, or district including a charter city or county, from adopting or enforcing an ordinance that regulates plants, crops, or seeds without the consent of the secretary. It also notes that ordinances enacted before January 1, 2015 shall be considered part of the comprehensive program of the department and shall be enforceable.

Heaton commented that the addition of section 52334 has generated some controversy as witnessed in several recent newspaper articles. He stated that his predecessor informed him years ago that FAC 5323 already provided prohibitions against local ordinances. FAC 5323 states regulations pursuant to the division are of statewide concern and are intended to occupy the field. Heaton speculated that perhaps FAC 52334 was added to the law to clarify the situation.

Chris Zanobini noted that there is precedent in other law for preemption of state law over local ordinances. For example local ordinances cannot ban pesticides approved under state pesticide laws.

Chairman McShane asked Chris Zanobini if he had any additional items for the legislative update.

Zanobini noted the significance of votes passing the water bond during the recent election. He anticipates quite a bit of legislation regarding water during the next legislative session.

10. Nominating Committee
Chairman McShane informed the Boards that the nominating committee met via conference call on November 12, 2014 to develop a recommendation of candidates to be appointed to the Board. A draft copy of the minutes was provided (attachment 20).

Greg Orsetti motioned the minutes of the Nominating Committee be accepted as presented. Kelly Keithly seconded the motion. Motion carried.

Chairman McShane noted the Nominating Committee identified the following candidates for possible appointment and consideration by the Board.

- John Palmer – Northern California Agricultural Seed Labeler
- Carl Hill – Central California Vegetable Seed Labeler
- Bob Simas – Public Member

Kelly Keithly motioned that the Board accept the slate of candidates identified by the Nominating Committee. The motion was seconded by Derek Winn. Motion carried.

Chairman McShane explained that information from all eligible candidates will be presented to the Secretary, as well as the recommendation by the Board. The final decision for appointment will be made by the Secretary.

John McShane thanked Larry Hirahara and Janice Woodhouse for their years of service to the Seed Advisory Board. Heaton also thanked them and noted the increase in persons applying to serve on the Board.

11. Closed Executive Session
Not requested.

12. Reconvene of Public Meeting
Not applicable since Agenda item 11 not requested.

13. Public comment period
Chairman McShane solicited public comments from attendees. None were made.

14. Other Items – Next meeting date
.
Chairman John McShane set the next meeting date for May 13, 2015 in Sacramento at 8:15 am.

Heaton informed the Board that he will attempt to locate the meeting at the CDFA Facility in Gateway Oaks (2800 Gateway Drive) in Sacramento.

14. Adjournment
Kelly Keithly motioned to adjourn. Motion seconded by Bill White. Motion carried.

Meeting adjourned at 11:43 a.m.

15. Attachments 1 through 20

Respectfully Submitted

John Heaton
Senior Environmental Scientist
CDFA Seed Services Program

Approved by the California Seed Advisory Board on March 18, 2015

FOR INFORMATION AND ACTION
DA-2013-37
August 27, 2013

SUBJECT: Cucumber Green Mottle Mosaic Virus (CGMMV) in California

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

On July 24, 2013, PPQ confirmed the first U.S. detection of Cucumber Green Mottle Mosaic Virus (CGMMV) in a sample taken from a melon seed field in Yolo County, California. The virus, which occurs in certain areas of Europe and Asia, is a tobamovirus that affects cucumber and melon.

PPQ is working closely with its State and County cooperators to determine the size and scope of the infestation and the appropriate next steps. Since the initial find, three fields adjacent to the infected field have also tested positive for CGMMV. The California Department of Food and Agriculture (CDFA) and County officials have placed a hold on all of the confirmed fields and are working to identify equipment used in these fields.

PPQ is forming a technical working group to develop disposal, treatment, and sanitation protocols; determine the feasibility of virus spread through irrigation runoff; suggest mitigation methods for the infected fields; and provide guidance for future farming operation in the infected areas.

CGMMV affects cucumber and different types of melons and is seed-borne; the virus spreads in the field by pollen, irrigation water, and contact with equipment, people, and animals. Available literature reports yield losses of about 15 percent in cucurbitaceous crops.

For more information about CGMMV, you may call Deborah McPartlan, National Policy Manager, at 301-851-2191 or Robert Bailey, National Operations Manager, at 970-494-7569.

/s/ Osama A. El-Lissy

Osama A. El-Lissy
Deputy Administrator
Plant Protection and Quarantine

Northern Territory Government

Department of Primary Industry and Fisheries - **Cucumber Green Mottle Mosaic Virus (CGMMV)**

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Cucumber Green Mottle Mosaic Virus (CGMMV)

Cucumber green mottle mosaic virus (CGMMV) is a plant disease which is exotic to Australia. CGMMV occurs in Europe, Asia, the Middle East, some parts of the USA, and Canada.

The virus infects watermelon, cucumber, melons, zucchini, pumpkin, squash, bitter gourd, and bottle gourd.

There are at least five strains of the virus, whose symptoms can vary between hosts. Other mosaic diseases, caused by potyviruses, are known to occur in northern Australia and express somewhat similar symptoms. This makes it difficult to visually identify CGMMV, which can be conclusively established by laboratory testing.

Infected watermelon plants can have a bleached appearance, leaves with mosaic-like mottling, and possibly stunting. Affected plants may also wilt and then runners, or the whole plant, may die prematurely. Symptoms on fruit can include fruit abortion, yellowing, breakdown of the flesh, and possibly a dirty red discolouration. Infection may also cause fruit malformation. The combined effects of CGMMV can result in substantial crop losses. [read more]

CGMMV Quarantine declared for Katherine, Lambells Lagoon and Marrakai areas

The Department of Primary Industry and Fisheries (DPIF) has declared quarantine zones in the areas of **Katherine, Lambells Lagoon and Marrakai** areas. Quarantine will help stop the potential spread of Cucumber Green Mottle Mosaic Virus (CGMMV). Quarantine signs will be in placed in due course.
CGMMV has been declared a notifiable pest under the *NT Plant Health Act* and watermelon has been declared a host for the plant pest. Quarantine restrictions will be implemented in accordance with the Act. [read more]

If you suspect your plants have CGMMV

Early reporting increases the possibility of eradicating the disease before it becomes well-established. If you suspect the presence of CGMMV, contact DPIF or ring the Exotic Plant Pest Hotline on 1800 084 881.

Other mosaic diseases, caused by potyviruses, are known to occur in northern Australia and express similar symptoms. This makes it difficult to positively identify CGMMV in the field, and its presence can be conclusively established by laboratory testing.

Farm biosecurity measures should be strictly followed. These include restricting farm visitor access, using footbaths, and cleaning and disinfecting tools and machinery. Do not recycle packaging including bins used for transporting fruit to markets.

Useful References

- Improving biosecurity measures (Farm Biosecurity)
- Create a biosecurity toolkit (Farm Biosecurity)
- Cucumber green mottle mosaic virus (Wikipedia)
- CGMMV - A Seed Production and Commercial Growers Guide
- Department of Agriculture
- Australian Melon Association Inc
- AUSVEG
- NT Department of Primary Industry and Fisheries

21 August 2014

FEDERAL NOXIOUS WEED LIST

Orobanche aegyptiaca Pers (***Phelipanche aegyptiaca*** (Pers.) Pomel)
Common name: Egyptian broomrape

Damage

The genus *Orobanche* has approximately 150 species, all commonly called broomrape (Musselman, 1994). They cause reductions in crop yield, adversely affect crop quality, and result in loss of cultivated land due to reduced crop alternatives (Scher and Walters, 2010). *Orobanche aegyptiaca* infects roughly 30 broadleaf crops, including many economically important crops, such as bell pepper, cabbage, carrot, celery, eggplant, melons, potato, tomato, sunflower, and various legumes (CAB International, 2014). There are reports of 50% yield reduction of watermelon (Panchenko, 1974). The symptoms produced by *O. aegyptiaca* are comparable to those of other *Orobanche* species; symptoms are not very distinctive but there may be some yellowing and necrosis of the foliage, general weakening of the plant and reduced fruit production (CAB International, 2014). The presence of broomrape in a field may force farmers to plant a less economical, non-host crop or to leave the field fallow (Nandula, 1998). The presence of broomrape in a shipment or production area can be a trade issue as many countries list non-native *Orobanche* as a quarantine pest.

Occurrence

O. aegyptiaca is recorded as a 'serious' or 'principal' weed in Afghanistan, Kuwait, Saudi Arabia, Israel, Jordan and Italy. It is a major problem in at least 10 other countries of the Middle East and eastern Europe (Holm et al., 1991).

Biology

All *Orobanche* species are obligate parasites; they lack chlorophyll, thus cannot synthesize their own food. They typically grow to about 30 cm (1 ft.) tall. They germinate in response to host root exudates and the seedling must contact a host root immediately after germinating to survive. Some species may produce flowers within a week of emergence from the soil (Scher and Walters, 2010), with viable seeds appearing within a few days. Stems are yellow to straw-colored and leaves are small triangular flaps. Above ground stems appear from February to April, with the first flowers appearing about three days after the plant emerges. These flowers have 2 petals on the upper lip and 3 petals below. Colors can range from creamy-white to bright blue to violet. Seed pods contain numerous, tiny (0.3-0.4 mm), dust-like seeds. As seeds mature, they turn from tan to brown to very dark. In the absence of a germination stimulus, they can lie dormant in the soil for over 30 years (Anon., 2014).

APHIS Regulation

The Federal Noxious Weed Act of 1974 was put into regulation in November of 1976. At that time, APHIS added five *Orobanche* species to the Federal Noxious Weed list. In addition, parasitic plants are considered plant pests, and may be regulated under 7 CFR 330 whether or not they are listed Federal Noxious Weeds. The rest of the genus *Orobanche* (other than species native or widespread in the U.S.) was regulated June 3, 1983, because the genus reduces vigor of dicots by extracting nutrients. We based the listings on recommendations from the Technical Committee to Evaluate Noxious Weeds, composed of representatives from the USDA: Agricultural Research Service; Animal & Plant Health Inspection Service; Agricultural Marketing Service; as well as the Weed Science Society of America. *Orobanche* spp. were added to the Federal Seed list (7 CFR 361.6) effective August 11, 1995.

Attachment 3

FIRST DETECTOR NETWORK NEWS

NPDN
National Plant Diagnostic Network

August 2014
Volume 9,
Issue 3

Egyptian broomrape (*Orobanche aegyptiaca*) found in California

Stephanie D. Stocks, Department of Entomology and Nematology, University of Florida

In July, Egyptian broomrape was detected in a tomato field in Solano County, California. This plant is an annual holoparasitic plant (which means it has no photosynthetic capabilities) that is listed as a federally noxious weed.

It infects many economically important crops such as bell pepper, cabbage, carrots, celery, mustards, eggplant, melons, and various legumes. For a complete host list, click here.

Before this detection in the U.S., its distribution was Central Asia, Asia Minor, the eastern Mediterranean regions of Europe and Africa, and the Caribbean (Cuba).

This plant is a parasite on the roots of its host, using haustoria to penetrate the host tissue until it reaches the vascular system. It then uses this connection to absorb water and nutrients. Because it is a root parasite, it spends most of its life cycle underground, being seen above ground only when it is ready to reproduce.

As a result, the presence of this plant and the resulting damage may not be diagnosed until it is too late. Damage includes a reduction in yield (5 to 100% in some areas), chlorosis and wilting of the leaves, and stunted growth.

Because a single plant can produce more than 500,000 seeds that remain viable in the soil for decades, management strategies for this plant must take an integrated approach.

- In areas where this plant is known to occur, it is recommended to test the soil for the presence of seeds.
- Soil solarization before planting is also recommended. It appears that wetting the soil prior to solarization helps kill the seeds more effectively than when the soil is left dry.
- Cleaning tools, farm machinery, and vehicles in between use and in between fields to prevent the transport of this plant from one area to another is necessary.
- In areas of light infestations, removal of the emerged plant by hand before it sets seed and burning it is also recommended.
- A biological control agent (*Phytomyza orobanchia* (Dipitera: Agromyzidae)), which is a leaf miner, has been used with good success in some regions. However, the efficacy of this fly has become reduced due to several species of hyperparasites which attacks this species

continued on next page

In This Edition:

- Egyptian broomrape (*Orobanche aegyptiaca*) found in California
- First Detector input needed!
- More Asian citrus psyllid (*Diaphorina citri*) and citrus greening updates
- European grapevine moth (*Lobesia botrana*) declared eradicated from areas in California
- Potato wart found in Canada
- First Detector success story!

in its pupal stage.

- Crop rotation with non-host species is also a good management practice.

Host plant resistance is being researched as is effective chemical soil applications and transgenic crops engineered with glyphosate.

This plant is 15 to 50cm tall, branched and yellowish in color and measures 6 to 8mm thick at its midsection. It is covered in short, glandular hairs. The alternating flowers are cylindrical in shape, a little over 20mm long with densely hairy anthers, and is sky blue or darker blue at the end, turning white at the base.

California Department of Food and Agriculture is working to gather more information now on the extent of the infestation. This weed is listed as actionable and under eradication.

The image on the left is of the seed while the image on the right shows this parasitic plant attached to its host, a carrot.

The image here is of this plant in bloom.

Images courtesy of Dr. Reuven Jacobsohn, Agricultural Research Organization, Bugwood.org, #0686009 and #0686008, and Julia Scher, USDA APHIS PPQ, Bugwood.org, #5376569.

First Detector input needed!

First Detectors are being asked to comment on the recently deployed taxonomic training videos for scales, mealybugs, whiteflies, aphids, pentotomoidea, plant hoppers, and tree hoppers. Click here to view the videos if you have not seen them.

If you have a question or comment or suggestion for improvement, please contact Stephanie Stocks at sstocks@ufl.edu.

As announced in the last newsletter, two additional sets of taxonomic training videos are set to be released next year. These are thrips and mites.

If you have suggestions for additional taxonomic training topics, please email these to Stephanie as well.

CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE
Karen Ross, Secretary

DATE: August 28, 2014

TO: All County Agricultural Commissioners

FROM: Plant Health and Pest Prevention Services

SUBJECT: **PEST EXCLUSION ADVISORY NO. 27-2014**
Egyptian Broomrape (*Orobanche aegyptiaca*) detected in Solano County

On July 14, 2014, Egyptian broomrape was detected in a field for processing tomatoes. This is the first detection of this species of broomrape in the United States. In response, the Department has formed an Incident Command with the USDA, Solano County Agricultural Commissioner, and the University of California Cooperative Extension. The infested field has been placed on hold and appropriate safeguards have been implemented to prevent the movement of Egyptian broomrape seeds on equipment and personnel leaving the field. The grower has voluntarily destroyed the tomato crop, along with Egyptian broomrape plants, by applying herbicides to the entire field. Regulatory agencies are working with the grower, commodity groups, and research organizations to develop a treatment program and process for verifying that the treatments have eliminated viable Egyptian broomrape seed from the field. Trace forward and trace back activities are being conducted on seed and equipment.

Egyptian broomrape is an obligate parasite of roughly 30 broadleaf crops, such as bell pepper, cabbage, carrot, tomato, and potato. This parasitic plant extracts all its nutrients and moisture from host plants, causing stunting, yellowing, and unthrifty host crops. Because it does not photosynthesize, it can only grow in the presence of appropriate host plants and spends the first portion of its life cycle underground, making it difficult to detect. When the flower spikes emerge from the ground, it is easier to detect. The flower spikes can produce viable seeds as soon as two weeks after the onset of flowering. A single plant can produce over 100,000 seeds that are tiny (~0.3 mm long). They are also sticky and can adhere to other seeds, plant material, fruit, farm equipment, clothing (especially footwear), and vehicles. These seeds can also be spread internally in livestock and during movement of water, soil, and air.

Broomrape should also be scouted for when conducting PQ field walks of host crops. This parasitic plant is more easily detected when the host plants are young or when the broomrape is in flower. Use the statistical method to collect broomrape samples as outlined in Section 3, Page 8 of the CDFA County Pest Exclusion Training Manual.

If you have any questions concerning this advisory, please contact Keith Okasaki at (916) 654-0312 or by email at keith.okasaki@cdfa.ca.gov.

cdfa
CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE
Karen Ross, Secretary

September 22, 2014

El Centro, CA 92243

Dear Mr. X

This is a follow up to our conversation on Friday August 8, 2014, in which we spoke regarding the requirements under the Produce Dealers Act (PDA). You stated that you purchased vegetables seeds from other producers to supplement and resell when your own production is exhausted.

Enclosed is a License Instruction/Information Sheet along with appropriate application forms for licensing. Review this material and submit your completed application to the Department of Food and Agriculture, Market Enforcement Branch, 1220 N St. Sacramento, CA 95814. **Since you have already commenced operating without having applied for a license, you will be required to pay double the license fees.** We request that your application be submitted by October 22, 2014.

If you do not believe that your business requires this license, please provide us a written explanation of your business activities within **30 days**.

Please be advised that shall not operate in California under the Produce Dealers Act without having a license in its possession. Should it do so without the required license, it will be subject to the penalties prescribed by the law.

If you have any questions, please feel free to contact me at the number listed below.

Sincerely,

Arnold A. Garcia Sr.
Special Investigator
Market Enforcement Branch
Division of Marketing Services

cc: Licensing Unit

Market Enforcement Branch • 9300 Flair Dr. Suite 308 • El Monte, California 91731
Telephone: 626.572.6762 • Fax: 626.572.6768 • www.cdfa.ca.gov

State of California
Edmund G. Brown Jr., Governor

Market Enforcement Branch:

Chapter 7 – Produce Dealers

Pertinent Sections of the Code and interest to the Board:

56107 – "Dealer" means any person who obtains title to, or possession, control, or delivery of, any farm product from a licensee or producer at a designated price for the purpose of resale, or who buys or agrees to buy any farm product from a licensee or the producer of the farm product at a designated price.

56109 – "Farm Product" includes every agricultural, horticultural, viticultural, and vegetable product of the soil, poultry and poultry products, livestock products and livestock not for immediate slaughter, bees and apiary products, hay, dried beans, honey, and cut flowers. It does not, however, include any timber or timber product, flower or agricultural or vegetable seed not purchased from a producer, any milk product which is subject to the licensing and bonding provisions of Chapter 2 (commencing with Section 61801) of Part 3 of Division 21, any aquacultural product, or cattle sold to any person who is bonded under the federal Packers and Stockyards Act, 1921 (7 U.S.C. Sec. 181, et seq.).

56109.5 – "Licensee" means any person licensed under this chapter as a broker, cash buyer, commission merchant, or dealer.

56110 – "Producer" means any person that is engaged in the business of growing or producing any farm product.

56181 – Except as otherwise provided in Section 55610, any person engaged in the business of buying, receiving on consignment, soliciting for sale on commission, or negotiating the sale of farm products from a licensee or producer for resale shall be licensed as provided in this chapter.

Note: Section 55610 pertains to "Processors".

NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE OF THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the California Department of Food and Agriculture, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its **Conflict-of-Interest Code.** The purpose of these amendments is to implement the requirements of sections 87300 through 87302, and section 87306 of the Government Code.

The California Department of Food and Agriculture proposes to amend its Conflict-of-Interest Code to include employee positions that involve the making or participation in the making of decisions that may have a foreseeable material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code.

This amendment adopts a new conflict of interest code clarifying designated positions and disclosure categories and makes other technical changes to reflect the current organizational structure of the Department. Copies of the amended code are available and may be requested from the Contact Person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than December 29, 2014, or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's representative requests a public hearing, he or she must do so no later than December 14, 2014, by contacting the Contact Person set forth below.

The California Department of Food and Agriculture has prepared a written explanation of the reasons for the proposed amendments and has available the information on which the amendments are based. Copies of the proposed amendments, the written explanation of the reasons, and the information on which the amendments are based may be obtained by contacting the Contact Person set forth below.

The California Department of Food and Agriculture has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

In making these proposed amendments, the California Department of Food and Agriculture must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective and less burdensome to affected persons than the proposed amendments.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to:

Teresa Swafford
1220 N Street
Sacramento, CA 95814
(916)403-6616
Teresa.Swafford@cdfa.ca.gov

UPDATE ABOUT FORM 700

The Form 700 filing process is going automated (which also means paperless) and is to be launched in time for the 2014 filing year!

The contract has already been established and the skeleton of a database has been created.

Now, in order for your workload to decrease, I need to ask you to do a bit more work. ☺

I've been asked to provide the contact information for each filer. In order to do this, I need your help.

FYI - The information you provide will go into a spreadsheet, which in turn will fill out the information on the cover page for our filers. This will save them time and prevent errors (amendments.)

Please provide me with the following information:

1. For Board/Council/Committee/Panel (Boards)
    a. That said please provide me with rosters which needs to include the following information:
        i. Title Page Information
            1. Board Name
            2. Division Address

        ii. Board Member Information
            1. Board Member's Name
            2. Board Member's Title
            3. Current Email Address

EVALUATION SCORE SHEET

CATEGORY	MAXIMUM POINTS	SCORE
1. OVERALL RESPONSIVENESS OF PROPOSED PLAN TO THE NEEDS OF CDFA		
A. Quality and thoroughness of work plan	10	_____
B. Clarity of implementation procedures	5	_____
C. How implementation procedures relate to and support the goal of the project and the Scope of Work	10	_____
2. WORKLOAD AND RESOURCE COORDINATION		
A. Project schedule and workload distribution	5	_____
3. QUALIFICATIONS OF PERSONNEL AND PROPOSED SUBCONTRACTOR(S)		
A. Firm's demonstrated ability to perform tasks at a level required by the RFP	30	_____
B. Prior experience with similar projects	10	_____

By Committee

By Acquisitions

4. COST EVALUATION

The lowest cost proposal is awarded the maximum cost points.
Other proposals are awarded cost points based on the following calculation:

Lowest Proposer's Cost = numerator for cost factor
Other Proposer's Cost = denominator for cost factor

Cost factor X maximum cost points = cost points for other proposer's cost

Example: Proposal "A" (Lowest cost) = $60,000
Proposal "B" = $75,000

60,000 / 75,000 = .80 cost factor

30 Cost Points available

(Cost factor) .80 X 30 = 24 cost points awarded to proposal "B"
30 cost points awarded to Proposal "A"

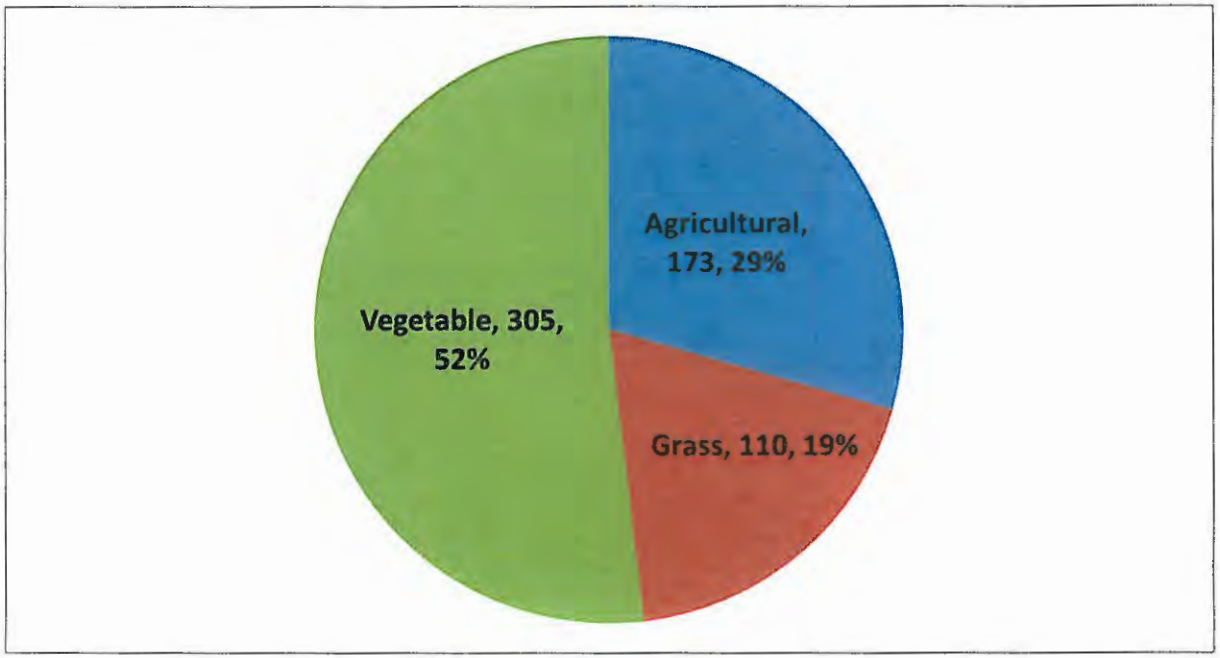
A. Cost Points	30	_____

HIGHEST POSSIBLE SCORE = 100

TOTAL SCORE _____

Record of Seed Sampling by CDFA District Staff in FY2013

District		Approximate number of Samples to be collected monthly by District	Samples received by the CDFA Seed Laboratory forJune 2014	Samples received in June 2014 that are on hold for errors	Samples released to the CDFA Seed Laboratory in June 2014	Number of samples released to the CDFA Seed Lab YTD		Number of samples needed to be collected for 2013-2014 fiscal year	Number of Samples that should have been collected YTD	Number of samples successfully collected so far	Percentage of completion for collecting required samples YTD	Percentage of completion for collecting required samples for entire year
Redding		6	0	0	0	**73**		72	72	73	**101.4**	101.4
Sacramento		9.5	6	0	6	**114**		114	114	114	**100.0**	100.0
Fresno		22.5	24	0	24	**273**		270	270	273	**101.1**	101.1
Riverside		12	10	0	10	**128**		144	144	128	**88.9**	88.9
Totals		**50**	**40**	**0**	**40**	**588**		**600**	**600**	**588**	**98.0**	**98.0**



Number of Samples Submitted for 2013-2014

STATE OF CALIFORNIA
DEPARTMENT OF FOOD AND AGRICULTURE
PLANT HEALTH AND PEST PREVENTION SERVICES
68-019 (Rev. 4/06)

SEED INSPECTION REPORT
REPORT NUMBER 6

CDFA™

Report work online at **https://secure.cdfa.ca.gov/egov/crs/login.asp**

672 **Total Months Reported**

Date Printed: 11/04/2014

Summary across all Counties for Fiscal Year 2013

1. ENFORCEMENT OF THE CALIFORNIA SEED LAW

ACTIVITY	NUMBER	HOURS
PREMISES INSPECTED	613	581.85
LOTS/UNIQUE LABELS INSPECTED PER THE UNITS OF ACTIVITY LIST	2312	690.4
STOP-SALE ORDERS ISSUED	24	24
LBS. OF SEED ISSUED STOP-SALE VEG 0 AG 13084 GRASS 1503460		
STOP-SALE ORDERS RELEASED	19	12.3
LBS. OF SEED RELEASED VEG 0 AG 13084 GRASS 1503460		
UNREGISTERED LABELERS IDENTIFIED OR NOTIFIED TO REGISTER	7	3
OFFICIAL SAMPLES DRAWN	10	9.5
SEED COMPLAINTS	2	7
LABELS OF SEED SHIPMENTS AND/OR 008 REPORTS EVALUATED	3644	1064.2
LEGAL ACTION		

HEARINGS		COURT ACTION	
OFFICE	DIST. ATTY.	CITATIONS	CONVICTIONS
0	0	0	0

TOTAL HOURS OF SEED LAW ENFORCEMENT	**2392.25**

2. SEED CERTIFICATION

ACTIVITY	NUMBER	HOURS
SAMPLES DRAWN	395	119.5
CERTIFIED MILSS INSPECTED	109	191.5
HARVESTERS AND FIELD EQUIPMENT INSPECTED	1572	855.9
INTERCOUNTY PERMITS ISSUED	819	304.15
INTERSTATE PERMITS ISSUED	659	94.7
TOTAL HOURS FOR SEED CERTIFICATION		**1565.75**

3. MISCELLANEOUS ACTIVITY

ACTIVITY	NUMBER	HOURS
SAMPLES DRAWN, SERVICE	359	314
SAMPLES DRAWN, US CUSTOMS	11	4
ADMINISTRATIVE SUPPORT		1084.67
TOTAL HOURS FOR MISCELLANEOUS ACTIVITY		**1402.67**

Total Hours = 2392.25 + (1/2 x 1402)= 3094 hours

Hourly Rate = $120,000 / 3094 hours = $38.78 per hour

2 YEAR ANALYSIS OF SEED SALES REPORTED IN CALIFORNIA

Reported Seed Sales in FY2013

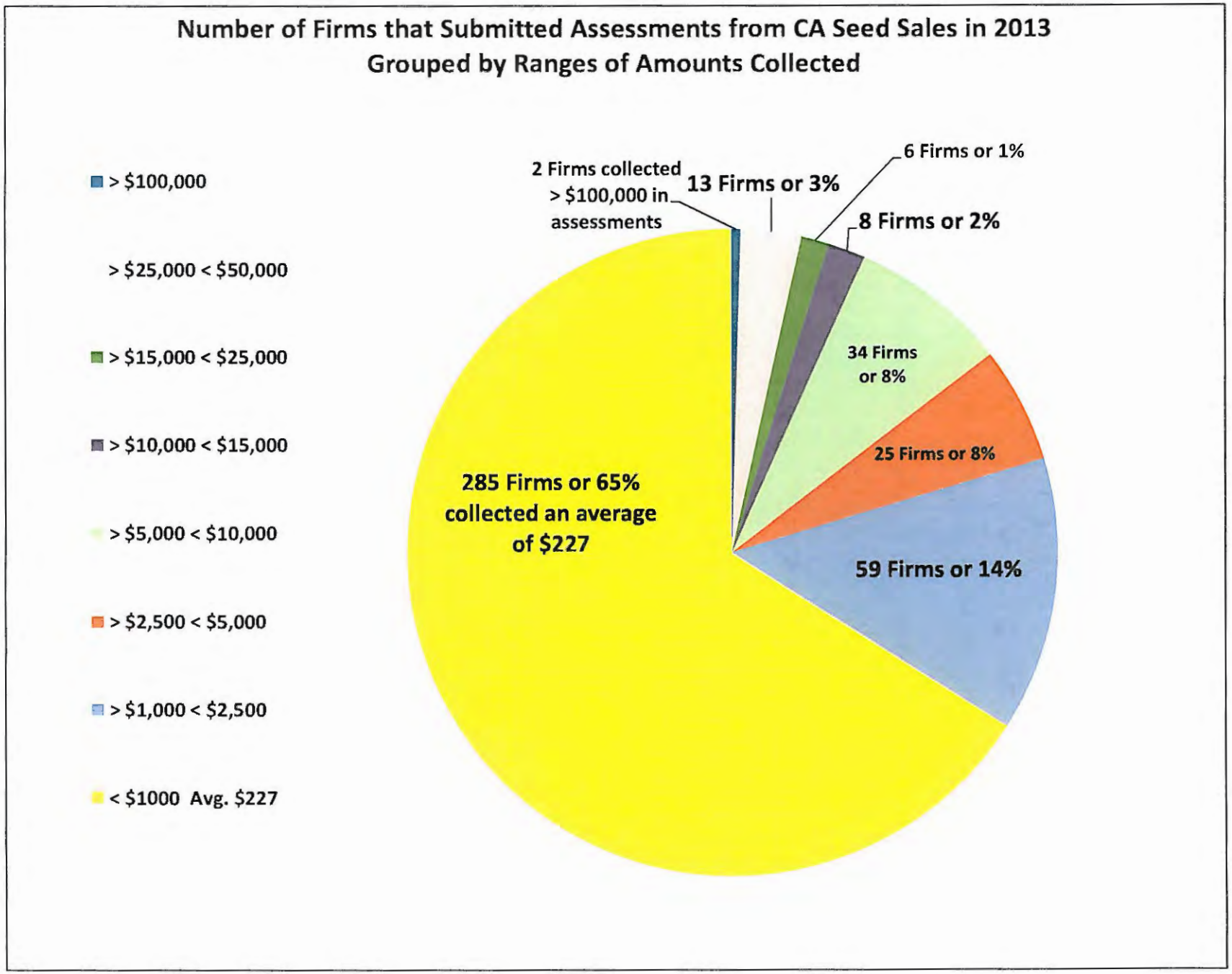
Location of Firm	# of Firms	2013 Reported Ag Seed Sales	2013 Reported Veg Seed Sales	2013 Reported Lawn Seed Sales	2013 Total Reported Seed Sales
OS	182	$ 107,854,709	$ 141,187,620	$ 49,287,942	**$ 298,330,272**
CA	253	$ 112,207,326	$ 174,075,800	$ 15,440,293	**$ 301,723,419**
Total	**435**	**$ 220,062,036**	**$ 315,263,420**	**$ 64,728,236**	**$ 600,053,692**

vs.

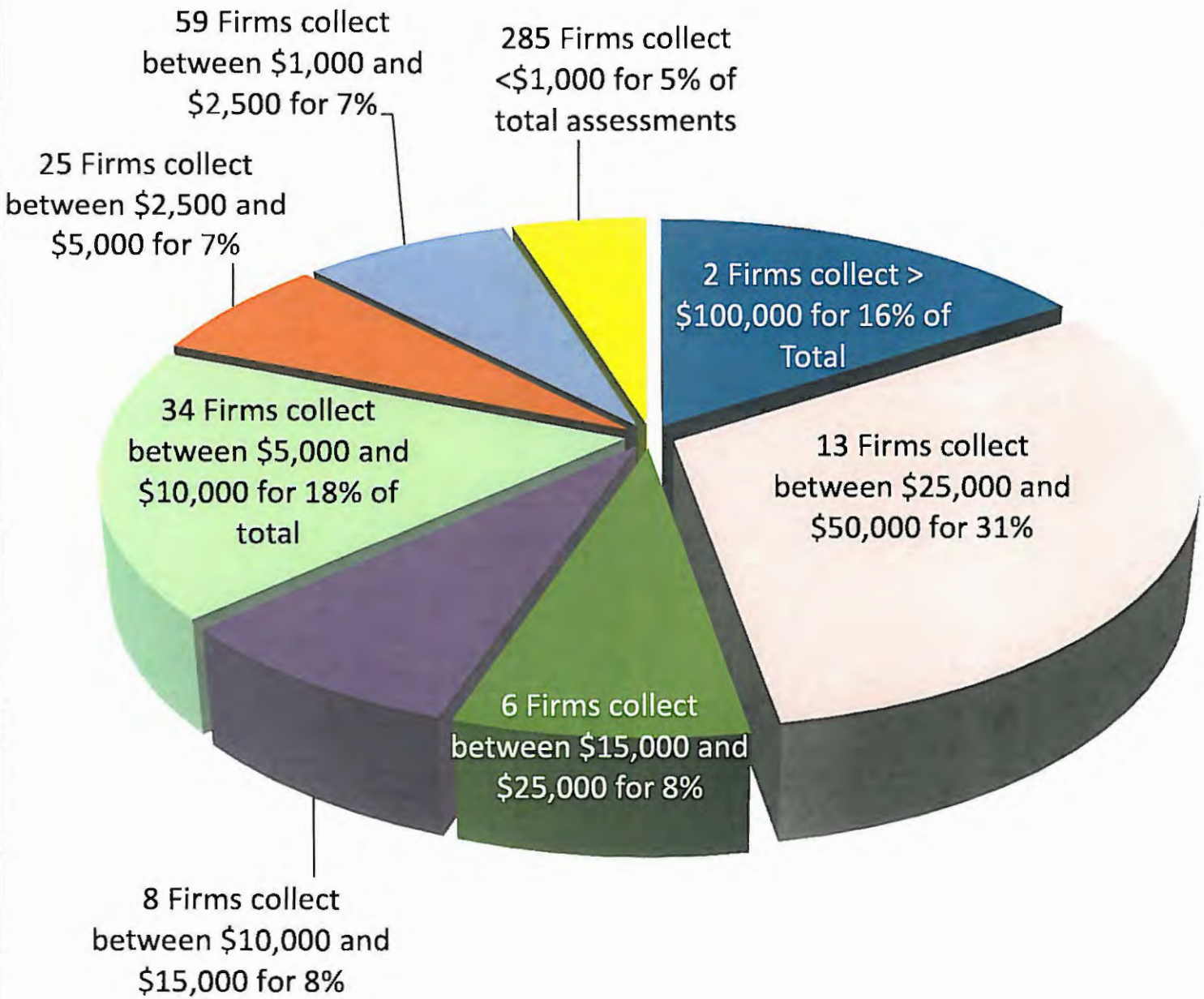
Reported Seed Sales in FY 2012

Location of Firm	# of Firms	2012 Reported Ag Seed Sales	2012 Reported Veg Seed Sales	2012 Reported Lawn Seed Sales	2012 Total Reported Seed Sales
OS	176	$ 114,355,840	$ 123,319,444	$ 39,801,884	**$ 277,477,367**
CA	251	$ 125,793,941	$ 193,456,404	$ 15,371,274	**$ 332,114,355**
Total	**427**	**$ 240,149,780**	**$ 316,775,848**	**$ 55,173,158**	**$ 609,591,722**

- 2013 saw an increase total number of firms. Note slight increase in the number of OS Firms selling seed in CA and slight decrease in the number of CA Firms.
- Seed Sales in FY2013 were about ten million dollars less than seed sales reported in FY2012. Undoubtedly the recent drought reduced the acres of planted crops.
- Interestingly total reported sales for grass seed increased in FY2013 over FY2012. Almost all of the increase in grass seed sales was reported by OS Firms.
- Total vegetable seed sales were down by about one million dollars. Interestingly CA firms lost about $20 million in sales while OS firms increased sales by about $20 million
- Total sales for ag seeds in FY2013 were down about $20 million. Both OS and CA firms reported lower Ag seed sales.


Number of Firms that Submitted Assessments from CA Seed Sales in 2013
Grouped by Ranges of Amounts Collected
> $100,000
> $25,000 < $50,000
> $15,000 < $25,000
> $10,000 < $15,000
> $5,000 < $10,000
> $2,500 < $5,000
> $1,000 < $2,500
< $1000 Avg. $227
2 Firms collected > $100,000 in assessments
13 Firms or 3%
6 Firms or 1%
8 Firms or 2%
34 Firms or 8%
25 Firms or 8%
59 Firms or 14%
285 Firms or 65% collected an average of $227

Percentages of Assessment Collections on Seed Sales in FY2013 Submitted by Firms in FY2014

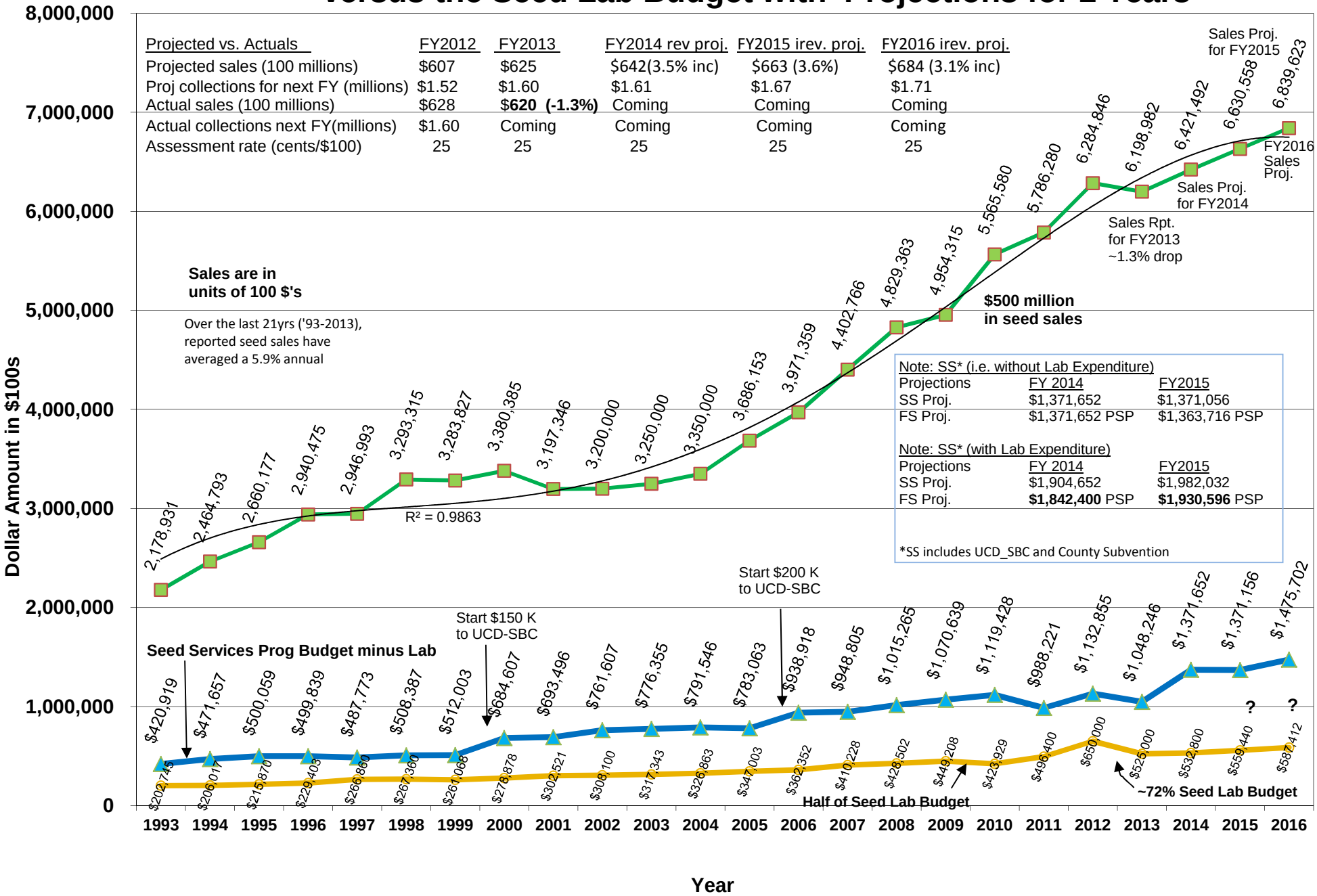


15 Firms collected 47% of the assessments on seed sales in CA.

29 Firms collected 63% of the assessments on seed sales in CA.

403 Firms collected the remaining 37% of the assessments on seed sales.

Reported Seed Sales (scaled) versus the Seed Services Budget versus the Seed Lab Budget with Projections for 2 Years



Jerry Brown authorizes court-ordered pay raises for state scientist managers, supervisors

8-20-2014 sacbee.com

The Brown administration issued orders on Wednesday to give a total $56.4 million in raises to some 4,100 state managers and supervisors to comply with a lawsuit the state lost over pay parity for those employees.

According to the Department of Human Resources, about $32 million will go to 3,560 engineering managers and supervisors, or about $9,000 per employee for the year retroactive to July 1. About 570 scientists are in line for raises ranging between 26 percent and 42 percent, a total $24.4 million, or an annual increase of $42,800 per worker.

The raises make good on a 2008 court ruling that said the engineers' and scientists' managers and supervisors should be paid comparable wages for comparable work after several years of pay increases that lagged raises for the employees they managed.

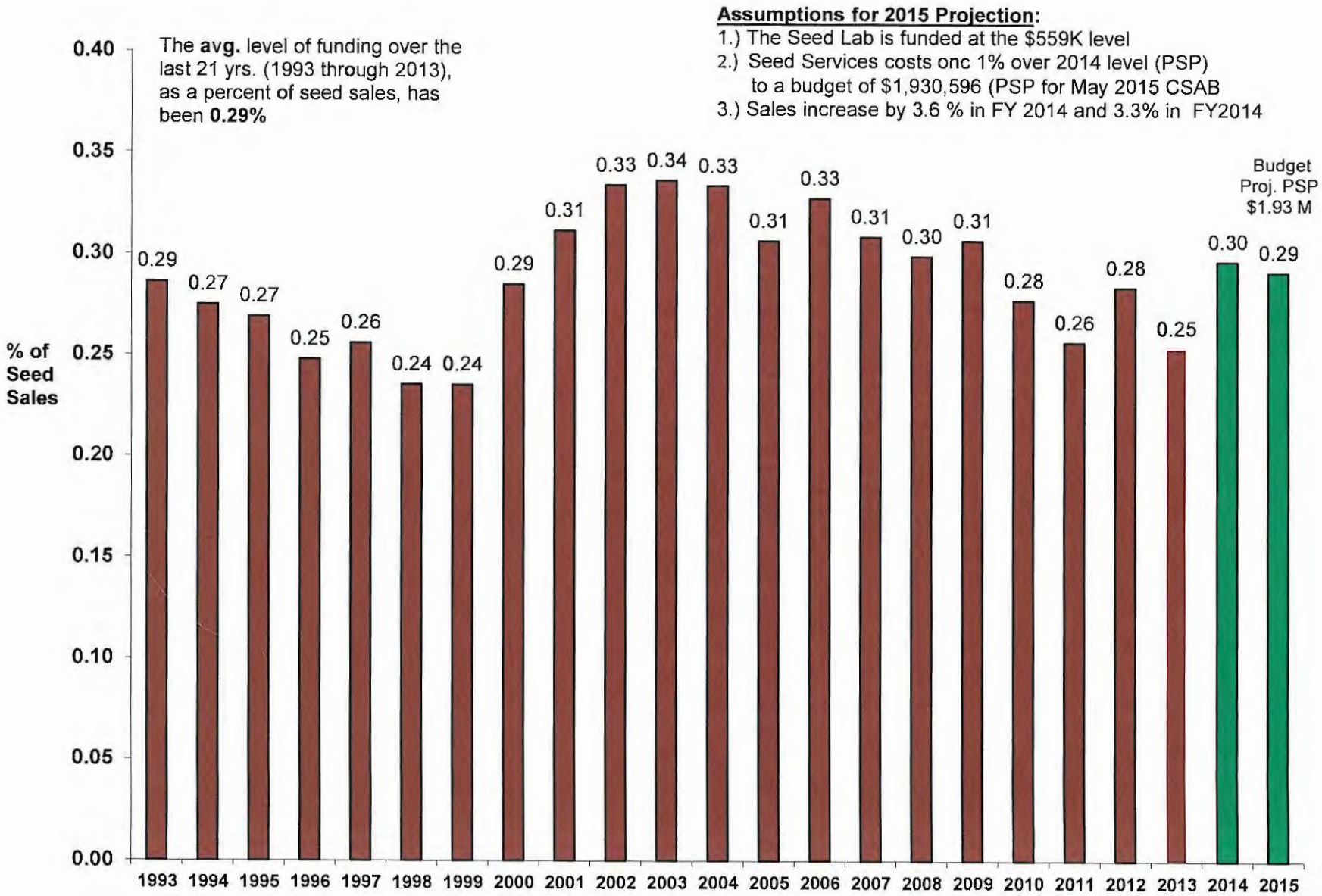
Gov. Jerry Brown set aside money in the 2014-15 state budget to comply with the court decision.

From the California Association of Professional Scientists (CAPS)

Effective July 1, 2014, salaries were increased for fourteen classifications included in the Like-Pay-Like-Work (LPLW) decision, along with a few related supervisory and managerial classifications. Consistent with the decision, each classification will receive a distinct pay increase ranging from 18 to 43 percent.

These fourteen classifications became part of the LPLW decision based upon the proven historical salary relationships and comparable duties with other supervisory classifications. The California Association of Professional Scientists (CAPS) secured these CalHR salary determinations through an administrative hearing process which challenged the amount of the salaries. The administrative decision was then confirmed in court.

Total Program Budget (w/o General Funds) as a Percentage of Reported Seed Sales



Fiscal Year	Annual Value of Seed Sold in CA	Seed Services Expenditures w/ UCD _SBC	Seed Laboratory Expenditure	County Subvention	Total Program	Budget as % of Sales
1993/94	$217,893,125	$300,926	$202,745	$119,993	$623,664	29%
1994/95	$246,479,333	$351,955	$206,017	$119,702	$677,674	27%
1995/96	$266,017,732	$376,581	$215,870	$123,478	$715,929	27%
1996/97	$294,047,512	$383,483	$229,403	$116,356	$729,242	25%
1997/98	$294,699,256	$367,773	$266,860	$120,000	$754,633	26%
1998/99	$329,331,465	$388,389	$267,360	$119,998	$775,747	24%
1999/00	$328,382,727	$392,003	$261,068	$120,000	$773,071	24%
2000/01	$338,038,475	$564,607	$278,878	$120,000	$963,485	29%
2001/02	$319,734,584	$573,496	$302,521	$120,000	$996,017	31%
2002/03	$320,000,000	$641,607	$308,100	$120,000	$1,069,707	33%
2003/04	$325,000,000	$656,355	$317,343	$120,000	$1,093,698	34%
2004/05	$335,000,000	$671,546	$326,863	$120,000	$1,118,409	33%
2005/06	$368,615,313	$663,063	$347,003	$120,000	$1,130,066	31%
2006/07	$397,135,938	$818,918	$362,352	$120,000	$0	33%
2007/08	$440,276,563	$828,805	$410,228	$120,000	$1,359,033	31%
2008/09	$482,936,250	$895,265	$428,502	$120,000	$1,443,767	30%
2009/10	$495,431,451	$950,639	$449,208	$120,000	$1,519,847	31%
2010/11	$556,558,000	$999,428	$423,929	$120,000	$1,543,357	28%
2011/12	$578,628,000	$868,221	$496,400	$120,000	$1,484,621	26%
2012/13	$628,484,600	$1,012,855	$650,000	$120,000	$1,782,855	28%
2013 EOY	$619,898,200	$928,246	$525,000	$120,000	$1,573,246	25%
2014 Est	$642,149,200	$1,251,652	$532,800	$120,000	$1,904,452	30%
2015 Est	$663,055,800	$1,251,156	$559,440	$120,000	$1,930,596	29%
2016 EST	$683,962,300	$1,355,702	$587,412	$120,000	$2,063,114	30%

CHAPTER _____

An act to amend Sections 52323, 52324, and 52325 of the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1399, Galgiani. Agricultural seed: county seed enforcement subventions.

Existing law, the California Seed Law, provides for an optional subvention program under which a county may enter into a cooperative agreement with the Secretary of Food and Agriculture to receive an annual apportionment of funds from the secretary for maintaining a statewide compliance level on all seed within the county. Under those provisions, a county with no registered seed labelers may annually receive $100, at the discretion of the secretary and upon recommendation of the Seed Advisory Board, and a county with registered seed labeler operations may annually receive a subvention based on enforcement activity generated by the registered seed labeler operations within the county, and upon the performance of enforcement activities, in accordance with a method for calculating apportionments for participating counties based on units of activity, as specified. Existing law makes those provisions inoperative on July 1, 2016, except as specified, and repeals those provisions on January 1, 2017.

This bill would extend the operative date specified above to July 1, 2019, and would extend the repeal date to January 1, 2020. The bill would delete the provisions establishing a method of calculating apportionments based on units of activity, and would instead require the amount of the subvention designated to each participating county to be established in a memorandum of understanding between the county agricultural commissioner and the secretary, in consultation with the Seed Advisory Board.

Under existing law, the fees collected pursuant to the California Seed Law are continuously appropriated to the Department of Food and Agriculture to carry out its provisions.

By extending the operation of these subvention provisions, this bill would make an appropriation.

CHAPTER _____

An act to amend Sections 52256.5, 52288, 52332, and 52452 of, and to add Section 52334 to, the Food and Agricultural Code, relating to seed.

LEGISLATIVE COUNSEL'S DIGEST

AB 2470, Salas. California Seed Law.

Existing law, the California Seed Law, regulates seed sold in California, and requires each container of agricultural seed that is for sale or sold within this state for sowing purposes to be labeled, as specified, unless the sale is an occasional sale of seed grain by the producer of the seed grain to his neighbor for use by the purchaser within the county of production. Existing law defines "person" for purposes of the California Seed Law to mean an individual, partnership, trust association, cooperative association, or any other business unit or organization.

This bill would clarify that definition of "person" to include corporations. The bill would also clarify the term "neighbor" for purposes of the labeling requirements specified above to mean a person who lives in close proximity, not to exceed 3 miles, to another. The bill would revise a statement of legislative intent to include ensuring that the amount of seed represented on a tag or label is properly identified.

Existing law authorizes the Secretary of Food and Agriculture, by regulation, to adopt a list of plants and crops that the secretary finds are or may be grown in this state from agricultural or vegetable seed.

This bill would instead authorize the secretary, by regulation, to adopt a list of plants and crops that the secretary finds are or may be grown in this state. The bill would also prohibit a city, county, or district, including a charter city or county, from adopting or enforcing an ordinance on or after January 1, 2015, that regulates plants, crops, or seeds without the consent of the secretary. The bill would make other nonsubstantive changes.

Seed Advisory Board
Nominations Committee Conference Call
1220 N Sacramento, CA Rm 355

3:00 PM, Wednesday November 12, 2014

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1. Call to Order – Roll call

Chairman McShane called the meeting to order at 3:01 pm. The following members and guests were present:

John McShane*
Bill White*
Greg Orsetti*
John Heaton◊
Joshua Kress◊

* Denotes a Seed Advisory Board Member. ◊ Denotes a CDFA employee.

2. Review Status of appointment terms for members of the Seed Advisory Board

Chairman McShane noted the following three members of the Board have terms set to expire on March 31, 2015.

- Bob Prys – central/coastal California representative of vegetable seed labelers
- Janice Woodhouse – northern California representative of agricultural seed labelers
- Larry Hirahara – public member representative

3. Develop recommendations for appointment to the Seed Advisory Board

After brief discussion, the nominations committee identified the following three individuals to recommend to the full Board at the regular meeting on November 19, 2014 in Sacramento.

- Carl Hill – to represent central/coastal California vegetable seed labelers
- John Palmer – to represent northern California agricultural seed labelers
- Bob Simas – to represent the public

The Committee favored Bob Simas as a public member representative because he possesses knowledge of the seed industry and does not appear to have potential conflicts interest due to consulting activities.

Chairman McShane explained that the full Board will have a chance to review the recommendations from the nominations committee and make a formal recommendation to the Secretary. He explained that the Board's recommendation will be presented to the Secretary with information about all of the candidates. The Secretary will consider the recommendations and information before making appointments to the Board to fill the expiring terms.

4. Next Meeting

Chairman McShane noted that the next meeting of the full Seed Advisory Board will be Wednesday, November 19, 2014 at the CDFA Gateway Oaks facility.

He formally provided an opportunity for public comment to any persons in attendance. None were made.

5. Adjournment

Chairman McShane adjourned the meeting at 3:13 p.m.

Respectfully Submitted

John Heaton
Senior Environmental Scientist
CDFA Seed Services Program

Approved by the California Seed Advisory Board on Nov. 19, 2014