

UNITED STATES DEPARTMENT OF AGRICULTURE

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FRUIT AND VEGETABLE INDUSTRY ADVISORY COMMITTEE

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MEETING

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THURSDAY
MAY 9, 2019

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The Advisory Committee met in the Fairfax Room of the Hyatt Regency Crystal City Hotel, 2799 Richmond Highway, Arlington, VA, at 8:30 a.m., Darrell Hughes, Designated Federal Official, and Chalmers R. Carr, III, Chair, presiding.

PRESENT

CHALMERS R. CARR, III, Chair
KILEY HARPER-LARSEN, Vice Chair
DAVID K. BELL
RICHARD E. BOWMAN
JOHN CHANDLER
TINA ELLOR
K.C. ELY
BRET ERICKSON
MOLLY GLEASON
JULIE L. GORDON
JEFF HUCKABY
MICHAEL JANIS
TOM LIPETZKY
PAUL PALMBY
KELLY POWELL-MCIVER
READE SIEVERT
STEVE SMITH

BRUCE TALBOTT
GREG TISON
DERRIN WHEELER
TOMMY WILKINS
CHARLES A. WINGARD
DONN ZEA

STAFF PRESENT

DARRELL HUGHES, Designated Federal Official
GREG ASTILL, ERS, USDA
PATTY BENNETT, AMS, USDA
RICHARD BOYD, AMS, USDA
JEFF DAVIS, AMS, USDA
TRAVIS HUBBS, PACA, USDA
SONIA JIMENEZ, Deputy Administrator, AMS
KEN PETERSEN, AMS, USDA
HEATHER PICHELMAN, AMS, USDA
JUDY RUDMAN, AMS, USDA
LEANNE SKELTON, AMS, USDA
CHARLES STEPHENS, AMS, USDA
BRUCE SUMMERS, Administrator, AMS, USDA

ALSO PRESENT

GERALD BROMLEY, FDA
JIM GORNY, FDA
ROBERT GUENTHER, United Fresh Produce
Association
RICH HUDGINS, California Canning Peach
Association
JOY JOHANSON, FDA
LAURA PHELPS, Watkinson Miller
MAGGIE GENTILE, Apple Processors Association

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1 P-R-O-C-E-E-D-I-N-G-S

2 8:24 a.m.

3 MR. HUGHES: All right, good morning,
4 everyone. My name is Darrell Hughes. I am the
5 designated federal officer for the Fruit and
6 Vegetable Industry Advisory Committee.

7 This is the first time the committee
8 is meeting since a reauthorization in October
9 2018. So welcome and we're excited for you all
10 to get started. Like I said you're crafting
11 statements, recommendations and giving you USDA
12 guidance.

13 Of the 24 members I believe 2 were on
14 prior committees. And so because of that we're
15 going to be holding -- actually there was no
16 chair or vice chair that transitioned from the
17 prior meeting so we're going to hold elections
18 later today.

19 I'll be partially chairing the meeting
20 today when we hold elections in the morning. The
21 chair will take over with guidance because that
22 person will not have known what we have on the

1 agenda so I'll walk through the agenda with that
2 person. I'll let Sonia, deputy administrator of
3 our specialty crops program.

4 An important note about my role as
5 DFO, designated federal officer, I am here to
6 support your objectives. This may be a bit
7 cheeky, but it's really an honor to serve in this
8 capacity and I'm excited to help do whatever I
9 can to help the committee succeed.

10 That's really it. Oh yes, the
11 briefing books. We created briefing books for
12 each of you. The briefing book contains the
13 presentations that you will hear later in the
14 afternoon. And it has bios, a section about bios
15 of each of the members.

16 When we hold elections if you want to
17 read up really quick on your fellow
18 representatives you can go to that section.

19 There's also an overview section, AMS
20 overview section where our deputy administrator
21 is going to be having -- going over presentation
22 by agency.

1 Most importantly there's your standard
2 code, the Standard Code of Parliamentary
3 Procedure. I'm new to that. Sonia is not. So
4 we'll all be using Robert's Rules of Order.

5 If anyone has not done that before,
6 used Robert's Rules of Order, it's okay, I
7 haven't either. And we'll just all work our way
8 through it.

9 Right now it is 8:26 on May 9 and I'd
10 like to call the Fruit and Vegetable Industry
11 Advisory Committee to order.

12 Before we do roll call and
13 introductions I think we're going to hear some
14 quick remarks from our Agricultural Marketing
15 Service Administrator Bruce Summers.

16 MR. SUMMERS: So, do we need to use
17 the podium today? So good morning, everybody,
18 and welcome to Washington, DC.

19 We are really excited to get this
20 committee going again. We are really excited
21 about the theme that's been put together making
22 up this advisory committee.

1 We owe you a thanks as does everybody
2 in the industry. Thank you for taking time away
3 from your jobs, your companies, your families to
4 travel. It probably won't just be these
5 meetings. There will probably be some
6 subcommittees set up so you'll probably have some
7 work to do in between meetings. So we appreciate
8 in advance the willingness to participate and the
9 effort that you're going to put forward over the
10 next couple of years on this.

11 The advisory committees in general and
12 this one in particular are really important.
13 Right now I'm the administrator of the
14 Agricultural Marketing Service.

15 I started out in the PACA branch.
16 It's a division now, it was a branch back then.
17 I had the opportunity to be the branch chief for
18 awhile.

19 And during my tenure as the branch
20 chief with the PACA folks we worked with then the
21 Fruit and Vegetable Industry Advisory Committee
22 as it was then to work on some really important

1 things.

2 So we at that point were restructuring
3 the division, setting up -- closing offices and
4 looking at ways to save costs in anticipation of
5 a really big fee increase that was coming.

6 Congress had changed the law in 1995.
7 Retailers were no longer paying the license fees.
8 There was a big gap that was going to have to be
9 made up.

10 So first we wanted to make sure we'd
11 done everything we could to reduce our costs and
12 get ready for that. How were we going to set
13 that program on a solid financial foundation
14 going forward.

15 And we worked extensively with the
16 advisory committee at that time to evaluate
17 options and make recommendations to the
18 Secretary.

19 And as a result we went from five
20 offices to three based on a recommendation from
21 the advisory committee. We also put a fee
22 proposal out that went for comments again at the

1 recommendation of the advisory committee. Went
2 through six comments, only one opposed.

3 And that foundation, that financial
4 foundation for that PACA program is still in
5 place and the program is really solid
6 financially.

7 You'll hear from Judy Rudman who's now
8 the director of that division. But I just use
9 that as my example of working with that committee
10 back in the day. A really big deal and it has
11 carried forward for what now has been 10 years as
12 time goes by.

13 So what you do and what you recommend
14 and your input as we have initiatives and things
15 like that, it's really important we listen to it
16 and we act on it. And so again thank you.

17 I thought it might be kind of
18 interesting sometimes -- the Agricultural
19 Marketing Service is kind of a big diverse agency
20 and so I thought it might give you some context
21 about what AMS does beyond the fruit and
22 vegetable area.

1 The biggest part of AMS is gradings.
2 So every product in the United States that
3 carries any kind of USDA grade shield or label is
4 graded by an AMS employee. That wasn't the case
5 two years ago, but Secretary Perdue came in and
6 he added the Federal Grain Inspection Service to
7 AMS and when he did that every single grader at
8 USDA is an AMS employee.

9 Almost all of the grading is
10 voluntary. It's user fee funded and with the
11 exception of a few areas it's voluntary.

12 We have 4,500 employees in AMS, 2,900
13 of them are graders. We also use several
14 thousand state employees to do federal
15 inspections. So the grading activities in AMS if
16 you want to think about prime choice select
17 meats, grade A eggs and butter, cheese, U.S.
18 number one potatoes, all the grain that's
19 exported out of the United States has to be
20 inspected. That's all done by AMS. It's a
21 really huge endeavor for us.

22 The other part, USDA Market News.

1 You're probably familiar with the Fruit and
2 Vegetable Market News, but of course USDA Market
3 News encompassing all the commodities including
4 things like cotton.

5 We issue over 700 reports a day in
6 Market News. And you tally that up over the
7 course of 52 weeks, that's almost 200,000 Market
8 News reports that AMS issues in the course of a
9 year.

10 All of that is basically information
11 collected in the morning and reported in the
12 afternoon. A huge endeavor for us.

13 It makes the AMS website where we
14 release market news data is the most often
15 clicked website in USDA because that market news
16 information is being accessed so often.

17 We also have the checkoff program. So
18 if you think about the Incredible Edible Eggs,
19 Got Milk, Beef it's What's for Dinner, we oversee
20 all those checkoff programs. So there are 22
21 checkoff programs. The biggest happen to be
22 dairy and beef and pork and things like that.

1 But most of the checkoff programs are for fruits
2 and vegetables. So out of the 22 the majority
3 are fruits and vegetables.

4 If you had to guess the assessments
5 that we collect every year to run those checkoff
6 programs, almost \$1 billion a year. So we're
7 overseeing \$1 billion in research and promotion
8 activities. Again those are run by boards
9 similar to advisory committee, but they're run by
10 boards.

11 But we -- AMS's role is to make sure
12 those checkoff programs stay within the
13 boundaries of the law. So that's about \$1
14 billion in activity that we're overseeing there.

15 Probably two years ago you might have
16 been surprised to know that AMS also buys a lot
17 of food, although the trade mitigation stuff
18 that's happened over the last several months has
19 kind of highlighted that.

20 AMS buys a lot of food. We work with
21 the Food Nutrition Service to purchase food for
22 school lunch and other federal community

1 nutrition programs. About 20 percent of the food
2 that is eaten in the school program is purchased
3 by AMS. The other 80 percent is purchased
4 locally.

5 That's a \$2 billion a year endeavor.
6 This year we have an extra \$1.2 billion that
7 we're purchasing in food for the -- to mitigate
8 the impacts of the trade tariff situation. We
9 thought that might get resolved this month and
10 now it's not looking so good.

11 So we're buying an extra \$1.2 billion.
12 All of that food is going to food banks and kind
13 of maybe importantly to this group we are buying
14 a lot of fresh product for the first time. So
15 we're buying grapes, fresh grapes, we're buying
16 plums, we're buying apples.

17 MS. JIMENEZ: Pears.

18 MR. SUMMERS: Yes. So a lot of
19 products. We also continue to buy frozen
20 product. We just went out with a buy on frozen
21 apricots out in California and dried -- that's
22 right, and some plums or prunes.

1 So we buy a lot of food and distribute
2 that all over the country. We also purchase food
3 for the Agency for International Development so
4 we're buying a lot of grain and things like that
5 that are going overseas. So that's another big
6 endeavor for AMS that not a lot of people know
7 about.

8 The other thing we do is grants. We
9 issue a lot of grants. We have a series of grant
10 programs.

11 The biggest is the Specialty Crop
12 Block Grant Program. That's a program where we
13 work with states like my friend from Colorado to
14 -- those grants are basically to help enhance the
15 marketing of fruits and vegetables. So that's
16 \$80 million roughly a year.

17 We have well over \$100 million in
18 grants that we issue every year for a wide
19 variety of marketing programs.

20 So that's kind of what we do every
21 day. Recently we've been tapped on a couple of
22 other special projects that have been kind of

1 interesting to work on.

2 Last year we finalized the
3 bioengineered food disclosure. Some people might
4 call it the GMO labeling. That landed in AMS.
5 We were excited to see that. It wasn't
6 controversial at all.

7 We got that out and done at the end of
8 the year, and then Congress passed the Farm Bill
9 and they included in there a program for the
10 production of hemp. That landed in AMS. That's
11 what Sonia and I work on most of the time right
12 now.

13 We are putting together the
14 regulations for production of hemp in the United
15 States. Again, not a real controversial.

16 So anyway, AMS has a wide, wide scope.
17 I just wanted to kind of give you an example of
18 kind of where the fruit and vegetable side of the
19 house fits in there.

20 You might want to know that the
21 biggest program in AMS, we have 10 different
22 program areas. Sonia runs the Specialty Crop

1 Program area. That's the biggest program in AMS.
2 So bigger than what we're doing for livestock and
3 poultry, bigger than what we're doing for cotton.
4 The Specialty Crop Program is the biggest in AMS.
5 So just a little context for you.

6 Advisory committees. So we work with
7 four advisory committees at AMS. The biggest and
8 most exciting is not necessarily where you want
9 to be.

10 The biggest and most exciting is the
11 National Organic Standards Board. If this was
12 the National Organic Standards Board there would
13 be 300 people sitting in the audience watching
14 you all as you work. There might be protests
15 outside going on while you were in here working
16 as the advisory committee. This is a nice
17 atmosphere.

18 The advisory committee for the
19 National Organic Standards Board is robust. The
20 industry is very involved and passionate about
21 some issues and so that's one of the ones we work
22 with.

1 We also have an advisory committee for
2 grain inspection and then we have one for -- the
3 Plant Variety Protection Board. The Plant
4 Variety Protection Board is similar to if you
5 think about patenting an invention.

6 So plant breeders create a new
7 variety, develop a new variety. They come into
8 the Plant Variety Protection Board and we
9 basically give them the equivalent of a patent
10 for their new variety for 20 years so that they
11 can market it and protect it.

12 And then the fourth one of course is
13 the Fruit and Vegetable Industry Advisory
14 Committee.

15 MS. JIMENEZ: The best.

16 MR. SUMMERS: Sonia says the best.
17 And it may very well be. Hopefully we won't have
18 protesters outside at the next meeting.

19 A couple of things to watch for. And
20 I know Judy Rudman who runs the PACA who will be
21 here shortly, but we're going to roll out and
22 make announcement today. And I'm not going to

1 steal her thunder, but a couple of things I'm
2 just going to highlight.

3 We're going to roll out a new
4 enhancement to our electronic system. It's going
5 to make it easier for the produce industry to do
6 business with PACA. She will roll that out.

7 Right around the corner we're going to
8 roll out early next month a new, we call it a
9 data visualization project.

10 So we have a lot of data in our
11 transportation and marketing program about
12 freight. So truck, rail, barge. Tons and tons
13 of data over the years. It's been hard to
14 access.

15 And so we have developed a new program
16 where it's going to make it much easier for
17 people to go out, sort these tremendous amounts
18 of data and put it in a format that they can use
19 as they're doing their research and making
20 marketing decisions. So we'll roll that out
21 shortly.

22 And then later this fall, and this is

1 another one of Sonia's projects along with hemp,
2 later this fall we are going to roll out a new
3 portal for you all on the Fruit and Vegetable
4 Market News.

5 So three pretty big IT initiatives
6 coming your way here just in the next six months,
7 seven months.

8 The market news piece is already done
9 for dairy. It's done for cotton. We're working
10 on livestock and the fruit and vegetable piece
11 will be last but not least. So lots going on.

12 We want to hear from you all. As we
13 come to you all as you meet we'll put some
14 initiatives in front of you that we've identified
15 and ask for your opinions and recommendations.

16 But we'd also love to hear from you
17 all what are the priorities, what are the things
18 going on in the industry that maybe the folks
19 back here in Washington, DC haven't heard about,
20 or haven't prioritized enough. And that's what
21 we really need to hear from you about.

22 We are excited that you're here. We

1 have been working on this for months and it's
2 nice that the day is here. I think it's a great
3 group that's been put together.

4 Again, I want to congratulate you.
5 It's not easy to get appointed to these boards.
6 I will tell you that Sonny Perdue scrutinizes and
7 I won't say agonizes, but he might agonize Sonia.
8 But really, it is -- I don't want to undersell
9 how big a deal it is that the Secretary has
10 appointed you to this board.

11 He takes these very seriously. He
12 wants to hear from you. The recommendations you
13 make will go to him. And we will respond to them
14 and act on them.

15 So again, thank you very much. I'm
16 going to give Sonia back her time.

17 I can't stick around because I've got
18 to go to a meeting with the Secretary's office on
19 hemp at 9:45. So I appreciate you guys adjusting
20 the schedule and letting me talk for a few
21 minutes. I really wanted to just say hello and
22 say thank you. And I'm looking forward to seeing

1 what you all come up with.

2 I think we have a little bit of time.
3 Are there any questions, any comments before I
4 cut out, anything I can answer for you all,
5 wondering what's going on DC? Nothing going on.

6 All right, well thank you very much.
7 Really appreciate it.

8 MS. JIMENEZ: Thank you, Bruce. Well,
9 I wanted to welcome you also. I think I
10 introduced myself to some of you, not all of you,
11 so I'll take a break to introduce myself one on
12 one at the break.

13 But I really appreciate -- thank you,
14 Bruce, for coming over and take care of my hemp
15 meeting.

16 MR. SUMMERS: I will. I'll try not to
17 embarrass you.

18 MS. JIMENEZ: You never do. So
19 welcome.

20 I want to stress again that it is a
21 big deal that you are sitting here. We received
22 over -- I can't remember, but it was way over 100

1 nominations and the Secretary went through them
2 and picked you. So it's a big deal.

3 I'm also very excited because we had
4 to postpone this meeting once and I was so
5 disappointed that we were almost there and had to
6 postpone it. But finally the day is here so I'm
7 very excited about that.

8 What I would like to do right now is
9 I'm sure some of you had the opportunity to
10 introduce yourselves to the rest of the members.
11 Maybe not everybody knows everybody. So I would
12 like to go around the table and give you the
13 opportunity to say your name, your company, your
14 state, any other brief remarks that you want to
15 say today.

16 And then afterwards we're going to go
17 around the room and introduce all the guests that
18 we have here. Will that work? Perfect. Let's
19 start over there. So we can just go around the
20 table.

21 MR. BELL: Good morning. David Bell
22 with Cherryfield Foods, Maine Wild Blueberry

1 Company from Maine, down east Maine.

2 We are a grower and processor of wild
3 blueberries, primarily IQF frozen, but we do some
4 other value-added products.

5 For decades we've been exporting
6 around the world, starting off in Japan and
7 Europe and expanding from there.

8 MR. BOWMAN: Richard Bowman. I'm the
9 VP of farming and growing development for J&J
10 Family of Farms. We're located in Loxahatchee,
11 Florida which is southeast. I'm also a grower
12 for them.

13 We have grower relationships from
14 Mexico to Canada and mainly serve the east coast.
15 We have a little bit of distribution out west.

16 MR. CARR: Good morning, Chalmers
17 Carr. I'm the owner of Titan Farms in Ridge
18 Spring, South Carolina.

19 We're a grower of fresh peaches,
20 broccoli and bell pepper, and then we also got in
21 the processing form about three years ago.

22 MR. CHANDLER: I'm John Chandler from

1 Chandler Farms out of Selma, California, just
2 outside of Fresno.

3 We grow a variety of crops, peaches,
4 plums, citrus. We do some almonds, raisins,
5 wine. So all the good California crops.

6 MS. ELLOR: Tina Ellor, Phillips
7 Mushroom Farms. We grow a variety of mushrooms,
8 white button, crimini, portabella, maitake,
9 shiitake, all the specialties.

10 I served on the Organic Standards
11 Board and it's a tough gig. This one is way more
12 pleasant and also I did serve on this one before
13 and it's a wonderful opportunity to work within
14 the programs at AMS and figure out how they can
15 work better for us. And also just to get our
16 issues directly to the Secretary.

17 So I'm really proud to be here and
18 glad to see you all.

19 MR. ELY: K.C. Ely with FreshPoint.
20 We're a fresh fruit and vegetable
21 distributorship. Thank you for letting me be
22 here.

1 MR. ERICKSON: Bret Erickson, senior
2 vice president for business affairs for J&D
3 Produce. We are a grower, packer, shipper based
4 in McAllen, Edinburg, Texas area, down in the Rio
5 Grande Valley.

6 We deal in fresh greens, melons and
7 sweet onions. We farm about 6,000 acres in
8 Texas. We also have growing and packing
9 operations in New Mexico, Georgia, New Jersey,
10 Peru and Mexico.

11 MS. GLEASON: Molly Gleason. I'm with
12 Illinois Stewardship Alliance. We are a
13 statewide non-profit organization. We work
14 mostly on policy organizing and advocacy for
15 fruit and vegetable growers and some larger grain
16 growers in Illinois as well.

17 So we did pass industrial hemp last
18 year in Illinois right before the federal Farm
19 Bill came through so really happy about that.

20 I grew up on a corn and soybean farm,
21 but I work mostly with fruit and vegetable
22 growers right now.

1 MS. GORDON: Hi, I'm Julie Gordon and
2 I'm with the Cherry Marketing Institute. We do
3 research and promotion for tart cherry growers,
4 U.S. tart cherry growers. And I handle the
5 finance and export program for them.

6 MS. HARPER-LARSEN: Good morning, my
7 name is Kiley Harper-Larsen. I'm the owner and
8 operator of NK Lago Farms and the Ag Safety Lady.

9 We have a boutique plantain and banana
10 operation. It also is in the nursery business.
11 And my farm is one of the premier produce
12 consulting farms that specializes in food,
13 environmental, workplace and crisis management
14 for all of you.

15 MR. HUCKABY: Good morning. My name's
16 Jeff Huckaby. I'm the president and CEO of
17 Grimmway Farms. We're located in California, but
18 we farm in seven different states. It's a family
19 farm, but pretty large. We do about 85,000 acres
20 of row crops and 40,000 of it is organic that we
21 do ourselves. We do about 65 different items and
22 happy to be here.

1 MR. JANIS: Good morning, I'm Michael
2 Janis. I'm the general manager of the San
3 Francisco Wholesale Produce Market.

4 We provide critical food
5 infrastructure for our 28 wholesalers that have
6 been operating in San Francisco from well beyond
7 1963. And along with Bruce and Tina we're
8 fortunate to be back again. So really honored to
9 be back around this table. Thank you.

10 MS. JIMENEZ: Great. I think you know
11 who I am. I'm Sonia Jimenez. I'm the deputy
12 administrator for Specialty Crops.

13 I've been in that position for a
14 couple of years. But I tell everybody when I
15 came back to Specialty Crops that that was home
16 because that's where I started and where I have
17 spent most of my career.

18 So I told Bruce when he asked me to
19 move to Specialty Crops, I said absolutely. I
20 love that industry. I'm coming back. I'm glad
21 to be here.

22 MR. HUGHES: I don't know who I am --

1 no, I'm kidding. Darrell Hughes.

2 I've been with the USDA since July of
3 2015. I joined the AMS Specialty Crops Program
4 at the top of this year. And it has been very
5 exciting working for Sonia and Charles Stephens
6 who's over there in the corner in the gray suit.

7 I'm originally from Detroit, Michigan.
8 So go green, go white. I've been in DC about 15
9 years or something like that. Started off as a
10 business writer and went into communications, did
11 some nuclear crisis work and a whole bunch of
12 other stuff. So that's my quick background.

13 MR. LIPETZKY: Good morning, I'm Tom
14 Lipetzky with the Colorado Department of
15 Agriculture. I head up our Markets Division
16 which covers everything from size and grade
17 inspection to working with our statewide
18 marketing program Colorado Proud.

19 One of the things that we also do is
20 we're really a partner with AMS in delivery of a
21 lot of the programs that Bruce talked about.
22 Some of the size and grade inspections, specialty

1 crops, working with some of the market order type
2 programs. It's really an honor to be here to
3 work with the committee today.

4 MR. ZEA: Good morning, Donn Zea. I'm
5 executive director of the California Dried Plum
6 Board. We're a state marketing order in
7 California.

8 Represent about 800 growers, 28
9 packers of California prunes. Premium market
10 around the world.

11 We export about half of what we grow
12 every year and the rest stays here in the U.S.
13 Also ingredients, concentrated juice and a number
14 of other things.

15 And we're involved in marketing,
16 promotion, nutrition research, crop science,
17 sustainability, issues management.

18 MR. WINGARD: Good morning, I'm
19 Charles Wingard from South Carolina. I'm part of
20 a family fresh vegetable operation, primarily
21 leafy greens, about 12 or 15 products total.

22 We're a grower, packer, shipper,

1 processor and on the farm processing plant. I
2 have operations in four states and grower
3 relations in a few more.

4 Glad to be here and look forward to
5 working with everybody for our industry.

6 MR. WILKINS: My name's Tommy Wilkins.
7 I'm the director of business development for Grow
8 Farms Texas in McAllen, Texas.

9 Forty-fourth year in this business.
10 I followed my father into this business. Roughly
11 half of my time has been at retail and the other
12 half has been on the growing side.

13 Really feel like I've got a chance to
14 maybe revitalize Texas and the growing industry
15 and identify its place on the Tex-Mex Corridor as
16 we see significant, more and more product coming
17 out of Mexico through our borders down there.

18 I have such a passion for this
19 business and I just feel humbled to be able to
20 maybe give something back for all it's given to
21 me. Proud to be here.

22 MR. WHEELER: My name's Derrin

1 Wheeler. I work for Michigan Blueberry Growers
2 which is a blueberry marketing cooperative out of
3 Grand Junction, Michigan.

4 We market blueberries and blackberries
5 in 13 states including British Columbia. We
6 represent about 300 growers. We market under the
7 Naturipe Farms label.

8 We're also about 75 percent fresh and
9 about 25 percent IQF.

10 MR. TISON: I'm Greg Tison. I'm
11 general manager of the Jacksonville Farmer's
12 Market. We're located in north Florida. Some of
13 us call it south Georgia.

14 It's a wholesale retail operation that
15 we run.

16 MR. TALBOTT: I'm Bruce Talbott. Like
17 we mentioned I have had the opportunity to come
18 back for another round. It was a lot of fun
19 before and I look forward to it now.

20 We grow -- we're out of Colorado.
21 We're a grower, shipper, packer of peaches and
22 wine grapes and a few other things. And then we

1 process sweet cider and more recently hard cider
2 and we got into wine as well.

3 MR. SMITH: Good morning. I'm Steve
4 Smith, senior direct of agriculture for Red Gold.
5 We're a tomato processor in Indiana.

6 If you haven't seen our branded
7 product buy any canned tomato it's very likely
8 that we had something to do with it, particularly
9 ketchup. We do 95 percent of all the ketchup
10 that's not Heinz or Hunt's. So if you're buying
11 anything we probably had something to do with
12 that.

13 Glad to be here. I think it was my
14 fourth attempt to get on the committee so I'm
15 glad to finally make it.

16 MR. SIEVERT: Hi, I'm Reade Sievert.
17 I'm vice president of produce for Associated
18 Wholesale Grocers. We're the largest member-
19 owned coop in the U.S. We service about 3,800
20 stores in 38 states. Full on distributor, take
21 care of everything a member would need from site
22 development to all the product that goes in and

1 out of the stores.

2 Basically from dirt to key we turn it
3 over, have the marketing behind everything.

4 MS. POWELL-MCIVER: Good morning,
5 Kelly Powell-McIver representing the North
6 Carolina Sweet Potato Commission.

7 We have approximately 400 growers,
8 packers, shippers. We have a lot of industry
9 that we represent, everything from policy,
10 research for any type of practice management,
11 variety management as well as marketing, both
12 domestically and internationally.

13 MR. PALMBY: Good morning. My name's
14 Paul Palmbly. I'm executive vice president, chief
15 operating officer at Seneca Foods Corporation.
16 We're the largest vegetable processor in the
17 country. If you eat canned vegetables, Libby's,
18 Green Giant or private label we probably had a
19 hand in it. We produce over 50 percent of the
20 vegetables sold in the country.

21 I'm also delighted to be here. I've
22 been here twice before in '02 and '04 and was

1 part of the PACA discussions which I think Bruce
2 characterized very well. It was an interactive
3 feel and I really look forward to seeing what we
4 accomplish this time.

5 MS. JIMENEZ: Thank you. We're going
6 to start -- oh, that's Heather.

7 MS. PICHELMAN: Hi, good morning. My
8 name is Heather Pichelman and I'm the director of
9 the Promotion and Economics Division within the
10 Specialty Crops Program.

11 My division oversees 13 of the 22
12 research and promotion programs. In addition, my
13 economists also help with the economic analysis
14 for procurement purchases including Section 32
15 purchases.

16 MR. BROMLEY: Hi, I'm Gerald Bromley
17 with the Food and Drug Administration Office of
18 Regulatory Affairs. I'm the director of the
19 Division of Domestic Human and Animal Food
20 Operation.

21 My umbrella covers the ORA Produce
22 Safety Network that works out in the field. And

1 I also cover all the other domestic stuff except
2 for dairy and shellfish.

3 MR. HUDGINS: Good morning, I'm Rich
4 Hudgins, president and CEO of the California
5 Canning Peach Association.

6 We're a grower-owned marketing
7 cooperative representing approximately 80 percent
8 of the peaches grown in California for processing
9 use.

10 You'll hear more from me later during
11 the public comment section of the meeting.

12 MS. PHELPS: I'm Laura Phelps. I work
13 at Watkinson Miller and represent the American
14 Mushroom Institute. And I'm here today to have
15 Tina Ellor's back.

16 MR. BOYD: Good morning, everyone.
17 I'm Richard Boyd, acting director of our
18 Specialty Crops Inspection Division, part of the
19 Specialty Crops Program.

20 We provide grading services,
21 inspection services and audit services. And
22 you'll hear later this afternoon from Ken

1 Petersen, our chief of Audit Services Branch on
2 an update on our audit programs.

3 MR. DAVIS: My name is Jeffrey Davis.
4 I run the business development office here with
5 the Specialty Crops Program.

6 Many of you -- I see smiling faces
7 from the time I was with PACA as well as working
8 in concert with the National Association of
9 Produce Market Managers.

10 Basically my primary roles are webinar
11 and outreach activities. If you see any of our
12 webinar emails -- first, I apologize if you don't
13 like them. But also our industry newsletter that
14 goes out basically every other month.

15 By the way, for those of you that have
16 coffee that doesn't taste good I promise you it's
17 my fault. I never know how to make coffee.

18 MR. PURVIS: Carl Purvis with the AMS
19 Public Affairs Office and I support the Specialty
20 Crop Program.

21 MS. SKELTON: Good morning, I'm Leanne
22 Skelton. I work on Sonia's staff at Specialty

1 Crop Program area.

2 I'm the liaison from the USDA
3 Specialty Crop Program area for the Food and Drug
4 Administration mostly regarding produce safety
5 rule kind of things. And you'll hear me yammer
6 later this afternoon.

7 I had nothing to do with the coffee
8 per se. The cream, for those of you who wanted
9 milk or cream, needs to go that way.

10 (Laughter.)

11 MR. STEPHENS: Good morning. I'm
12 Charles Stephens. I'm the associate deputy
13 administrator in the Specialty Crops Program. So
14 I assist Sonia on anything that we need to do
15 with the program.

16 I just want to welcome you all here.
17 I'm very glad to see everyone. And I echo
18 everyone else in saying congratulations on your
19 appointment. I look forward to getting to know
20 all of you over the next two days. Thank you.

21 MS. BENNETT: My name is Patty
22 Bennett. I'm the director for the Marketing

1 Order and Agreement Division so I kind of mirror
2 Heather's group.

3 My staff takes care of 27 commodities
4 throughout the United States. And in addition to
5 that we are also supporting Charles and Sonia
6 with the initiative -- the regulations together
7 and we'll get the program started.

8 MR. LONG: Good morning, I'm Terry
9 Long. I'm the director of Specialty Crop Market
10 News, the eyes and ears of American agriculture.

11 You heard Mr. Summers talk about some
12 of the new things we're doing relative to putting
13 data in your hands in the way that you have asked
14 us, the portals that allow you to go through
15 large blocks of data maybe from the time we
16 started recording markets in 1950.

17 So we're going to put data in your
18 hands. Mr. Summers did a nice job of summarizing
19 that.

20 MS. JIMENEZ: I think that's it. All
21 right, great. Welcome, everybody. I see some
22 familiar faces. Greg, welcome.

1 And I'm going to go over -- well,
2 first of all, did everybody get their coffee? I
3 apologize we didn't have the coffee outside, but
4 I promise for the break there will be coffee
5 outside.

6 The other thing I wanted to also note
7 is if you do not receive our newsletter, and
8 thank you, Jeff, for mentioning that please sign
9 up for it because we put out a newsletter with
10 the latest and greatest things that we're doing
11 or things that are happening in the industry.

12 So if you're interested in getting
13 that please let us know if you're not getting it.
14 Give Jeff your email address and believe me, you
15 will get it. He makes sure that everybody that
16 wants it and some that don't get it. So please
17 give us that information.

18 I'm going to go really quick through
19 a presentation. I can tell you that Bruce stole
20 some of my thunder because some of the things
21 that he mentioned I have in my presentation. But
22 I'll probably just go through it a little bit

1 quicker and then I'll ask for more questions and
2 answers.

3 This is in your binders, that
4 presentation, under the AMS Overview tab, what
5 I'm going to talk about.

6 But you also have some organizational
7 charts that I'm going to mention. Most of this,
8 the organizational charts and so forth are
9 probably not new to you, but I wanted to make
10 sure that everybody is familiar where we sit
11 within the department because I think it's
12 important once you start making recommendations
13 and thinking about things that we can do for you
14 that you keep in mind what's the scope of USDA
15 work and where things may fall within USDA. So I
16 thought it would be good to do a little quick
17 overview of that.

18 And I apologize up front that today's
19 meeting is very administrative in nature because
20 it's our first meeting. So I want to get into
21 real business real quick. And I know you too.
22 But we have to go through certain administrative

1 matters first so I apologize for that, but it's
2 part of being in a committee that hasn't met for
3 two years. So I'll try to go through it as
4 quickly as I can.

5 First of all, I'm going to refer you
6 to the USDA organizational chart. And the reason
7 I'm doing that is because I want you to see where
8 we fall within USDA.

9 If you go to the last side of that org
10 chart, the bottom line, the second from the left
11 is the under secretary for marketing and
12 regulatory programs.

13 And under that there are two agencies.
14 There's APHIS, you're probably familiar with
15 APHIS, and us.

16 So APHIS and AMS are the two agencies
17 that make up the marketing and regulatory
18 programs. And that's where Mr. Ibach is. You
19 probably met him last night when he came to the
20 reception.

21 Excuse me, I also apologize I have a
22 cold and I'm trying to get rid of this cough.

1 Within AMS, the second org chart, and
2 you have this for later if you want to study it a
3 little bit more.

4 Within AMS you see the Office of the
5 Administrator which is Bruce Summers. He just
6 introduced himself and spoke to you.

7 And we have 12 program areas. AMS
8 unlike some other programs in -- agencies in
9 USDA, we are divided by commodity. We think
10 that's the best way to do it, to have everybody
11 that deals with cotton in one place, everybody
12 that deals with fruits and vegetables in one
13 place and so forth.

14 So I don't know if you're aware that
15 last year we combined with what used to be GIPSA
16 and now we have -- GIPSA is no longer. They're
17 part of AMS. So we took over some of the --
18 well, all of their programs and they're all into
19 AMS.

20 So AMS got a little bigger and I think
21 more efficient. It made a lot of sense to have
22 those programs in AMS because we served pretty

1 much the same customers and so it made a lot of
2 sense.

3 Within Specialty Crops we would see
4 that then -- this is my world here. We have four
5 divisions and I think Bruce talked a little bit
6 about each one of them.

7 We have the market news. We have the
8 marketing orders. We have the research and
9 promotion and economic division and the
10 inspection of course and auditing division.

11 So we also have Leanne, she introduced
12 herself, that is our liaison with FDA for food
13 safety matters.

14 So that just gives you a little bit of
15 where we are within the organization. You have
16 copies of those for your nighttime reading when
17 you can't sleep.

18 So anyway, I'm going to go through
19 this like I said really quickly because Bruce
20 talked a lot about it.

21 We have within AMS like we said a lot
22 of programs. And we work together a lot.

1 For example, the commodity procurement
2 which a lot of you are familiar because your
3 industries participate in those programs.

4 We are in constant communication with
5 them because Heather's group does the economic
6 analysis for the purchase of commodities. And
7 also anything that they buy they consult with us
8 because we have the pulse on the industry or we
9 should, as much as we can, on what makes sense.

10 Sometimes we work with the boards and
11 ask what makes sense in terms of a buy. So we
12 work very closely with the commodity procurement,
13 especially during this mitigation phase that we
14 just finished I guess part 2. We're going into
15 the third quarter.

16 We've been working with them very,
17 very, very closely in trying to make sure that we
18 meet the requirements of the program but we also
19 most important meet the requirements of the
20 industry and can be as helpful as possible with
21 the industry. We sometimes apply for a little
22 bit of money from the other programs. Just to

1 make sure that fruits and vegetables get their
2 fair share of the monies available.

3 We also have the cotton program.
4 Cotton has a very similar program to ours as
5 dairy and the livestock programs. We would call
6 it the Four Amigos instead of three because the
7 four programs have very similar work within our
8 program, the market news, the marketing orders,
9 the R&P programs, marketing orders and so forth.
10 So we're very similar. The inspection is very
11 similar.

12 Then we have the federal grain
13 inspection. I'm going to say that's one that
14 came from GIPSA, that's one of the programs that
15 came from GIPSA. But they also have a lot of the
16 inspection which is very similar in that regard
17 to the inspection work that we do.

18 Science and technology is our
19 scientists. They have labs. They test. They
20 put out all kinds of good information out there.

21 But we work closely together with them
22 as well. In some of the requirements for

1 marketing orders when there's testing that needs
2 to happen sometimes it goes to their labs or labs
3 that they approve for those inspections.

4 We're closely working with them right
5 now with the hemp program. I don't know how much
6 you know about the hemp program, but we have to
7 set aside probably more than you want to.

8 We have to set some standards in terms
9 of sampling and testing for the product. And
10 we're working very closely with our science and
11 technology program because they're the
12 scientists.

13 I'm like I don't know anything about
14 sampling or testing, but I know where to go. So
15 that is a service that is available to us when
16 any of our programs need help in that area.

17 And the transportation and marketing.
18 That's where the grants programs are. So we also
19 work very closely with them when they get
20 requirements -- I mean, grant applications.
21 Sometimes they run things by us, does this make
22 sense and things like that. And we want to make

1 sure they understand what the needs are from the
2 industry standpoint.

3 We also have what Bruce mentioned, the
4 PACA. PACA is under the fair trade practices.
5 And that's a very important thing. It hurts me
6 deeply that PACA used to be part of fruits and
7 vegetables, or I should say Specialty Crops
8 Program. I'm from the old group that we used to
9 be fruits and vegetable program but we're
10 Specialty Crops now.

11 PACA used to be part of us and with
12 the reorganization when we took over the GIPSA
13 programs it was decided that they fit better in
14 fair trade practices program. So they're there.

15 But I just -- it hurts me that we lost
16 PACA from the Specialty Crops. But we work
17 really closely with Judy and her team. And
18 you'll hear from her later today. Because it
19 makes sense. I mean, they're servicing you, our
20 fruit and vegetable industry. So she's only down
21 the hall like three or four doors down from me so
22 we usually see each other in the hallway or just

1 run into each other's offices and talk about
2 things.

3 So I'm glad to say that even though
4 they went to fair trade practices we still have
5 the same relationship. They're also helping us
6 right now with some of the requirements on the
7 what -- hemp program for licensing because of
8 course they do licensing. Who better to guide us
9 on licensing than PACA.

10 So I have to say the work that AMS
11 does, we're not separate programs. We always
12 work together. And that's a great thing.

13 I did work for some time in FAS. It
14 was a great agency. But my heart was always in
15 AMS because it's just a great program and of
16 course the specialty crop industry.

17 You do have a little handout. I'm not
18 going to go through it, that explains a little
19 bit about each one of those programs, the organic
20 program. Oh, I forgot to talk about the National
21 Organic Program.

22 It has a little blurb about each one

1 of those programs. And it also talks a little
2 bit about our market news because it's kind of
3 important to us.

4 But in Specialty Crops like I said we
5 have four divisions. You're probably very
6 familiar with the inspection and auditing. I
7 call that's our bread and butter. It's a user
8 fee program for the most part except for the
9 standardization. It's probably what you see the
10 most out there in addition to the market news
11 folks.

12 Those are our people that are in the
13 field working with you, working with the industry
14 to make sure that when a tomato says it's a
15 tomato is a tomato is a tomato and it is what
16 it's supposed to be. I say tomatoes because
17 we're working with Commerce right now on the back
18 and forth on the agreement with Mexico. So
19 that's in my mind.

20 But anyway, our inspection services.
21 That is a user fee program as you know. Most of
22 AMS is actually -- about 70-75 percent of AMS is

1 user fee. So that's -- people just get a little
2 surprised. You have an agency that 70-75 percent
3 of the money comes from services that we provide,
4 is not appropriated. So that gave us a great
5 advantage -- I'm going to talk a little bit about
6 that -- during the shutdown because most of AMS
7 was working. We pride ourselves that our
8 customers for the most part did not see a stop in
9 services. We were still providing market news
10 information. We were still inspecting. We were
11 doing most of the things that we do. In
12 Specialty Crops we actually were at 90 percent.
13 So most of Specialty Crops Program is user fee.

14 A segue to that, one thing that
15 Charles did not tell you is that he used to be
16 the AMS budget officer. So I'm very proud to
17 have the budget guy with us. That's what I call
18 him, the budget guy.

19 And we look at numbers very closely
20 all the time because we want to make sure that we
21 provide a good valuable service to you at the
22 lowest cost possible while still recovering our

1 cost because we don't get any extra money for it.

2 Specialty Crops also has the market
3 news like I said. You probably know them as
4 well, especially at the markets where they on a
5 daily basis put out a lot of information.

6 I'm very proud to say that we also
7 can't wait to have the specialty crops part of
8 the market news system out.

9 Bruce mentioned that cotton and dairy
10 are out already, and that parts of livestock is
11 being put out as we speak.

12 Unfortunately specialty crops is last,
13 but we are the biggest so I think that's going to
14 make the most impact.

15 I know that there's a lot of work
16 being done right now behind the scenes. My staff
17 is working on getting that system up and running.
18 So I'm very excited. Sometime next year we're
19 going to start rolling out some of the new My
20 Market News.

21 I know that you're familiar with the
22 portal right now, or some of you are that

1 includes the market news information, but this
2 new system should provide a lot more
3 possibilities for you as a customer. So I'm
4 excited that specialty crops is coming up.

5 The market notice and agreements of
6 course and the R&P programs. I kind of put them
7 all together. They're similar but they're
8 different kind of thing.

9 You're probably familiar with some of
10 those programs. We have some sitting on the
11 board. So we're very proud of those programs as
12 well. They fit some of the needs of the
13 industry.

14 The marketing orders mainly on some of
15 the volume controls and quality controls and the
16 R&P's mostly on the promotional part of it. And
17 we have some that have a little mix of both. And
18 also our economic analysis like I mentioned
19 before.

20 Our audit are under the inspection
21 part. And you probably have heard -- if you do
22 receive our newsletter you have heard about it

1 because we've been announcing a lot about our new
2 GFSI certification last year which we're very
3 proud. Petersen is going to be here, Ken is
4 going to be here this afternoon.

5 He works really hard to get the
6 certification. And some of you were instrumental
7 in that as well so I appreciate that. I think
8 it's a good service that we're going to be able
9 to provide -- we're already providing to the
10 industry.

11 And he's going to give you some ideas
12 on some things that we're doing with that to try
13 to alleviate the cost of those audits. But he'll
14 talk about that this afternoon. I don't want to
15 steal his thunder like Bruce did to me.

16 Anyway, you also have the last page
17 there has contacts for every single one of our
18 divisions. I want you to keep this page because
19 if you ever have any problems of course you can
20 call me. I'm there every day. I'm available
21 anytime. I try to return emails the same day or
22 phone calls. And of course Charles is there as

1 well and we have Darrell now is your designated
2 federal officer.

3 But if you have any other issues I
4 want you to have our director's name, number,
5 email because we are here -- we pride ourselves
6 in AMS of being a customer service organization.
7 And as a user fee we have to be too. We're here
8 -- most of our workers are voluntary so we want
9 to make sure that we run this more like a
10 business than anything else. So please don't
11 hesitate to contact us.

12 I also included here Leanne Skelton as
13 our FDA liaison because I know a lot of you
14 sometimes have questions on that -- in that area.
15 And she's always available as well to try to
16 help. So keep that page handy anywhere you need
17 to have it. But I want to make sure that you
18 have all our contact information.

19 With that I want to open it for some
20 questions and comments.

21 MR. HUGHES: So real quick. This is
22 Darrell Hughes speaking. For Q&A remember to

1 always state your first and last name so that the
2 audio picks up exactly who's speaking.

3 MS. JIMENEZ: Yes.

4 MR. ZEA: Donn Zea. Can you explain
5 a little more the difference between the
6 commodity procurement and international
7 procurement, how the budget is allocated between
8 the two?

9 MS. JIMENEZ: The international
10 procurement. You got me on that one.

11 MR. ZEA: I'd never heard it before,
12 so.

13 MS. JIMENEZ: Yes. That is a little
14 part that came from FSA I believe it was. It was
15 in FSA. And they buy mostly for military and
16 there's one other one. You know a little bit
17 about that.

18 MR. STEPHENS: Yes. The international
19 --

20 MR. HUGHES: That's Charles Stephens.

21 MR. STEPHENS: Charles Stephens. The
22 international side comes from crop service

1 agencies, the Commodity Credit Corporation
2 budget, CCC. And it's used for military. And
3 it's also some feeding programs that we have on
4 the international side.

5 They primarily buy for that purpose.
6 Where the Section 32 trade mitigation is 100
7 percent domestic purchases.

8 MR. ZEA: Okay.

9 MS. JIMENEZ: So the budgets are
10 separate.

11 MR. ZEA: They are.

12 MS. JIMENEZ: It's good to have my
13 budget officer.

14 MR. ZEA: Okay. So for those
15 customers they can cite from both international
16 sources of U.S. product and from domestic
17 sources?

18 MR. STEPHENS: Correct.

19 (Simultaneous speaking)

20 MR. STEPHENS: Yes, because when
21 you're dealing with DoD especially you're in all
22 the parts of the globe where a lot of times

1 domestic is just not possible to get there. So
2 they have the ability to tap into other markets.

3 MR. ZEA: Okay, good. Thank you.

4 MS. JIMENEZ: I think I have the
5 priority of USDA product, but sometimes it's not
6 feasible or possible to do that. They're
7 separate budgets. The Section 32 is much larger
8 than the international.

9 Any other questions? Comments?

10 MR. HUGHES: All right. Darrell
11 Hughes back speaking. It looks like we're
12 trending a good hour and maybe 10 minutes ahead.
13 So the next two agenda items is going to be me
14 going over the committee leadership overview with
15 you and then a break.

16 But I think that based on time we may
17 go from committee overview and then get into
18 leadership voting and potentially the results or
19 postpone the results until after we have a 15-
20 minute break. So just to let everyone know we
21 may adjust the agenda flow based on us trending
22 ahead of time.

1 So, we're moving on to providing a
2 committee overview of leadership.

3 Actually, the first thing we should do
4 before I get into talking about the chair, vice
5 chair, secretary and how the committees should
6 function we should adopt the policies and
7 procedures manual that was shared ahead of time.

8 And so if everyone has already
9 reviewed the manual is there a member that would
10 like to move that we adopt the policies and
11 procedures manual?

12 MS. HARPER-LARSEN: This is Kiley
13 Harper-Larsen. I make a motion we move to
14 approve the policies and procedures manual as
15 provided to us prior to the meeting in email and
16 also in printed version in our notebook.

17 MR. HUGHES: Is there a second?

18 MR. WILKINS: Tommy Wilkins, second.

19 MR. HUGHES: It has been moved and
20 seconded. Using general percentage is there any
21 objection? If no objection the motion is
22 carried. Policies and procedures manual is

1 adopted as of May 9, 2019.

2 So, overview of leadership positions
3 and duties. So the chair is essentially
4 responsible for assuring the integrity of the
5 committee process which includes making sure your
6 meetings are effective, making sure the committee
7 adheres to their own rules.

8 The chair may delegate tasks to other
9 committee members which includes the vice chair
10 and secretary. The vice chair will act in the
11 absence of the chair and the secretary will work
12 with the chair, the vice chair and yours truly,
13 the designated federal officer unless I'm
14 replaced by someone unknown.

15 And that secretary will work with all
16 of us to assist in maintaining the integrity of
17 all the committee documents. So if there's
18 research reports that are requested we make sure
19 that it's shifted right, or if we have to
20 maintain minutes we all keep the correct version
21 and so on and so forth.

22 Page 7 of the policy manual outlines

1 specific tasks that's associated with the chair.
2 So keep in mind that the chair can divide those
3 tasks among the vice chair, secretary, any other
4 members that is part of the committee.

5 And so that structure allows you all
6 to decide how you want to operate which is great.

7 So with that -- well, actually, no
8 we're not going to move to recess. We're just
9 going to skip. We're just going to go directly
10 into voting. Yes, nominations.

11 And so I'm going to now turn it back
12 over to Sonia so that we can talk about the
13 voting process.

14 MS. JIMENEZ: So, I don't know if you
15 had the chance to also read what was submitted to
16 you in terms of the duties and responsibilities
17 of the three positions we're going to be needing
18 today, but they're in your book if you need to
19 take a look at them real quick.

20 We're going to be filling three seats,
21 the chair, vice chair and secretary. Those like
22 Darrell said would work with Darrell to work with

1 the rest of the committee and subcommittees as
2 well.

3 So, we're going to vote for each seat
4 at once. So we'll get the chair first, we'll get
5 a vote, and then we'll go to the vice chair and
6 vote, and then we're going to go to the secretary
7 and vote.

8 After all the votes are counted we
9 would announce who the new chair, vice chair,
10 secretary are. And then the chair and the vice
11 chair and secretary would take over the meeting.
12 Yay. It's all yours.

13 So, we can have as many names as you
14 want to submit forward for each position. It
15 could be one, it could be five, it could be
16 seven. But of course the more numbers, the more
17 difficult it is to pick one because then the
18 votes would be distributed among more people.
19 But it is up to you.

20 To help we printed your bios in the
21 binders. And we're going to start with the
22 chair, right? Is there anyone who would like to

1 serve as chair or anyone that wants to nominate a
2 person for chair?

3 MR. PALMBY: Paul Palmbly. I'd like to
4 nominate Chalmers Carr of Titan Farms for chair.

5 MS. JIMENEZ: Okay. Is there any
6 other -- oh, I have to say we will have a ballot
7 and then we'll collect all the ballots and count.

8 Anyone else that would like to be
9 nominated or wants to nominate someone as chair?

10 MR. JANIS: I move Tina for chair.

11 MR. HUGHES: Your name for the record?

12 MR. JANIS: Michael Janis, I
13 apologize.

14 MR. HUGHES: Can you state who you
15 nominate?

16 MR. JANIS: Tina.

17 MS. JIMENEZ: You raised your hand?
18 Oh okay, all right. Anyone else --

19 MR. HUGHES: One point of
20 clarification. Darrell Hughes. Were you
21 nominating Michael Janis or raising your hand for
22 yourself?

1 MS. ELLOR: For myself.

2 MR. HUGHES: Okay.

3 MS. JIMENEZ: Do we have any other
4 nomination?

5 MS. HARPER-LARSEN: I would like to
6 throw my name in the hat. Kiley Harper-Larsen
7 for chair.

8 MS. JIMENEZ: All right. Any other
9 nominees?

10 MS. GORDON: Julie Gordon. I would
11 like to nominate Derrin Wheeler, please.

12 MS. JIMENEZ: Any other nominee?

13 MR. HUGHES: All right.

14 MS. JIMENEZ: Yes.

15 MR. WINGARD: This is Charles Wingard.
16 I've got a question about the process.

17 MS. JIMENEZ: Okay.

18 MR. WINGARD: If we have four names
19 it's entirely possible we don't get a majority on
20 the first vote for one person. How will that be
21 handled? Or does it matter, just the top vote
22 here gets it?

1 MR. HUGHES: We do it again, right?

2 MS. JIMENEZ: Yes. Yes. I think
3 under the book that you all got a copy of we have
4 to have a majority. So not one person has the
5 majority we would probably -- we would take the
6 bottom person and then have a revote.

7 PARTICIPANT: I think the policies are
8 silent on a majority.

9 MS. JIMENEZ: Oh, they are?

10 (Simultaneous speaking)

11 MR. HUGHES: The policy may be silent
12 on it.

13 (Simultaneous speaking)

14 MS. JIMENEZ: I apologize. Page 8
15 says that the larger number of votes will be
16 elected. I apologize. That's my fault. Thank
17 you. Thank you.

18 So the person receiving the largest
19 number of votes will be elected. I apologize.

20 So we have the four names being
21 written on the board there.

22 MR. HUGHES: I passed the ballots out.

1 Darrell Hughes speaking. I passed the ballots
2 out to everyone. So just grab the first card
3 that says committee chair and go ahead.

4 MS. JIMENEZ: Yes, I think we're -- go
5 ahead. We're running with plenty of time so I
6 think it would be fair to give each one of the
7 candidates an opportunity to say why they want to
8 run. Or first of all, if they accept the
9 nomination. I didn't hear anybody say no, but I
10 just go through that.

11 And also to be able to speak to the
12 committee on why they want to serve, why they're
13 the best candidate for chair. Yes.

14 MR. ZEA: Donn Zea.

15 MS. JIMENEZ: Don, you get all the
16 procedures.

17 MR. ZEA: I'm typically not into this.
18 I don't know why. But I think my original
19 statement was correct. If you look at the last
20 two bullets on page 8 the candidate receiving the
21 largest number of votes will be elected so it's
22 not a majority. In the event of a tie then -- so

1 it's a little confusing actually. In the event
2 of a tie there will be a revote until a nominee
3 obtains a majority.

4 So it is only the largest number of
5 votes unless there's a tie.

6 MS. JIMENEZ: Yes.

7 MR. ZEA: Okay.

8 MS. JIMENEZ: Thank you.

9 MR. ZEA: You're welcome.

10 MR. WHEELER: I'll start. So although
11 I do appreciate Julie's nomination I would like
12 to decline and not be nominated just because I'm
13 new to this organization and new to the policy, I
14 mean new to the procedures and I just think it
15 would be unfair to this committee right now for
16 me to serve. But Julie, I do appreciate you
17 nominating me and I do decline.

18 MS. JIMENEZ: Well, so I'm glad I
19 asked. Well, thank you.

20 MR. HUGHES: Just for clarification
21 that was Derrin Wheeler speaking.

22 MR. WHEELER: I'm sorry.

1 MR. CARR: Chalmers Carr. I
2 appreciate the nomination. I do accept the
3 nomination.

4 Through my tenure I've worked in many
5 different organizations. I've been president of
6 the National Peach Council, currently president
7 of USA Farmers, a national organization of H-2A
8 employers.

9 But more importantly I also serve on
10 the USDA NAREEE Board and in that role I served
11 as chairman of the Specialty Crops Committee.

12 My life as a first generation is
13 produce and agriculture so representing this
14 industry is very important to me. It's why we
15 dedicate our service. So I'd be honored to serve
16 if elected.

17 MS. JIMENEZ: Thank you. Next?

18 MS. ELLOR: Tina Ellor. I just
19 thought it would -- since I just cycled off the
20 board two years ago I thought it would make an
21 easy transition to this newest set of members
22 just to sort of keep things flowing through.

1 I've served on this board I think for
2 three years or four years. I served on the
3 National Organic Standards Board. I've worked
4 with a lot of people in the USDA in the past and
5 I just thought it would ease us into this new
6 iteration of the board.

7 MS. JIMENEZ: Thank you.

8 MS. HARPER-LARSEN: Good morning,
9 again. Thank you for the opportunity to speak to
10 all of you.

11 If I was chosen as your particular
12 chair I believe I would bring a well-rounded
13 approach, but also an open-minded approach with
14 diversity not just for particular commodities but
15 across the nation.

16 I bring a knowledge base not just in
17 compliance but also from the soil. I'm a second
18 generation proud American grower and I'm hoping
19 to harness the experience that I have coming into
20 this committee and also the experience that are
21 around this table to help formulate and expand
22 and improve the policies that will keep American

1 agriculture particularly fruits and vegetables on
2 the forefront.

3 MR. HUGHES: And for the record that
4 was Kiley Harper-Larsen speaking.

5 MS. JIMENEZ: Okay. So I think we
6 have three great candidates. I would like to go
7 for the vote.

8 And the way it's going to be, you will
9 write the name.

10 MR. HUGHES: And I'll walk around and
11 collect and count quickly and then we'll repeat
12 this process twice more for vice chair.

13 MS. JIMENEZ: Now that we know the
14 procedure.

15 MR. HUGHES: Yes. Any ballots ready?

16 MS. JIMENEZ: Counting 24 votes is not
17 that difficult so I'm sure it won't take that
18 long.

19 MR. PALMBY: While we're waiting how
20 many states are -- so I'm on the board of the
21 Wisconsin department of ag so I'm a little
22 familiar with the hemp thing. I think there was

1 1,500 applicants. The emergency rules have been
2 put in place for hemp.

3 So are there many states like that
4 that you are overseeing, or what is the purview
5 of your department on hemp?

6 MS. JIMENEZ: The Farm Bill tasked us
7 with approving state plans. And also to develop
8 a plan for those states and tribal nations that
9 don't have one. So we have a dual.

10 MR. PALMBY: How many states have
11 plans?

12 MS. JIMENEZ: We don't know yet.

13 MR. PALMBY: I know Wisconsin does.

14 MS. JIMENEZ: Yes. I think -- we
15 don't know yet. We have around 9 plans already,
16 12 by now. It changes every day. Twelve plans
17 between states and tribal nations that have
18 submitted to us. We're not looking at them yet
19 because we don't have the regs out.

20 But I think we're going to have
21 probably the majority of states submitting a plan
22 to us. And then we're going to have a plan that

1 we're going to have for everybody else that wants
2 to have one.

3 MR. PALMBY: Surprising demand for
4 sure.

5 MS. JIMENEZ: Yes. We were caught by
6 surprise. We did not know that there was going
7 to be so much interest in this commodity. But
8 yes, we're working as quickly as we can to get
9 regulations by the fall.

10 And some of you that know about
11 regulations know that that is a huge task.

12 MR. WINGARD: This is Charles Wingard.
13 What's your idea if you have two state plans that
14 are somewhat conflicting?

15 MS. JIMENEZ: Can we just talk about
16 that after -- I want to talk about that, yes.
17 But let's just -- do you have.

18 Okay, so we have a winner. It's
19 Chalmers Carr is your new chair.

20 (Applause)

21 MS. JIMENEZ: So we want to get
22 nominees for vice chair and then I'll answer

1 while he comes around. How about that?

2 MR. WINGARD: Perfect.

3 MS. JIMENEZ: Good. Do we have
4 nominations for vice chair?

5 MR. BOWMAN: Richard Bowman. I'd like
6 to nominate Kiley Larsen for vice chair.

7 MR. CARR: I second that.

8 MS. JIMENEZ: Any other nominees?
9 Going once, going twice. Any other nominees for
10 vice chair? Do we need to have a vote?

11 (Simultaneous speaking)

12 MS. JIMENEZ: That was easy. So
13 congratulations, Kiley.

14 (Applause)

15 MS. JIMENEZ: I guess I'll have to
16 answer your question after the secretary. Any
17 nominees for secretary?

18 MR. WILKINS: Tommy Wilkins and I'd
19 like to throw my hat into the ring for secretary.

20 MR. CARR: I'd like to second that.

21 MS. JIMENEZ: Any other -- Tommy.

22 MR. WILKINS: Tommy Wilkins.

1 MS. JIMENEZ: Any other nominees for
2 secretary position? You guys are very easy. Any
3 other nominees for secretary position? We don't
4 have to vote. Tommy, congratulations.

5 (Applause)

6 MS. JIMENEZ: I'm going to answer your
7 question even though that's not on the agenda.
8 But we are still ahead of time, right?

9 MR. HUGHES: Yes, we're like still an
10 hour ahead of time.

11 MS. JIMENEZ: The question was if
12 there are two different states that have
13 different plans.

14 MR. WINGARD: This is Charles again.
15 The idea was if you have two adjoining states
16 that have conflicting plans, or if you've got a
17 state that's in conflict with the federal
18 government's ideas.

19 MS. JIMENEZ: Right. Well, that's why
20 we need to put the regulations out. We're going
21 to give you guidance on certain areas that the
22 Farm Bill requires to. So if there is as much

1 similarity in those areas between states.

2 Now, the states can still be more
3 stringent on their requirements than what we put
4 out. So I'm sure there will be some differences
5 between states. There are differences right now.

6 But at least the basic things should
7 be pretty equal. And they have to abide by the
8 regulations that we put out.

9 So things on sampling, testing and
10 some other areas, we're going to put some
11 guidance out there on what the state plans should
12 have. And at least in those areas there should
13 be -- they should at least meet the minimum
14 requirements within the regulations. Does that
15 answer your question?

16 MR. WINGARD: It does very well.

17 Thank you.

18 MS. JIMENEZ: Okay, good. Any other
19 questions, comments? Yes.

20 MS. HARPER-LARSEN: We were discussing
21 hemp, continuing the conversation and looking at
22 the fact that the impact, the amount of acreage

1 grown with fruits and vegetables, how is AMS
2 already looking at that?

3 And also looking at the regulation,
4 looking at minimum requirements, the conversation
5 about how that's going to work into edibles. How
6 hemp production is going to work into the
7 edibles.

8 MS. JIMENEZ: Good question. I'm
9 going to start with the last part of the question
10 because it's the easiest.

11 Food and medicine is FDA still. We
12 are not going to get into that part. USDA
13 understands the Farm Bill, it's very clear in the
14 Farm Bill for us that we are dealing with the
15 production part of hemp.

16 But anything that goes into food or
17 medicine or any products, good luck, FDA. It's
18 going to be FDA.

19 We are in talks with them and we are
20 working together with them as well as with EPA,
21 DEA, many other agencies just to coordinate
22 efforts.

1 But we are trying not to step on each
2 other's toes and make sure that we know where the
3 lines are and who's doing what.

4 We're also working a lot within USDA
5 with the other agencies like FSA and RMA for
6 loans and insurance and things of that nature.
7 So just to make sure that we kind of move
8 together.

9 They are eager to see our regulations
10 because it's going to impact how they change
11 their insurance policies and their loan policies
12 and things like that. So we're working together
13 with them as well to make sure that everything is
14 in place where it needs to be.

15 I think for loans and insurance
16 they're going to have to be a little bit after
17 our regulations because they have to -- it's more
18 complicated than our part just to bring the
19 regulations out.

20 But yes, there's a lot of coordination
21 but we're trying to make sure that everybody
22 knows where the lines are.

1 The first part of it is yes, we do
2 know that a lot of acreage is being taken out of
3 specialty fruits and vegetables to grow hemp.

4 I did tour a tomato greenhouse in
5 California like a month ago or so and it's a very
6 big operation. And they were like this is the
7 last one. We're taking this out and we're
8 putting hemp here.

9 So we do know that there's going to be
10 a lot of that. But as always it's the purview of
11 the grower on what they do.

12 We're trying to make sure that as much
13 as we can people understand that this is a highly
14 risky business right now. There's a lot of
15 unknowns in the industry.

16 We know that there are issues with you
17 might have the best of intentions and do
18 everything right and put down the right seeds.
19 And because of soil or other conditions you might
20 end up with something that tests higher than the
21 0.3 percent required by law. And that's a risk,
22 especially until some varieties are tested,

1 further tested. There's a lot of research that
2 is needed in this industry.

3 So, every time we talk to somebody we
4 say great, but you know that there's a lot of
5 risk involved in this. A lot of people are still
6 saying we're going for it. So hopefully it will
7 work for everybody. Yes.

8 MR. CARR: Sonia, Chalmers Carr.
9 Question for clarification. So the Farm Bill
10 deals with hemp, but it's industrial hemp,
11 correct? It is not marijuana or anything of that
12 nature.

13 MS. JIMENEZ: No, it's not marijuana.
14 No. And the way it's defined is -- I've been
15 touring some of the plantings and I can tell you
16 the smell is very strong.

17 And it looks just like marijuana. The
18 plant is just marijuana. That's one of the
19 things that DEA is having a little trouble with
20 because just by looking at it you won't know.
21 And a dog that is trained to smell is going to
22 smell like marijuana.

1 But the details is in the testing of
2 it. If it tests more than 0.3 percent THC level
3 then it's considered marijuana. So it has to
4 test 0.3 percent or lower in order to be
5 considered hemp. And that's why we're putting
6 some regulations out, just to make sure that
7 there's consistency in the testing methodologies.

8 There's a lot of different tests out
9 there and what we are learning, we've been
10 learning a lot in the last two or three months
11 about hemp, is that not all the tests are the
12 same and will give you the same type of results.

13 So we're trying to come up with some
14 guidance on what would be the best methodology
15 that would actually be recognizable between
16 states and between different people buying.

17 Because that's one of the things we
18 learned is if I'm buying I want to make sure that
19 I'm getting the right thing. So how do we assure
20 or at least help in that area. We're trying to
21 address that in the regulations.

22 MR. CARR: Follow-up question to that.

1 Chalmers Carr. So states that are -- like our
2 state, South Carolina, has put in a pilot program
3 and they're controlling how many producers are
4 able to -- and actually controlling acreage.

5 But with it being in the Farm Bill and
6 accessible to all farmers are states going to be
7 able to govern that or are farmers going to be
8 able to --

9 MS. JIMENEZ: Each state can put
10 restrictions on their plan, yes.

11 MR. PALMBY: Paul Palmbly. Chalmers,
12 yes, there was a deadline in Wisconsin about when
13 you had to actually apply to be able to do it.
14 They're working through the plan how many we're
15 going to allow and all of that.

16 As Sonia mentioned the opportunity for
17 mischief in something that looks exactly the same
18 and smells the same for a little patch of
19 something that's not supposed to be out in the
20 middle of a 40 acre field it's of concern.

21 So the testing is really the biggest
22 thing of how you get to that level.

1 It is many multiples of interest
2 beyond what we had expected.

3 MS. JIMENEZ: We were asked to provide
4 technical assistance when they were writing some
5 of the language for the Farm Bill. And we
6 provided technical assistance. But we had no
7 idea how big this was going to be until we
8 actually got the Farm Bill.

9 We couldn't work on it until after the
10 shutdown because we didn't have funding for it.
11 And when we started receiving -- I mean, I think
12 we have talked to more than 200 organizations or
13 individuals. I don't know how many meetings we
14 have taken.

15 The other day we were trying to look
16 at how much time we have spent and I'm spending
17 about 70-75 percent of my time on hemp.

18 So it is because of the deadline right
19 now. The Secretary promising we would have the
20 regulations by the fall. So it would be on time
21 for the planting for the 2020 season. And we're
22 trying to meet that. And writing those

1 regulations is not easy. And all the clearance
2 process that has to go through.

3 So we're on schedule. We have a
4 schedule, a very tight schedule. Everybody knows
5 what their part is and when it needs to happen.
6 So far we're on schedule. And I hope to remain
7 on schedule and get it done.

8 But yes, we're still amazed of how
9 much interest there is.

10 MR. WINGARD: This is Charles Wingard.
11 Is hemp going to be considered a specialty crop?

12 MS. JIMENEZ: Yes. That's Bruce's
13 fault.

14 (Laughter)

15 MS. JIMENEZ: He made that call. AMS
16 got the program and then Bruce decided it would
17 go to the Specialty Crops Program. He called me
18 and said hemp is yours. I'm like oh, thank you
19 very much. So yes, it's considered a specialty
20 crop.

21 Let me tell you, we have -- and those
22 of you that are familiar with some of our R&P

1 programs we have paper, lumber, Christmas trees,
2 honey, popcorn, things that are definitely not a
3 fruit or a vegetable. I tell everybody whatever
4 doesn't fit in livestock, cotton, or dairy it's
5 ours.

6 MR. ERICKSON: Bret Erickson. So with
7 hemp being considered a specialty crop will that
8 compete for the same research dollars for -- that
9 we typically set aside for fruits and vegetables?
10 That's added to the mix now?

11 MS. JIMENEZ: Like I said most of our
12 services are user fee. So for those absolutely
13 not because it's just whatever service we provide
14 we charge for.

15 So if they want an inspection they
16 come up with an inspection program. I can't
17 think of that. But if they do we would charge
18 for those services. There's no resources to be
19 divided.

20 MR. ERICKSON: Well, I'm talking about
21 for research dollars, especially crop research
22 grants.

1 MS. JIMENEZ: Absolutely.

2 MR. ERICKSON: That pool of money.

3 MS. JIMENEZ: Absolutely.

4 MR. ERICKSON: Hemp is going to be
5 added to the mix so it could potentially dilute
6 the dollars that are currently going to fruit and
7 vegetables?

8 MS. JIMENEZ: Yes.

9 MR. WINGARD: This is Charles. You're
10 talking about through the Specialty Crop --

11 MR. ERICKSON: Yes, sir.

12 MR. WINGARD: SCRI.

13 MS. JIMENEZ: Yes. They're added.

14 Yes.

15 MR. LIPETZKY: Tom Lipetzky. Just a
16 couple of questions for you.

17 I know there are a number of states
18 that have kind of been out in front of the
19 industrial hemp. Were there some best practices
20 you were able to glean from states in developing
21 your rules and regs?

22 And then the second part, you kind of

1 piqued my interest here with calling industrial
2 hemp a specialty crop. So going forward will
3 that qualify under the Specialty Crop Block Grant
4 Program?

5 MS. JIMENEZ: Yes. And they still
6 have to -- well, the block grant program has very
7 specific regulations. I'm not sure that right
8 now it's one of the commodities under that
9 specific program. But it could be very easily be
10 that is added. So watch for that. And the other
11 part?

12 MR. LIPETZKY: What's best practices
13 from some of the states?

14 MS. JIMENEZ: Yes. We have been
15 talking to everyone that wants to talk to us.
16 And believe me, there are a lot of people that
17 want to talk to us from states to private
18 companies to labs. I mean, we've been talking to
19 a lot of people and trying to learn what's being
20 done, what has worked, what hasn't worked.

21 We've been -- between Patty, Charles
22 and I we've been traveling to meet with different

1 states and different organizations to try to
2 learn as much as we can.

3 So we also have one of our economists
4 and some of the science and technology program
5 people go to a couple of conferences just to try
6 to learn and talk to scientists and talk to as
7 many people as we can to learn.

8 Because this was a crop that USDA was
9 not very knowledgeable about. Because it was a
10 controlled substance so we didn't touch it
11 because of that.

12 There's also not a lot of good
13 information because we weren't collecting
14 information on it because it was a controlled
15 substance. So we're trying to make up for all
16 that in a very, very short period of time.

17 I did not think you guys were going to
18 ask about hemp.

19 MR. ERICKSON: Of course we were.
20 Bret Erickson. I'm digesting what information
21 I'm receiving right now, but I would just like to
22 toss it out there that I personally find it

1 concerning that we -- we'll be taking away
2 research dollars that were allocated specifically
3 for fresh fruits and vegetables, and now that's
4 going to be lumped in with hemp and that's going
5 to dilute those dollars which we have fought
6 really hard for as an industry.

7 There's a number of people in this
8 room, Charles, we've done a lot of work over the
9 years working on getting those dollars for fruits
10 and vegetables. Through the United Fresh Produce
11 Association, through our state association.

12 So I'm just tossing it out there. I'm
13 still digesting this information, but I find that
14 concerning.

15 MS. JIMENEZ: Well, I think that might
16 be something that once we seat the new officers
17 that might be something that this organization
18 might want to discuss and address. And maybe
19 have a little committee look into it and get more
20 information. We'll be glad to assist you in that
21 and then maybe you can make a recommendation.

22 This is the perfect venue to look at

1 those issues.

2 MR. WINGARD: This is Charles. I want
3 to build on what Bret just mentioned a little bit
4 because I think that the specialty crops title in
5 the Farm Bill has been very successful with the
6 way it was designed, the way it was written, the
7 way it's been implemented. The SCRI, the
8 Specialty Crop Research Initiative, the state
9 block grants have worked very well.

10 And there's numerous examples of
11 successes across this industry, across this
12 country. And we need to protect that.

13 I don't have a thing against hemp.
14 I'm glad we've got something new coming in
15 agriculture. That's great. But if the country
16 wants to do it the country needs to provide the
17 funding to get the hemp program going somewhere
18 other than that title or be ready to supplement
19 money to that title.

20 So that is a great comment there
21 because we worked long and hard to get where
22 we're at.

1 MR. CARR: Chalmers Carr. Just to
2 follow up on that. So serving on the NAREEE
3 Board, we actually reviewed the process on the
4 grant funding and how that went. And just
5 knowing that process and knowing the popularity
6 of the hemp subject going on. Our land grants
7 are going to be bombarded by requests. And these
8 young researchers are going to go to where the
9 money is. I can see this being diluted very
10 quickly.

11 And it's not enough money already. So
12 I don't know that we really want to share a whole
13 lot.

14 MS. HARPER-LARSEN: This is Kiley
15 Harper-Larsen. Having completed quite a few of
16 those Specialty Crop Block Grant Programs through
17 Florida and Georgia the states have their own
18 programs where they establish priorities which
19 are filtered down from the USDA for each year for
20 that program.

21 And I think as we take over our
22 officer positions it might be helpful if staff

1 could present previous priorities of that
2 Specialty Crop Block Grant Program over the last
3 10 years to us and what is proposed for the next
4 year so that we can give Secretary Perdue a
5 recommendation related to those priorities.

6 I know that food safety and the
7 buildup of grower-owned cooperatives going into
8 value add has been extremely successful across
9 the southern part of the United States. And many
10 of us have benefitted from that in the room.

11 And I know we want to see continuous
12 improvement with that. And also the research
13 dollars going into fighting pests and disease and
14 developing the new commodities.

15 But I think it would be great for the
16 whole committee to understand those priorities
17 and what they have been.

18 MS. JIMENEZ: Tomorrow you are going
19 to have a full session --

20 MR. HUGHES: Maybe today.

21 MS. JIMENEZ: -- or maybe today, a
22 full session where you're going to have

1 committees and you're going to work on your
2 objectives and what you want to work on for the
3 next few months or year.

4 And I think that would be a good
5 opportunity for the chair, vice chair, secretary
6 and the chair of those committees to include this
7 as a discussion point and one of your objectives
8 to look into.

9 MR. WILKINS: Tommy Wilkins. I just
10 want to add a little bit more to it. You know,
11 the consumption of what I think everyone in here
12 represents, the more we can increase consumption
13 of fruits and vegetables and the impact on health
14 and wellness in this country is huge.

15 And if we hiccup for a moment we're
16 opening the door for more global intrusion into
17 competition of our markets.

18 I'm pro-trade and obviously am heavily
19 influenced through the Tex-Mex corridor. But any
20 competition that would slow down the progress
21 that we're making in domestic grown fruit and
22 vegetables is very concerning and just opens the

1 door for more global competition coming into this
2 country.

3 So I guess I'm preaching to the choir,
4 but it's very important. I think that could be
5 one of the surprises so far this morning just how
6 important that is.

7 MS. JIMENEZ: It seems like you
8 already have issues that you want to start
9 working on which is great. I love this committee
10 already.

11 MR. HUGHES: And so with that in mind,
12 this is Darrell Hughes speaking. What I want to
13 do now is do a quick -- what do you call that
14 game? Musical chairs.

15 We want the chair to get over here,
16 Mr. Carr. Because he's going to take over the
17 meeting with some guidance.

18 All right, Darrell Hughes speaking.
19 So in anticipation for this very moment I
20 developed a script for the chair. And so there's
21 portions that you will essentially ready. There
22 may be like little notes there where I'll jump

1 in.

2 We're about 30 minutes out from the
3 next break and so what we'll shift to is
4 discussing work groups. And so I'll hand it over
5 to Chair Carr to read that little section there.

6 MR. CARR: Let's see. So we'll be
7 starting some working groups and appointing by
8 the chair to lead these working groups.

9 We've received suggestions from the
10 working groups in advance of today's meeting. I
11 don't know how we're going to do that. And we
12 will follow the representation of Brian
13 Kirschenmann, a suggested working group to us via
14 email.

15 A total of four working groups are for
16 consideration. We will discuss each suggested
17 working group here at the table and at the end of
18 the discussion we will use general consent in
19 voting to establish the working group.

20 After each working group is
21 established we will record who wants to serve on
22 the working group. After that each working group

1 will huddle and have more room next door to come
2 back with recommendations from the working group.

3 MR. HUGHES: So, just to -- this is
4 Darrell Hughes speaking. Quick bullets on what
5 he was speaking of.

6 Before today's meeting I shared three
7 suggested working groups via email with the
8 committee. And your fellow representative Brian
9 Kirschenmann proposed a trade working group. And
10 so those are the four that we have that are
11 suggested for you guys to consider.

12 In the back of the briefing packet, in
13 that very back pocket, the first page should be a
14 printout of the proposed working groups.

15 And the fourth one, that trade group,
16 is essentially Brian's email I cut and pasted and
17 retooled so it was easy for everyone to digest.

18 Some quick insights as you're thinking
19 about creating the work groups. Each member
20 should serve on a work group. That means it will
21 be difficult or one person to be in multiple
22 places at a time.

1 So it's important that you keep the
2 number of work groups in mind. We suggest a max
3 of 3 or 4 just based on the numbers and dividing
4 25 by 4, or 6 members, so on and so forth.

5 Also keep in mind the type of work
6 group you create and the scope of the Department
7 of Agriculture.

8 If you want to create a work group on
9 let's just say agricultural labor or rural
10 broadband those are topics that get outside of
11 USDA's center of influence.

12 So as you go about creating the work
13 groups you want to think about our center of
14 influence.

15 The proposed work groups that were
16 sent or suggested work groups that were sent, it
17 was based on me just tapping -- not really -- I
18 didn't call you all, but I got the sense by
19 topics raised or questions asked that these were
20 hot topics for you all. And so in making these
21 suggested work groups is just fine or if you want
22 to add to it or not. That's totally up to you.

1 Be sure to check out page 10 of the
2 policies and procedures manual. That discusses
3 the duties of the work group chairs.

4 So each work group chair I believe
5 that would be responsible for making sure the
6 work group provides some recommendations or
7 statements that are submitted to the full
8 committee.

9 And once those recommendations or
10 statements are submitted to the full committee
11 the full committee will discuss and decide
12 whether or not to adopt or reject or ask for more
13 to be done. And so that's how it will work.

14 One sort of administrative comment.
15 I need to be included as DFO on all
16 communications with each of the work groups. I'm
17 sort of thinking about which maybe I'll get with
18 the chair once the work groups are established we
19 can huddle later on.

20 But I'm thinking that maybe what I'll
21 do is create an email thread for each work group.
22 And then the work groups when they have questions

1 can comment only on that email thread. That way
2 each work group is organized based on a single
3 central thread.

4 And the reason that I propose that is
5 because everything that we do should be
6 accessible by the public. And just thinking
7 about how we provide information and post
8 information I'm thinking of how we are organized,
9 how we can stay organized which is what I've done
10 this entire meeting.

11 So, with that I'll give it back to the
12 chair.

13 MR. CARR: Chalmers Carr. I'll take
14 it from there.

15 First of all, just reviewing this
16 list. And I'm going to actually call on some
17 members that have served on this committee
18 before.

19 Is there something missing here? Is
20 there committees that have been here before that
21 are not represented?

22 MR. ERICKSON: Well, I mean -- Bret

1 Erickson. Darrell mentioned it and I know it's
2 kind of outside the purview of USDA, but ag labor
3 is such a critical issue for us. I hate to miss
4 an opportunity to have a direct line to the
5 Secretary to continue to beat that drum.

6 I'm preaching to the choir with you,
7 Chalmers and a lot of the folks in this room, but
8 I would like to find a way for us to have that as
9 part of our discussions.

10 MS. ELLOR: Tina Ellor. I
11 wholeheartedly agree and I spent some time last
12 night looking through past recommendations from a
13 labor subcommittee.

14 And from hearing some of the members
15 of the committee speak yesterday I feel like
16 there's things we can do in small enough chunks
17 tinkering around the edges to make the programs
18 that we rely on work, work a little better.

19 And it looks to me like the first two,
20 safety and audit work group and the inspection
21 standardization work group, that might be
22 combined. They look very similar to me. Does

1 anyone else have that impression? Making room
2 for possibly an ag labor subcommittee.

3 MR. ERICKSON: Without labor none of
4 this matters.

5 MR. CARR: I agree.

6 MR. WILKINS: Tommy Wilkins. Is this
7 where we would bring up the conversation we just
8 had about the research dollars? Would this be a
9 potentially fourth or fifth group that we would
10 have working on that?

11 As a concern I'd really like to add
12 that to the pile.

13 MR. BELL: David Bell. I was thinking
14 along the same lines as Tommy. I guess one
15 suggestion I have for a working group might be
16 fruit and vegetable sector development working
17 group.

18 It could take on block grants and
19 SCRI. This may be a stretch and you don't want
20 to have too big of a scope, but if we don't want
21 too many working groups and we thought it was
22 reasonable ag labor could be part of that to the

1 point that was just made earlier. We can't
2 develop the sector, nothing works unless we have
3 the labor.

4 I do think in light of the hemp
5 discussion we should have some mechanism such as
6 a sector development where we can make sure some
7 of these key programs for our future are enhanced
8 and protected.

9 MR. CARR: So let me ask the group
10 then. Concerning the first suggestion to
11 combining the first two on here, the inspection,
12 the food safety, does everybody have the
13 consensus on that, of combining those two to make
14 that one committee?

15 By consensus everybody agrees with
16 that?

17 MR. WINGARD: This is Charles Wingard.
18 I was making some quick notes here and very
19 quickly -- I'm sure I didn't get this exactly
20 right, but if you pull all our issues down into
21 three topics what I've got is food safety, trade
22 and then domestic production. And maybe we could

1 think about that as we develop these work groups
2 or name them or whatever and then domestic
3 production could go to the hemp funding or the
4 hemp. That discussion we had on that research.
5 And labor and other things could go into that,
6 into that pot maybe. That seems like an awfully
7 big pot, but if we want to just keep it to three
8 then I was thinking about that.

9 MR. PALMBY: Chair, Paul Palmby. I
10 actually was going to nominate Tommy to be chair
11 of the trade work group because of his comments
12 on domestic production.

13 So I sort of had domestic production
14 fitting in under that trade thing which then
15 would open up -- because labor would be a pretty
16 big topic to kind of lump that in with. Just
17 throwing it out there as another.

18 MR. CARR: Any other views on that?

19 MR. WILKINS: You know, when you talk
20 about trade this one's very dear to my heart. I
21 grew up in west Texas, come from the dirt and I'm
22 seeing maybe us being out hustled by other

1 countries.

2 And I think this is maybe why I'm so
3 gratified that I'm here, that we can maybe help
4 communicate what's going on and how we might can
5 help.

6 I maybe agree that maybe that would be
7 -- you've got to fine-tune it because we don't
8 want to throw too big of an umbrella over it, but
9 I think those would fall under each subcommittee
10 as some important things to do.

11 I agree with everything. I like the
12 direction that we may be going to maybe give a
13 broader situation.

14 I think trade and ag labor quite
15 honestly trumps the three. I think food safety
16 has got momentum and direction, and I think that
17 we constantly are watching what's going on.

18 But today trade and ag labor are the
19 top two things that I believe we should focus on.

20 MR. CARR: One question, let me ask
21 Darrell. The issue committees are not permanent
22 and they can change as topics and situations

1 change, correct?

2 So you could have a committee now and
3 then eventually that committee can do its work
4 and then you could form another committee. Is
5 that correct?

6 MR. HUGHES: Yes.

7 MR. BOWMAN: Mr. Chairman, Richard
8 Bowman for the record. I think trade and labor
9 are two of our most important issues and they
10 shouldn't be lumped together. They should stand
11 on their own.

12 MR. WILKINS: I think it's very
13 important. I would have to agree with you on
14 that one. Because I think it's really two major
15 issues that are going to be vital.

16 MR. CARR: So going back to Charles'
17 suggestion of having just basically three groups
18 with broad topics, food safety, trade as its own
19 and the domestic production which could cover
20 labor, research funding and stuff like that. Is
21 that a consensus of the way we want to go? Is
22 there opposition to that?

1 PARTICIPANT: I like that personally.

2 MR. PALMBY: Paul Palmbly. I'm fine
3 with that. But when I think domestic production
4 I also think buy American, American produced.
5 And maybe there's a little overlap with trade.

6 I too have spent a lot of time on
7 tariffs and trade matters. Yesterday I had
8 meetings on the subject with Japan and China and
9 others.

10 I think that trade is a big enough
11 piece. But I kind of lump that together, keep it
12 separate from the labor piece.

13 MR. CARR: I agree with that.
14 Chalmers Carr. We don't have to just do three.
15 We can do four.

16 So domestic production worries me from
17 the standpoint it's a very broad topic and then
18 that group may get weighted on one subject like
19 labor and never touch on anything else.

20 So if we can agree on food safety and
21 trade standing alone how can we subcategorize
22 domestic production maybe under two groups.

1 MR. WILKINS: We just kind of re-
2 looked at his. I agree with the direction we're
3 headed, but I'd propose we do trade, labor,
4 production and food safety as the four. Trade,
5 labor, production and food safety.

6 MR. HUGHES: Darrell Hughes speaking.
7 One comment for insights. As far as the
8 structure it is possible to have a subcommittee
9 and then work groups within a subcommittee.

10 And so if you go the route of having
11 this big bucket and then have work groups within
12 it that is possible.

13 MR. WILKINS: Tommy Wilkins again.
14 And I think it's going to fracture into
15 subcommittees.

16 I think the key we owe this committee
17 is that we find the four hot pockets. And I
18 think trade, labor, domestic production and food
19 safety are the four things that I came into this
20 meeting hoping we would have some impact on.

21 MR. BELL: So food safety, trade, ag
22 labor I think are pretty well defined in most of

1 our minds.

2 MR. HUGHES: Name.

3 MR. BELL: Oh, sorry. David Bell
4 again. On the domestic production idea for a
5 working group what are the key areas or topics
6 people are thinking about that that group would
7 tackle?

8 MR. CARR: Just listening to comments
9 earlier I would definitely think research funding
10 would be under that group right there.

11 MR. BELL: Block grants.

12 MR. CARR: So do you want to put that
13 in the form of a motion or do we need a motion on
14 this?

15 MR. WILKINS: I would format that as
16 that we do our proposed working groups for this
17 committee to be trade, labor, production and food
18 safety. Tommy Wilkins.

19 MR. TISON: Greg Tison. I second
20 that.

21 MR. CARR: We have a motion and a
22 second. Is there any discussion further on this?

1 All those in favor say aye.

2 (Chorus of ayes)

3 MR. CARR: All those opposed. Hearing
4 no opposed the motion passes.

5 It's the next role to appoint work
6 group leads. And so it says that it should be
7 appointed by the chairman if I read the policy
8 right. Not knowing everybody's background and
9 everybody on this committee getting started I'm
10 going to ask for volunteers of people that are
11 interested in a particular --

12 MR. HUGHES: Sorry, Darrell Hughes.
13 The first thing to do is decide who would like to
14 be on the subcommittee. And so it may be better
15 to figure out who wants to serve on one of the
16 subcommittees and then because everyone is new
17 and getting to know each other get in a quick
18 huddle and figure out amongst themselves if they
19 want to come back and recommend a lead to you if
20 you want to go that way.

21 MR. CARR: So can we get somebody to
22 help us with the chart up there at the front of

1 the room.

2 (Simultaneous speaking)

3 MR. CARR: But if we could list the
4 four committees and then we could just ask for
5 volunteers that want to work on each committee.

6 Again, you can only serve on one
7 committee, is that correct, or that's the
8 recommendation?

9 MR. HUGHES: That's the
10 recommendation.

11 MR. CARR: I know it's a logistical
12 nightmare, but could we move that to the center
13 of the room?

14 MR. HUGHES: Yes, that's that I'm
15 doing right now.

16 MR. CARR: If you just go across the
17 top and put food safety, trade, labor.

18 MS. HARPER-LARSEN: Darrell, if I
19 could suggest -- this is Kiley. If you'll
20 separate those into quadrants then you'll put
21 your names underneath pretty easily.

22 MR. HUGHES: Trade.

1 MR. CARR: Labor. And just put
2 production. So do we have any volunteers to work
3 on the food safety working group? Keep your
4 hands up.

5 MR. HUGHES: Is it Tom? Michael.

6 MR. JANIS: Michael Janis.

7 MR. HUGHES: And who else?

8 MR. CARR: Tom.

9 MR. HUGHES: All right. That's six
10 members.

11 MR. CARR: Anybody else? Moving over
12 to trade. Julie. Tommy. Greg. All right,
13 labor.

14 MR. ERICKSON: Can we volunteer for
15 two?

16 MR. CARR: Yes, you can. But I was
17 going to -- keep your hands up. I was concerned
18 this would happen because when you have everybody
19 that's putting their hand up for labor you're
20 going to have hardly anybody left for production.
21 I'm not so sure we're not going to go back and
22 combine labor and production back together.

1 MR. HUGHES: Let's go ahead and do the
2 names up first. Did I skip anyone before
3 Huckaby? Kelly, right?

4 MR. CARR: Darrell, put me on that.

5 MR. HUGHES: What's your name?

6 (Laughter)

7 MR. HUGHES: All right, production.
8 Charles. Did I skip anyone after Charles? Steve
9 Smith.

10 Darrell Hughes, quick insights. You
11 have the authority to appoint a member to a
12 committee. Brian Kirschenmann is not here with
13 us. He did email about trade. It's up to you if
14 you want to.

15 MR. CARR: Yes, put him on trade.

16 MR. HUGHES: For trade.

17 MR. ERICKSON: As you look at this
18 list I know based on discussions we've already
19 had there's two areas I want to be in. I'd
20 really like to see them combined back to Mr.
21 Wingard's suggestion. I'd like to see if we
22 could consider bucketing that as domestic and

1 consolidate that.

2 MR. CARR: So production and labor?

3 Or combine which?

4 MR. ERICKSON: Well, I mean labor and
5 the research dollars are two highly concerning
6 pieces to me. If we could create or find a way
7 to come up with the right definition of what that
8 group is called, whether it's domestic.

9 MR. CARR: Well, labor is a focus of
10 production. We can't produce anything without
11 labor. So rolling it over under that and just
12 having a broad reaching, that way the committee
13 members could have an impact on conversations. I
14 think if you want to put that in the form of a
15 motion.

16 MR. ERICKSON: Yes. I'd like to make
17 a motion that we consolidate production and labor
18 into the production bucket.

19 MR. CHANDLER: This is Chandler. I
20 second.

21 MS. GLEASON: I have small concerns
22 about that.

1 MR. HUGHES: Speaking?

2 MS. GLEASON: Sorry. Molly Gleason.
3 Most of the growers I work with are very small
4 local markets, direct to consumer. And labor --
5 so production and the research dollars is really
6 important, but labor doesn't really matter as
7 much to those producers.

8 And I would like to be in the
9 production conversation, but I'm not sure I could
10 contribute very much to the labor conversation.
11 So I mean, this is just from my own personal
12 standpoint.

13 MR. BOWMAN: Richard Bowman for
14 discussion purposes. We said you could only be
15 on one meeting at the beginning because at this
16 meeting today we're going to fracture out into
17 different groups.

18 But can we organize it as we go in the
19 future where the meeting times don't conflict
20 with each other so people that want to be on more
21 than one committee can and we don't have to bring
22 two groups together? It seems to me this is an

1 organizational issue.

2 MR. HUGHES: Darrell Hughes, provide
3 some insights. The plan is at some point to
4 organize a teleconference, so calls where they're
5 not grouped at the same time. So in the future
6 you will be able to if you want to be a part of
7 different working groups and subcommittees you
8 will be able to participate. But when you come
9 together as a group it's being able to
10 collaborate together that makes it difficult.

11 MR. CHANDLER: Chandler. One thing
12 you made a mention. If you do combine them you
13 could have subcommittees where you would then
14 have that sub focused more on the issues specific
15 while still maintaining the combination.

16 MR. HUGHES: Darrell Hughes. Just a
17 clarification. We called these working groups
18 working groups and subcommittees for the purposes
19 of FACA. They're essentially the same.

20 But if we're going to create a tier
21 then subcommittee would be top and then working
22 group on the bottom. So it would be the domestic

1 production and labor subcommittee and then labor
2 working group and production working group.

3 MR. CARR: So is everybody clear on
4 that that we could combine it? The motion to
5 combine the two together and then under that
6 point would be that we make subcommittees.

7 But Darrell, to your point you're
8 saying now it would be the subcommittee and then
9 there would be these working groups underneath
10 that subcommittee.

11 MR. HUGHES: Right. Darrell is
12 speaking. That would only be for the purposes of
13 combining labor and production. We would call
14 food safety a subcommittee and trade a
15 subcommittee, but it just wouldn't have any work
16 groups which is totally fine.

17 MR. ERICKSON: And production would --
18 this is Bret Erickson. Production would be a
19 subcommittee and then there would be working
20 groups of labor, research.

21 MR. HUGHES: Yes.

22 MR. BELL: David Bell again. This is

1 getting down into the weeds on organization. I
2 originally suggested the production and maybe
3 having labor into it, but kind of listening to
4 the discussion here I have no problem with the
5 working groups within a larger subcommittee. But
6 I think we should just keep the four.

7 And if people want to serve on two
8 that's fine.

9 MR. CARR: I think the challenge for
10 the committee members if I heard it right is when
11 we're having in-person meetings you won't be able
12 to participate in both meetings because they'll
13 be happening simultaneously.

14 So when we're working outside of this
15 at our home and working on these it's easy to do.
16 Am I -- that's pretty much the consensus there?

17 MR. HUGHES: Darrell Hughes for some
18 quick insights. One of the things that you can
19 also do is when we are together in person and you
20 pick your favorite work group is provide a fellow
21 representative with more than enough written
22 information and go about it that way. That's one

1 option, one path.

2 MR. CARR: If I can I'd like to call
3 on some of the former committee -- Tina, could
4 you maybe talk us through some of your
5 experiences with the working groups? What have
6 been the successes and what have been failures,
7 and are we walking down a road we don't want to
8 walk down?

9 MS. ELLOR: Actually, we have served
10 on more than one subcommittee working group
11 before, and it's possible to go between them. As
12 the different groups are deliberating you can go
13 between them and make contributions. It seems to
14 have worked fine in the past that way.

15 MR. HUGHES: Dip in and help.

16 MS. ELLOR: Yes.

17 MR. PALMBY: This is Paul Palmby. I'd
18 agree with that. You're only meeting a couple of
19 times a year together. My recollection, it's
20 been awhile, but two or three conference calls in
21 each working group was not unforeseen in the
22 course of a year. We go back and forth.

1 And as Darrell said you can always
2 provide your insights to somebody who's actually
3 sitting in the face to face meeting while we're
4 all here together.

5 And everything comes back to the
6 overall board anyway. So you get your
7 opportunity for comment then as well.

8 MR. CARR: Bruce?

9 MR. TALBOTT: I would concur with
10 what's been said.

11 MR. CARR: So with those last comments
12 a little bit counter to the motion at hand, do
13 you still want to keep the motion?

14 MR. ERICKSON: Whatever is the flavor
15 of the committee.

16 MR. CARR: Well, then we'll just a
17 vote on it. We have a motion, we have a second.
18 The motion was to combine labor and production
19 into one group. I don't know that we have a
20 clear consensus. I'll ask by a show of hands who
21 supports that motion. The opposite would be to
22 keep these two groups separate as two working

1 groups. So all those in favor of the motion to
2 combine them raise your hand.

3 (Simultaneous speaking)

4 MR. CARR: I think at the end of the
5 day you're going to find that everybody is very
6 passionate about it. They're going to find the
7 time to get their comments in on both of these
8 subjects.

9 So with that being said these will be
10 our four working groups. And we will ask them to
11 -- can we go ahead and meet? They huddle and may
12 come back with a recommendation of a working
13 group lead?

14 MR. HUGHES: Actually, that's the
15 perfect time. Darrell Hughes speaking. We're
16 four minutes away from our break so I think we
17 could go ahead and kick off the break a little
18 early and then you guys can chit chat while
19 you're on break and then we'll come back if more
20 time is needed. Continue.

21 MR. ZEA: Mr. Chair. Donn Zea. Just
22 an observations really. First of all you see

1 what's driving agriculture and everybody in this
2 room is concerned about things that were not on
3 this original list for the most part. Food
4 safety being an exception.

5 And I'm glad, really glad to see that
6 because I know some of us were concerned on the
7 email thread about trade not being on there for
8 instance.

9 These are areas except for specific
10 things that tuck inside some of these categories
11 these are areas that AMS may or may not deal with
12 directly. Is that a challenge for you, for us to
13 advise on these things?

14 MS. JIMENEZ: A good question. We see
15 our role here more broadly, USDA. USDA, what we
16 can actually -- because we can bring in other
17 agencies within USDA to work or to advise you on
18 issues.

19 Remember that these recommendations
20 are to the Secretary. So of course he has the
21 ability to do things all over USDA.

22 Outside of USDA that's a different

1 story. But anything that deals with USDA
2 programs, yes, absolutely. Doesn't have to be
3 specific to AMS only.

4 MR. HUGHES: Darrell Hughes speaking
5 for insights. There are recommendations and then
6 there are statements. So any statement that is
7 crafted could be provided to the Secretary and
8 those statements or position statements could be
9 on topics that are not necessarily within the
10 USDA center of influence, but can be provided to
11 the Secretary.

12 And the only reason why I make that
13 distinction is so that if you provide a
14 recommendation and me as your DFO I submit it and
15 then try to follow on to see how that moves
16 along. If it's outside of USDA's scope there may
17 not be anything that I can do to report back on
18 the progress of that recommendation if it's
19 beyond our department.

20 MR. CARR: Did you have a question?

21 MR. WHEELER: I did. I just simply
22 would determine that if we can work with two

1 committees I'd like to be added to the labor
2 committee as well. Derrin Wheeler, yes, sorry.

3 MS. POWELL-MCIVER: Kelly McIver here.
4 Mr. Chairman, I would also like to be added to
5 trade.

6 MS. HARPER-LARSEN: And on that note
7 I would like to be added to trade. That's Kiley.

8 MR. CHANDLER: Mr. Chairman, I'd like
9 to be added to production.

10 MR. CARR: Chalmers Carr. I'd like to
11 be added to production as well.

12 MR. WILKINS: Tommy Wilkins would like
13 to be added to production as well.

14 MR. CARR: Anybody else want to put
15 their names on there?

16 MS. GORDON: Actually, Julie Gordon
17 for production as well.

18 MR. CARR: Going once, going twice.
19 So, we can break up into different rooms now?

20 MR. HUGHES: Fifteen-minute break now.

21 MR. CARR: Okay. And do you want --
22 so we're going to take a break and then we're

1 going to go into our separate groups to come out
2 with a working group lead, is that correct?

3 MR. HUGHES: Yes, that's correct.

4 MR. DAVIS: Real quick. Carl Purvis
5 is with our AMS Public Affairs Office. We want
6 to get some photographs. We'll take some of your
7 elected leadership, but we'd also like everyone
8 to come together for a group photo on an outside
9 patio just one level down over there. I want to
10 do it now so we don't get caught up in the rain
11 possibly later today.

12 So what we'll do is as you finish your
13 break Carl will kind of herd all of us out there
14 for that picture and Carl Purvis will get this
15 knocked out as quickly as possible. And then
16 when you return directly into your rooms.

17 MR. CARR: So I would ask everybody to
18 stay on schedule. Be back in 15 minutes and
19 we'll go from there.

20 (Whereupon, the above-entitled matter
21 went off the record at 10:31 a.m. and resumed at
22 10:49 a.m.)

1 MR. CARR: This is Chalmers Carr. I
2 reconvene our meeting here. I'm going to call on
3 Darrell to kind of go a little bit more into the
4 working groups, what are the -- kind of going
5 back to the statements versus recommendations and
6 kind of the year-long plan. Basically what is
7 the scope of work that is the goals of these
8 working groups and how should that product be
9 delivered back to this committee.

10 MR. HUGHES: Okay, Darrell Hughes
11 speaking. On page 10 of the policies and
12 procedures manual it talks about procedures for
13 completing work group recommendations.

14 And so each work group or in this case
15 we'll say subcommittees -- there's one -- they're
16 all work groups. Never mind.

17 Each work group will meet at least
18 twice via conference call. The work group chair
19 who's selected will work with myself, vice chair,
20 secretary or chair on timing. It depends on how
21 you guys want to figure that out.

22 But you'll work with me to schedule at

1 least two conference calls for you guys to
2 discuss as a working group any of the research
3 items or any items that you want to put forth to
4 the full committee.

5 And so you come together, the work
6 group, develop recommendations or position
7 statements. When the full committee reconvenes
8 our current plan is for the committee to
9 potentially reconvene in person around August.

10 We have to vote or decide on two potential time
11 slots, dates.

12 You come together then and discuss and
13 decide whether the recommendations or if a
14 working group puts forth only one recommendation,
15 or one statement, or two recommendations, or two
16 statements, reconvene at that time to accept,
17 adopt, reject, or ask for additional work to be
18 done.

19 And then after that there would maybe
20 be one additional conference call, full committee
21 conference call which is at the beginning of
22 2020, maybe around that time, to not finalize the

1 recommendations, but finalize the package that
2 would be put forth to the Secretary for the '18-
3 2020 committee group.

4 Recommendations or statements that are
5 put forth, it may take longer than 2019 or 2020
6 to get completed and that's totally fine.

7 You don't need to feel the pressure of
8 putting or having a recommendation that provides
9 research and steps and a clear and concise action
10 for the Secretary. You don't need to worry about
11 that if it turns out that whatever recommendation
12 or statement that you're putting forth will take
13 a longer period of time. Just craft your
14 language to explain that.

15 Did that cover?

16 MR. CARR: What is the difference
17 between a statement and a recommendation if you
18 can?

19 MR. HUGHES: Okay. So, this -- a
20 recommendation is going to be something that is
21 with the committee requesting action be taken by
22 USDA that we can actually perform. And that we

1 can track.

2 And the concept of a statement is that
3 you are requesting the Agricultural Secretary to
4 look into something or you want to provide
5 feedback on a topic that is important to
6 agriculture but beyond the scope of USDA.

7 Now, how we determine what's
8 recommendation worthy and what's statement
9 worthy, the chair, vice chair and the rest of the
10 group.

11 It may be that the working group puts
12 something forward and -- as a recommendation and
13 you ask for insights from USDA is this something
14 that's within your center of influence and we
15 confirm whether we can actually do whatever may
16 come about from that work group. Does that make
17 sense? On the right track?

18 MR. CARR: Anybody have any questions?
19 Again, a working group can come forward with more
20 than one recommendation because these groups are
21 pretty broad and their scope of what they're
22 covering. So that is correct?

1 MR. HUGHES: Yes. Yes. There's no
2 limit.

3 MR. LIPETZKY: Tom Lipetzky with a
4 question. Darrell, obviously there have been
5 past advisory committees. Are there any
6 statements or positions from previous groups and
7 how would those play into our working groups or
8 do they not?

9 MR. HUGHES: In the back of your
10 briefing packet right -- there should be a table,
11 packet of recommendations from the 2015-2017
12 group.

13 That was a completely different
14 administration. This was already on the website.
15 I included it just in case -- at the bottom.

16 But I mean from my standpoint because
17 I'm new to this committee and many members are we
18 are looking at that as information only. We're
19 starting fresh.

20 MR. LIPETZKY: But when you say we're
21 starting fresh would any of those recommendations
22 made in that last group, did any of those need

1 any follow-up with us or reporting back to us on
2 what has been done from those recommendations?

3 MR. HUGHES: Because it's a different
4 administration --

5 MS. JIMENEZ: Let me answer that
6 question. You can look at that list and decide,
7 hey, we still want to do this or want to work on
8 this area. Or we want to see what the status of
9 this is.

10 So it would be up to you to decide of
11 those recommendations that were made back then
12 which ones you want us to follow up or look into.

13 MR. CARR: Any other questions on the
14 working group structure and what the expectations
15 are over the next year?

16 So with that being said we would like
17 to see if we can convene in four different spots.
18 So maybe, Darrell, you could direct us which
19 groups could go where.

20 We're looking for a working group lead
21 that will work within the group to foster out any
22 suggestions, recommendations from that group and

1 bring that forward through that working group
2 over the course of the year and then be able to
3 come back and present that to this whole
4 committee for either adoption or ratification.
5 Is that correct?

6 MR. HUGHES: Yes.

7 MR. WHEELER: Mr. Chairman, Derrin
8 Wheeler. If you are on two committees at this
9 point are we going to float around?

10 MR. CARR: If you so desire to be the
11 lead I would go to the one you want to be the
12 lead at. I don't think we have time to have
13 different meetings. So, again, if you do have a
14 particular interest in being a lead on the
15 committee then I would definitely ask you to
16 attend that group now.

17 MR. HUGHES: And quick insights.
18 Darrell Hughes speaking. We're 20 minutes out
19 from public comments and we want to stay on track
20 for public comments.

21 And so if it turns out that there's
22 more discussion needed on work group leads the

1 chair can allow that to happen after public
2 comments.

3 MR. CARR: So what you're saying is we
4 need to be back in this room in 20 minutes,
5 correct?

6 MR. HUGHES: Less than 20 minutes.
7 Seventeen minutes.

8 I'm going to propose that food safety
9 this side, labor this side and the other two work
10 groups go into the room right around the corner
11 because you're the biggest ones.

12 MR. CARR: If we can do that and you
13 all can work together to come up with a lead and
14 come back and report to us.

15 (Whereupon, the above-entitled matter
16 went off the record at 10:57 a.m. and resumed at
17 11:09 a.m.)

18 MR. CARR: So as we reconvene for the
19 record Charles Wingard has asked to also be put
20 on labor. And is there anybody else that wants
21 to be put on another committee? I think we did
22 this, but just checking again.

1 MR. HUGHES: Wingard on labor and --

2 MR. LIPETZKY: Tom on trade.

3 MR. HUGHES: -- Tom on trade.

4 MR. CARR: All right. So the food
5 safety working group. Did you all come up with a
6 working group lead?

7 MS. HARPER-LARSEN: I'm the food
8 safety lead and I'll be assisted by Molly. And
9 this is Kiley Harper-Larsen for the record.

10 MR. HUGHES: And the food safety
11 assistant is?

12 MS. HARPER-LARSEN: Molly.

13 MR. CARR: Trade?

14 MR. WILKINS: Tommy Wilkins.

15 (Simultaneous speaking)

16 MR. CARR: And labor was Bret.

17 MR. ERICKSON: Assisted by Tina.

18 MR. CARR: Production?

19 MR. WINGARD: This is Charles Wingard.

20 I am honored to announce that Steve Smith --

21 (Laughter)

22 MR. WINGARD: He needs no assistance.

1 MR. CARR: So we're going to have
2 working group meetings tomorrow, is that correct?

3 MR. HUGHES: Well, probably today.

4 MR. CARR: Probably today as we're
5 moving along. So at this point in time are we
6 going to go do the photo now? Or no, we have
7 public comment.

8 MR. HUGHES: Public comment starts at
9 11:15 and we're four minutes ahead so we can just
10 go ahead and get started with public comments.

11 MR. CARR: So Darrell, is there
12 anything the committee should know about when we
13 have public comment periods and everything?

14 MR. HUGHES: Darrell Hughes speaking.
15 We did not receive any written comments in
16 advance of the meeting. If there were written
17 comments I would typically provide them to the
18 committee in advance. We didn't receive any for
19 this meeting.

20 We request the public to register if
21 they're going to attend to speak. We give them
22 two minutes to speak. Because there are only

1 three, possibly four people registered to speak
2 we can extend that a few minutes based on your
3 judgment, whatever you would like.

4 Darrell Hughes speaking. The first
5 speaker will not be Paul, but it will be a
6 representative from his association. So you just
7 call out that association.

8 Actually you know what, we should
9 probably read the rules for public oral speaking,
10 for those people who are going to be speaking.
11 It's right down in this section.

12 MR. CARR: Okay, so public comments.
13 Members of the public wishing to speak at the
14 meeting or who wish to arrange special
15 accommodations to contact the DFO Darrell.
16 Comments and registration to speak must be
17 submitted by April 17 and I see that's announced.
18 Does that go to the Federal Register when it's
19 done?

20 MR. HUGHES: We publish the meeting
21 notice in the Federal Register and that's how
22 they receive my name, email and number to speak.

1 MR. CARR: There are two opportunities
2 to provide oral comments to the committee. One
3 of the two is face to face meetings. Walk-in
4 comment slots may be available on a first come,
5 first served basis at the meeting if the schedule
6 allows.

7 Each person has signed up for only one
8 speaking slot. Comments will be allotted two
9 minutes or longer depending on the people who are
10 here. And each commenter must say his name,
11 organization or affiliation for the record, begin
12 their comments.

13 So, I'm going to first call on the
14 Apple Processors Association who have asked to
15 speak before this group.

16 MS. GENTILE: Good morning. Mr.
17 Chairman, my name is Maggie Gentile and I'm
18 pleased to represent the Apple Processors
19 Association.

20 APA is an industry trade association
21 representing companies and farmer-owned
22 cooperatives that manufacture quality apple

1 products from whole apples.

2 These APA members produce a majority
3 of the nation's freshly processed apple products.

4 Our association was founded in 1987 to
5 represent and enhance the unique responsibilities
6 of companies that process and market food
7 products from whole apples working closely with
8 the food industry and government regulators.

9 Each of our members grow a portion of
10 their apples in local orchards. Our suppliers
11 coordinate with their fellow association members
12 to ensure convenient and safe packaging and
13 storage capabilities for these food products.

14 We are pleased to provide the federal
15 government with the highest quality and
16 nutritious apple juice, applesauce and special
17 apple products for their feeding programs
18 including WIC, school lunches, staff and related
19 initiatives.

20 Our members carefully pasteurize their
21 juice products, hot fill their food containers,
22 and perform continuous research and food safety

1 checks to ensure safety and nutritional value.

2 Because our food products are
3 processed fresh in packaged shelf stable
4 containers they're ideal for remaining safe and
5 nutritious for very long periods of time.

6 As our government improves and
7 enhances its nutritional guidelines it's
8 important to support and recommend processed food
9 products especially for families without adequate
10 refrigerated storage.

11 We ask that the advisory committee
12 consider and support shelf stable food products
13 for food and feeding programs of the federal
14 government. Thank you.

15 MR. CARR: Thank you for your
16 comments.

17 MR. HUGHES: Darrell Hughes. Just a
18 point of insight. We do have a hard copy of that
19 statement. I can scan it in and send it to the
20 full committee for you guys to review.

21 MR. CARR: Are we allowed to ask
22 questions of the commenter if there is questions?

1 As a group. If someone speaks and you want to do
2 it do we need to wait till they all speak and
3 call them back up here? If that's okay with
4 everybody.

5 MR. HUGHES: Darrell Hughes speaking.
6 Rich Hudgins from the California Canning Peach
7 Association. Rich, did I pronounce your last
8 name right?

9 MR. HUDGINS: Close. Rich Hudgins,
10 president and CEO of the California Canning Peach
11 Association.

12 The issue I'd like to bring to the
13 committee's attention this morning is the buy
14 American provision for school food purchases.

15 This legislation was first passed by
16 Congress back in 1988. And to be clear all of
17 the food products that AMS purchases are 100
18 percent domestically sourced.

19 AMS purchases represent about 20
20 percent of the food products served in school
21 feeding programs.

22 The other 80 percent of the food items

1 are purchased by school districts. They go out
2 to bid and receive bids from distributors and
3 make their own purchase decisions using taxpayer
4 funds.

5 And it is in this area where we have
6 seen inroads being made by foreign sourced food
7 products into the school feeding programs.

8 Specifically I'm talking about Chinese
9 canned fruit, apple juice sourced from Chinese
10 apple juice concentrate. FNS's own data would
11 indicate that 80 percent of the apple juice being
12 served in schools today is of Chinese origin.

13 Egyptian frozen strawberries, another
14 example finding their way into the school feeding
15 program.

16 And even fish sticks, fish that is
17 caught on Russian trawlers, processed in China
18 before being shipped into the U.S. for
19 distribution into the school feeding programs.

20 Let me be clear. The buy American
21 provision reflected the original congressional
22 intent.

1 The regulatory language that was
2 developed by USDA over 10 years ago to implement
3 this legislation does contain two exclusions.

4 The first exclusion being for products
5 that are not domestically produced. So think
6 bananas.

7 The second exclusion is more
8 problematic. The second exclusion calls for an
9 exception for products with a significant cost
10 differential. And as everyone around this table
11 knows the competitive landscape has changed
12 dramatically since this legislation was first
13 passed in 1988.

14 There have been a coalition of
15 organizations led nationally by the National
16 Council of Farmer Cooperatives and the American
17 Farm Bureau, but also including many individuals
18 that are seated around the table today that were
19 successful in securing language as part of the
20 2018 Farm Bill directing the Secretary to fully
21 enforce compliance with the buy American
22 provision and to report back to Congress within

1 six months on actions taken by USDA in accordance
2 with congressional direction.

3 While there's been a lot more
4 attention paid to this issue in recent years we
5 continue to believe that meaningful change in
6 school purchasing decisions will require more
7 than just a few more webinars, or a few new
8 pictographs going to schools prepared by USDA.

9 We can point at this point to decades
10 of memos and guidance information and letters to
11 distributors pointing out the language that was
12 contained in the original buy American provision.

13 I would say that the National School
14 Lunch Act was first passed in 1946. In 1946
15 President Truman highlighted two coequal goals,
16 feeding nutritious meals to students and
17 supporting U.S. farmers and ranchers.

18 I would suggest that we need to
19 continue to adhere to the original congressional
20 intent of the National School Lunch Act
21 supporting U.S. farmers and ranchers with school
22 feeding programs where taxpayer dollars are

1 involved.

2 And at a minimum if we leave the
3 significant cost differential language intact at
4 a minimum let's require schools to publicly
5 disclose if they are taking advantage of the
6 exclusion to spend taxpayer money on foreign
7 sourced food products going into the school
8 feeding program.

9 So Mr. Chairman, it's my hope that
10 this committee as you move forward in your
11 working groups can spend some more time
12 addressing this issue knowing that the department
13 has two more months before they have to report
14 back to Congress on the direction given in the
15 2018 Farm Bill. Thank you very much.

16 MR. CARR: We'll hold the questions
17 till last and let everybody speak if that's okay.
18 Because I want to make sure we have time to get
19 everybody in that has a comment before we go to
20 that. So Darrell, who do we have next?

21 MR. HUGHES: All right. Darrell
22 Hughes. Is there a representative from ERS here?

1 Economic Research Center? No.

2 ERS provided some research links and
3 reports that I sent to the committee in advance
4 of the meeting. And I just wanted to present the
5 opportunity for them to comment on that if they
6 were here. It doesn't look like they're here.

7 And the other potential speaking
8 opportunity is a representative from United Fresh
9 that's here. And I don't think there is anyone
10 in the room. And so that would conclude the
11 public comments portion.

12 MR. CARR: We'll go back now and
13 anyone who has a question, if you'd address it to
14 who you want to address that question to.

15 MS. GLEASON: Yes, this is Molly
16 Gleason speaking. I had a question for you,
17 sorry. What was your name?

18 MR. HUDGINS: Rich Hudgins.

19 MS. GLEASON: Rich Hudgins. My
20 question is, and I'm ignorant about the process
21 that schools use to bid on products, but how are
22 foreign companies allowed to place a bid to

1 schools?

2 MR. HUDGINS: Rich Hudgins. The
3 school in many cases has specs that they put out
4 to a distributor. Some of the specs actually
5 specify domestically sourced product.

6 In some cases the distributor
7 discloses the fact that they are providing a bid
8 on a foreign sourced food product and they
9 document a cost differential and that falls
10 within the exclusion that's provided in the USDA
11 regs today.

12 In some cases the school food service
13 director simply assumes that I'm buying a
14 domestic product.

15 There was an example in California two
16 years ago, the Ontario school district awarded a
17 bid to a distributor for canned peaches under the
18 label California grown, California being the
19 source of virtually all of the shelf stable
20 canned peaches in the country made the assumption
21 that that was a California product. It was not.
22 It was Chinese.

1 MS. GLEASON: So there's a lack of
2 transparency on the distributor end.

3 MR. HUDGINS: In some cases. There is
4 also -- let's also recognize that schools are
5 under severe budget pressures as well. Schools
6 have been given mandates to serve more fruits and
7 vegetables, but haven't necessarily been given
8 funds to fulfill the mandate. And so there is a
9 budget constraint on the school. There is a
10 profit motive on the part of the distributor.
11 They have a better margin obviously if they're
12 providing a lower cost foreign sourced food
13 product to that district. So it is challenging.

14 MR. BELL: Yes, this is David Bell
15 also for Rich. Please clarify the buy American
16 provision for me. Does that say a school
17 district is supposed to buy American, or is it
18 just when a school district is using USDA dollars
19 to purchase food and if they are purchasing food
20 from the revenue that comes from the children to
21 buy American does it or does it not apply?

22 MR. HUDGINS: The buy American

1 provision applies for all meals served in
2 schools. So whether it is a direct AMS purchase
3 or whether it is taxpayer money that the school
4 spends on that bid.

5 The exact language in the buy American
6 provision says that schools shall to the maximum
7 extent practicable source domestic food products
8 for the school feeding program.

9 But, two exclusions. That does not
10 apply in the case of a school documenting a
11 significant cost differential. And that's the
12 avenue by which this is occurring today.

13 MR. BELL: So it's the total meal.

14 MR. HUDGINS: Correct.

15 MR. BELL: I believe you keep saying
16 tax dollars, and there are sometimes local tax
17 dollars, but I know where I come from in a lot of
18 the rural districts there's not a lot of local
19 tax dollars that go to the meals. A lot of money
20 then comes from the students.

21 MR. HUDGINS: Rich Hudgins again.
22 Federal reimbursement to the school district.

1 They are receiving federal funds.

2 MR. BELL: Right, I understand that.

3 Yes. There's three sources of revenue. It's
4 supposed to be all buy American even if a part of
5 it is coming from the students themselves.

6 MR. HUDGINS: That's correct.

7 MR. SMITH: Steve Smith. Rich, do you
8 have any suggestions about what a significant
9 difference would be defined as?

10 MR. HUDGINS: Rich Hudgins again. A
11 significant cost differential is undefined today.

12 I can say that significant cost
13 differential in the case of canned fruit would
14 have to be 40 to 50 percent to close the gap
15 relative to Chinese pricing that's available in
16 the marketplace today.

17 In the case of fish sticks it is a
18 similar magnitude.

19 MR. SMITH: I've got one more. How
20 are foreign operators -- Steve Smith. How are
21 foreign operators held to auditing standards from
22 food safety?

1 MR. HUDGINS: Rich Hudgins again. At
2 this point there is no federal oversight on
3 product that's being provided by a distributor.

4 Obviously the distributor has
5 liability in the case of a food-borne illness.
6 The Egyptian frozen strawberries that I
7 referenced two years ago were recalled for
8 concern over potential hepatitis A contamination.
9 And that recall burden was borne by the
10 distributor.

11 But the procurement decision on direct
12 school purchases stands in stark contrast to the
13 requirements for a vendor selling products to
14 AMS.

15 So in the case of a vendor selling
16 products to AMS there's actually a pre-award
17 inspection. You as a vendor aren't even eligible
18 to bid until you have had your facility inspected
19 and pass muster with regard to food safety
20 concerns by AMS prior to participation in a bid
21 process.

22 MR. WILKINS: Tommy Wilkins. As

1 president of the school board in Texas for a year
2 and I feel your pain. And I was told directly
3 that we had no input on this. Zero.

4 So, and I'm chairman of the trade
5 committee so this hits right in what I think we
6 need to talk about.

7 But in order for us to be effective we
8 need some help on the solution. Aramark is a
9 third party distributor that probably oversees 90
10 percent of Texas which is where I know.

11 And they had no interest to even hear
12 this complaint.

13 MR. PALMBY: I'm sorry, what was that
14 again?

15 MR. WILKINS: They had no interest to
16 even hear my concern about this as president of a
17 school board that was contracting them.

18 So, you know, we need to help you with
19 a solution. And so any input you have on that
20 would help us.

21 One of the questions that I asked that
22 I got no answer was who enforces what the 1988

1 document put out.

2 MR. HUDGINS: Rich Hudgins. The
3 monitoring of school feeding programs is done at
4 the state level. Actually, again, two years ago
5 the state of California did an audit of six
6 school districts within the state. Picked at
7 random. Large and smaller ones as well.

8 And none of the six were found to be
9 fully compliant with the provisions of the buy
10 American program.

11 But again to be clear, had they
12 documented a significant cost differential on
13 their purchase decision many of those would have
14 been found to be in adherence to the
15 documentation required to take advantage of the
16 significant cost differential exclusion.

17 MR. WILKINS: Tommy Wilkins following
18 up on that. So is that part of a solution that
19 may come to us that if we just started with the
20 documentation that would help the states put some
21 pressure on them to at least explain the
22 decisions being made for the children?

1 MR. HUDGINS: Rich Hudgins. The
2 comment I made in my remarks about at a minimum
3 requiring public disclosure in the case where a
4 school district was taking advantage of the
5 exclusion for significant cost differential.

6 At the end of the day I believe
7 sunlight is the best disinfectant. When you have
8 to answer to the parents in that district.

9 And again, go back to the example of
10 the Egyptian frozen strawberries. I don't think
11 the parents of children in that school district
12 really care how much money the school saved
13 buying those Egyptian frozen strawberries.

14 So I think disclosure at a minimum
15 should be required.

16 The other broader question though
17 would be did the -- in hindsight did the
18 regulatory language adopted by the department
19 undermine the original congressional intent. The
20 original congressional intent was very clear,
21 support U.S. farmers and ranchers.

22 In 2019 significant cost differentials

1 abound throughout specialty crops in particular.
2 Any product that's got a large component of labor
3 in the production cost is either dealing with
4 this issue today or soon will be.

5 MR. CARR: This is Chalmers Carr. To
6 follow up on that, when you're looking at a
7 solution if I'm clear there was the legislative
8 language, but then there was regulations adopted
9 many years later by this agency.

10 So why particularly when you look at
11 regulations can change by administrations. And
12 the fact that this current administration
13 supports this very language, why aren't we
14 seeking to just reverse the regulations that USDA
15 adopted 10 years ago to take that one exclusion
16 out?

17 MR. HUDGINS: Rich Hudgins. That
18 request has been made. I believe that it will
19 need more voices.

20 MR. CARR: Well, hopefully our trade
21 working group can discuss that as something that
22 needs to go forward. It seems the easiest

1 solution in today's world is to work on changing
2 the regulations within an agency, and an agency
3 that is pro American farmer.

4 MR. ZEA: Donn Zea. Rich, is it
5 possible with respect to food going to schools
6 from offshore to be able to require some kind of
7 inspection that would then be similar to the
8 facilities that have to go through inspection
9 with USDA purchases?

10 MR. HUDGINS: Rich Hudgins. I
11 certainly think at a minimum that a foreign food
12 facility should be held to the same standard of
13 review as a domestic food facility for a vendor
14 selling to AMS.

15 MR. ZEA: Is that possible?

16 MR. CARR: I think we have an answer
17 to that right here.

18 MS. HARPER-LARSEN: We also have a
19 representative from the FDA in the room. Kiley
20 Harper-Larsen for the record.

21 The foreign supplied verification
22 program under the Food Safety Modernization Act

1 has a provision for requiring almost any
2 distributor of any food product into the United
3 States to participate in the foreign supplied
4 verification program.

5 However, currently this isn't really
6 under the purview of the USDA but rather the FDA.
7 It's a bit unactionable. It's highly
8 documentation in a database and very few
9 inspections are occurring.

10 So if we're looking for an immediate
11 solution outside of just increasing the amount of
12 documentation that a school system may or may not
13 have the ability to do under our purview for a
14 statement or recommendations in the trade
15 subcommittee should it be the requirement that if
16 food is going to be sourced for a lunch program
17 or a grant program where funds will come from
18 USDA or taxpayer dollars that that all the way
19 going back to a farm just like in the United
20 States their supply chain must be inspected or
21 audited under the provisions that are dictated by
22 the foreign supplied verification program which

1 all of you guys will be familiar with because
2 those loop in the produce safety rule and the
3 preventive controls rule as well as the third
4 party accredited auditing agencies, ISO
5 accredited laboratory organizations, and also the
6 prevention for adulteration that's intentional.

7 MR. SMITH: One more question. Steve
8 Smith. Does that extend to residue tolerances on
9 food, what's coming in? Not just the plant
10 inspection, but is there any program for testing
11 for chemical pesticide residues that might not be
12 legal in the U.S. but is legal in the country of
13 origin.

14 MR. HUDGINS: Rich Hudgins. I'm not
15 aware of the answer to that question.

16 MR. CARR: I think for clarification
17 there we might need USDA or FDA. Who has -- if
18 it's already a consumer -- it's not fresh, it's
19 further processed. It's now food so I don't know
20 if USDA has any jurisdiction over that.

21 And when you're looking at pesticide
22 residues on I guess a further processed product

1 that is ready for human consumption. Is that
2 correct? Would that be under FDA?

3 PARTICIPANT: I'm sorry, I did not.

4 MR. CARR: So, talking about a
5 prepared food. Fruit cups as an example that's
6 coming into this country. USDA doesn't regulate
7 that in terms of pesticide residue or anything
8 because now it's food. So that -- is it correct
9 that FDA would have I guess any kind of oversight
10 on that?

11 MR. BROMLEY: As far at the imports
12 coming in regarding pesticide residue we would
13 and that would be handled by our import
14 operations.

15 MR. CARR: Did you get an answer?

16 MR. SMITH: Steve Smith. I just
17 didn't know whether that was ever even tested.

18 MR. BROMLEY: And I don't know enough
19 to comment on everything that our import
20 operations is testing.

21 MR. HUGHES: Can you state your name
22 for the record?

1 MR. BROMLEY: Gerald Bromley.

2 MR. PALMBY: This is Paul Palmbly. We
3 participate in a lot of these programs given our
4 business. But I think it needs to be understood
5 that there's -- distributors are like any other
6 business, they're buying products from where they
7 can buy them affordably.

8 There's foreign supply verification on
9 their supply chain. The school districts are not
10 going to be subject to what -- so there's
11 hundreds of thousands of cases of canned peaches
12 and applesauce and other things come into New
13 York ports that are brought in by traders that
14 are able to substantiate foreign supply
15 verification requirements and get all the things
16 they need from the supplier to be able to do
17 that.

18 And where it loses it is then school
19 districts are just -- a lot of small school
20 districts in particular are buying just from a
21 distributor. It might be a local distributor.
22 They have no idea that they're getting product

1 that might be from a foreign country.

2 And so unless they stipulate in a bid
3 which some of them aren't even big enough to have
4 their own bid process for a product. They're
5 just sort of buying it as they need it.

6 And if their supplier happens to be
7 sourcing -- maybe the U.S. market was short a
8 product and then sourced from a foreign supplier
9 for a period of time. And it just comes in and
10 it's just transparent. It's not even noticeable
11 to the school districts.

12 I think the challenge becomes it needs
13 to be the school district's responsibility that
14 if they're receiving USDA funds to buy domestic
15 product. And I don't think that's been clear
16 enough or enforced enough on them.

17 There's an enormous amount of foreign
18 product coming in in these channels as Rich has
19 said.

20 MR. CARR: Chalmers Carr speaking.
21 This seems to be a discussion of what a working
22 group would probably take on and everything. So

1 if there's more topics or more discussion on this
2 I would recommend that the trade group actually
3 have Rich on one of the calls to further discuss
4 this and start working on this issue along with
5 others I'm sure you have.

6 I don't want to cut off conversation,
7 but it seems like we're going down a road
8 actually going into working on that.

9 But was there any other questions of
10 the other speaker? Okay, at that point --

11 MS. HARPER-LARSEN: This is Kiley
12 Harper-Larsen. I would just like to note from
13 the Apple Processors Association perspective if
14 you're echoing the same thing that we are hearing
15 from the California Canning Peach Association.

16 MS. GENTILE: Yes. Maggie Gentile.
17 People brought up the issue around Chinese
18 concentrate, apple juice from Chinese
19 concentrate. We are seeing that certainly impact
20 domestic sales and product going into the school
21 meals program. So it is also a challenge for our
22 association.

1 MS. HARPER-LARSEN: Question for you.
2 Kiley Harper-Larsen for the record. Does your
3 organization have the ability if asked with its
4 representation to provide the volume that the
5 USDA would require to feed its population in the
6 United States for school children? Because that
7 will be a question that will be asked by the
8 White House.

9 MS. GENTILE: Sure. Maggie Gentile.
10 I will go back and get an official answer on
11 that. My understanding is we would be able to.
12 But I'll double-check that with my membership
13 before getting you a formalized answer.

14 MR. PALMBY: Paul Palmbly. I can
15 address that as well. USDA procurement of apple
16 products is almost 100 percent subject to small
17 business set asides which means they can
18 adequately source all that they need without
19 larger businesses participating.

20 So if they needed more there's other
21 suppliers that would be able to step in. For the
22 last year or so it's been almost 100 percent

1 small business set aside on applesauce, apple
2 slices, that sort of thing.

3 MR. CARR: Chalmers Carr. Paul, for
4 clarification, so when you have 100 percent set
5 aside you're saying there is enough small
6 producers or under the definition of small that
7 can cover that whole need. So therefore they
8 don't have to put it out to all the broader,
9 bigger companies.

10 MR. PALMBY: Paul Palmby. That's
11 correct. Which has a fairly negative impact on
12 the larger suppliers believe it or not.

13 (Laughter)

14 MR. CARR: Understood. Anything else
15 for public comment?

16 MR. HUGHES: So now we can recess for
17 lunch. And then onto the picture.

18 MR. CARR: All right. So we're going
19 -- where are we at with our schedule?

20 MR. HUGHES: At 1:15.

21 MR. CARR: So we will go to lunch.
22 We'll first of all go down to have a picture on

1 the second floor on the patio.

2 MR. HUGHES: I believe there's a bank
3 of elevators right over here. We go to the
4 second floor and go out on what is it, like a
5 terrace. A patio. We'll go out on the patio for
6 a group photo.

7 MR. CARR: And then where do we go for
8 lunch?

9 MR. HUGHES: Lunch is on the second
10 floor as well. So we'll come back in and just
11 walk around to the restaurant. And there are
12 yellow tickets in the back of your packet for
13 your order number to give to the server.

14 If you didn't put in an order it's
15 fine. You can order there. They will serve you.

16 If you sent me an email with an order,
17 I think it was only you, Charles. And so that's
18 that.

19 MR. CARR: Well, before we adjourn.
20 This is your committee and everything. We are
21 way ahead of schedule. So if you all would like
22 to come back at a later time like 1:30 instead so

1 you have some more time to catch up on email and
2 everything it's whatever your all's pleasure is.

3 Stay on this current 1:15 or move to
4 1:30?

5 MR. BELL: I would suggest that we
6 just adjourn early if we get through the agenda.

7 MR. HUGHES: Darrell Hughes speaking.
8 I don't think we can adjourn early because we
9 have three guest speakers. So the guest speaker
10 starts at 2:35. We have two of them.

11 MR. CARR: So we'll stay on the 1:15
12 time frame of coming back. And if everybody can
13 adjourn and meet out on the terrace we'll have a
14 picture.

15 (Whereupon, the above-entitled matter
16 went off the record at 11:43 a.m. and resumed at
17 1:18 p.m.)

18 MR. CARR: So this is Chalmers Carr,
19 chairman, calling the meeting back to order at
20 this time.

21 MR. HUGHES: 1:20.

22 MR. CARR: Can you introduce our first

1 speaker for the record?

2 MR. HUGHES: All right. This is
3 Darrell Hughes speaking. The first guest speaker
4 is Leanne Skelton. She's going to be providing a
5 food safety update.

6 A quick read of Leanne's bio. Leanne
7 Skelton in her capacity as food safety liaison,
8 serves currently as the AMS -- serves currently
9 on the AMS Specialty Crops staff and the FDA's
10 Center for Food Safety and Applied Nutrition
11 staff via the Division of Food Safety.

12 Ms. Skelton, a biological sciences
13 specialist and senior policy advisor for the
14 fruits, vegetables and specialty crops is
15 responsible for maintaining a collaborative
16 working relationship between USDA and FDA
17 relative to produce safety and preventive
18 controls.

19 In addition to advising leadership on
20 issues relevant to the industry she engages in a
21 variety of FDA Food Safety Modernization Act
22 related activities including the Produce Safety

1 Alliance and develop strategies on (a) compliance
2 and implementation, (b) outreach and
3 communications, and three, research and technical
4 assistance.

5 A fuller bio is included -- was
6 provided to the committee in advance and we have
7 a few hard copies for those who would like to
8 read over it. Without further ado I give the
9 floor to Leanne Skelton.

10 MS. SKELTON: Thanks, Darrell.
11 Appreciate that. So my biological scientist
12 title is made up just so you know. The one that
13 probably makes more sense is that I'm a liaison
14 from USDA over to FDA. That's made up too but at
15 least that's legitimate. I am a liaison over to
16 FDA.

17 I've been at USDA for over 30 years.
18 All of my career has been somewhere revolving
19 around fresh produce. I was an inspector, I was
20 an auditor, I was a trainer. I came up through a
21 farm community in upstate New York. So a Buffalo
22 Bills fan. I'll take sympathy now for them.

1 My dad was a farmer. I had a brother,
2 still have a brother that's a farmer. And my
3 sister still farms in upstate New York.

4 I joke a little bit about how when we
5 talk about produce safety and regulations at
6 Thanksgiving I get hollered at a lot at that
7 family event. But realistically everybody knows
8 what it is we're trying to accomplish. And even
9 my sister is GAP audited with USDA's GAP program.

10 So that's a little bit of my
11 background. I started on a detail assignment
12 with the Food and Drug Administration in 2009.
13 It was a three-month assignment. It has not
14 ended. And we keep redoing it year after year
15 which we feel is a good thing for the community
16 that we're all trying to serve.

17 Before I talk a little bit about an
18 update I want to introduce a couple of my
19 colleagues that are here. You all met Gerald
20 earlier today with the Office of Food -- I'm
21 going to screw it up. Human Enamel Food and Feed
22 and something other.

1 MR. BROMLEY: Human and Animal Food
2 Operations Office of Regulatory.

3 MS. SKELTON: Got it. So that's
4 Gerald. Also joining us today we've got Joy
5 Johanson. Joy is the chief of the Division of
6 Produce Safety's Processed Produce Branch in the
7 office in CFSAN.

8 And so if it's processed produce
9 related Joy is the person we want to hook up with
10 and she's got a great staff that works with her.
11 Fresh cut and other things.

12 And we've got Dr. Jim Gorny in the
13 room. Jim is senior science advisor to CFSAN's
14 center director Dr. Susan Mayne on all things
15 produce. Works a lot of different arenas.
16 Mostly physical related, but a lot of different
17 arenas as well. So the three of them are here
18 with me today.

19 Tomorrow you are likely to see Dr.
20 Sameer Assar. Sameer is the director of the
21 Division of Produce Safety at FDA. So you'll
22 likely see him tomorrow. Today he had some other

1 obligations.

2 So that's sort of the generalization.
3 You probably already know this so it's a bit
4 repetitive, some bit of an update. But I wanted
5 to talk a little bit.

6 Now you have this packet of notes in
7 your binder. Don't hold me to the order. I
8 might skip over a couple of things here and
9 there.

10 But really just wanted to give you
11 sort of the lay of the land where things are.

12 There are seven general broad areas
13 that FDA wrote regulations on back in the mid
14 teens starting in 2011, '12, '13, '14, '15-ish.
15 They're basically foundational rules that support
16 FSMA, Food Safety Modernization Act.

17 You've got preventive controls for
18 human food, preventive controls for animal food,
19 produce safety rule which is where I spend most
20 of my time, foreign supply verification program.
21 We heard Patty mention that a little bit earlier
22 today. Accredited third party certification

1 program which dovetails into foreign supply
2 verification program. Sanitary transportation
3 and intentional adulteration. Those are the
4 seven foundational regulations that came out of
5 the law.

6 And then there's a bunch of other sort
7 of rulemaking activities and support information
8 that go along with each of those.

9 There's lab accreditation, food
10 registry, compliance date extensions. There's
11 some work being done on agricultural water which
12 is probably the produce safety rule but it is
13 continuing to be worked on, biological soil
14 amendments of animal origin, also part of the
15 produce safety rule, continuing to be worked on.
16 That section of the rule sort of held in
17 abeyance, most of it's held in abeyance for right
18 now.

19 There is -- each of the different
20 rules have different compliance dates. And most
21 of the compliance dates are -- we're calling it
22 staggered implementation based on the size of the

1 operation.

2 So in practice the largest operations
3 have to comply first in terms of having
4 compliance and enforcement inspection type of
5 activity. The smaller the operation the longer
6 they've got to comply.

7 While that compliance time frame may
8 or may not have hit yet what we're trying to make
9 sure is done is providing education, outreach and
10 awareness activities so that whoever the
11 operation is and whatever rule you might be
12 subject to you've got resources available to
13 figure things out.

14 In addition to just pure sort of
15 education, outreach and awareness type of
16 activities FDA has also got a couple of programs
17 that Gerald mentioned -- I mentioned on Gerald's
18 behalf the Produce Safety Network. I'll talk a
19 little bit about that in a minute.

20 And there's a technical assistance
21 network. There's different training programs.
22 Both the Produce Safety Alliance in the produce

1 world and the Food Safety and Preventive Controls
2 Alliance on the preventive controls rules, and
3 then back to produce for a split second, the
4 Sprout Safety Alliance because sprouts fall under
5 the produce safety rule. So you've got those
6 three training alliances and then a bunch of
7 other activities going on as well. I'll touch
8 upon those.

9 Initially there are activities like
10 guidance development. So guidance documents --
11 actually some of them are out now for comment
12 which have actually moved to go final based on
13 the comments that they've received.

14 There's different fact sheets. The
15 technical assistance network. Just today a
16 constituent update hit the airwaves having to do
17 with frozen berries. There's those kind of
18 things.

19 And then there's the implementation
20 side of this law. So you've got the standards
21 setting piece and then you've got the
22 implementation side which includes for the

1 community that's regulated you all are
2 implementing, trying to meet these regulations.

3 How do you demonstrate that? One way
4 would be should an FDA or state employee show up
5 on your farm or facility to do a regulatory
6 inspection. And that's where those
7 implementation or compliance requirements kind of
8 kick in.

9 The largest farms are just now
10 starting to come into compliance requirements for
11 produce. They've already been in place for
12 manufactured foods and for sprouts. So a lot of
13 different things going on.

14 Let me talk a little bit about the
15 relationship that FDA and USDA have and we share,
16 we've shared it for quite some time.

17 We are two distinct federal
18 departments. So you've got USDA and particularly
19 in AMS our mission is to help facilitate the
20 competitive marketing of in our case fruits and
21 vegetables.

22 Most of our programs as Sonia said

1 earlier and Bruce mentioned are user fee funded.
2 About 75-80 percent of our programs are user fee
3 funded with the other 20 percent somehow tax base
4 funded.

5 But even though we're user fee funded
6 in a lot of ways what that -- some folks have
7 commented well that means you do whatever it is
8 whoever's paying you wants to have done.

9 And others would say and yes I'm still
10 a federal employee. I'm held to ethics standards
11 like all other federal employees and so we have
12 the public trust even though our funding source
13 is from companies, farmers, whatever the case may
14 be. We are still part of the public trust.

15 The fact that I've got USDA on my
16 business card means something. And it means an
17 awful lot. So we still are beholden to that.

18 FDA's mission, different than USDA's
19 mission, I'm going to shorthand this, is to
20 protect the public health by ensuring the safety
21 of the nation's food supply, primarily fruits and
22 vegetables. We know USDA's FSIS covers meat and

1 poultry and egg products.

2 But you've got facilitate marketing
3 and you've got protecting the public health. And
4 I'm going to wear both of those hats at any given
5 time depending on what's going on.

6 So we also have a memorandum of
7 understanding, an official formal document
8 between the two departments that dates back to
9 prior to 1975. That's as far as we can find back
10 the records that talks about information sharing.

11 So we have historically shared
12 information. When one organization calls the
13 other we talk to each other, listen to each other
14 and provide information as best we can.

15 We've got from 2009 the reason that
16 I'm standing here today as a liaison is the
17 President's Food Safety Working Group was created
18 in I don't know when, I'm going to guess 2009.
19 And they decided at that point they wanted
20 somebody from USDA to hop on over to FDA. So
21 that's the liaison position that was created back
22 then on a three-month assignment.

1 We have an interagency agreement that
2 again covers some of the things that I do.

3 Then you've got the Food Safety
4 Modernization Act signed into law in 2011. Most
5 of that responsibility is with FDA, but there is
6 some responsibility that comes through USDA,
7 primarily through our National Institute for Food
8 and Agriculture, NIFA in terms of cooperative
9 agreements and grants for things like the
10 regional centers that provide education and
11 outreach. More so on the Produce Rule than
12 anything else, but there's a little bit of
13 crossover to the Preventive Controls Rule.

14 And then more recently a year ago
15 January Secretary Perdue and former FDA
16 Commissioner Gottlieb signed a cooperation and
17 coordination agreement. And that established a
18 big report group that had three focus areas.
19 Biotech was one of those areas. Dual
20 jurisdiction. So if you've got a facility that
21 is covered both by say Food Safety Inspection
22 Service at USDA and FDA those -- how do you marry

1 those two things together. And then the part
2 that's near and dear to me is they had a FSMA
3 component to that.

4 Actually Jim Gorny chairs the FDA side
5 of the house there and I handle the USDA side of
6 the house from the technical work of that
7 particular work group.

8 We have senior officials at each
9 agency that actually do the muckety muck kind of
10 stuff.

11 On that work group though on FSMA we
12 have three focus areas. One was the alignment of
13 USDA's harmonized GAP program to the produce
14 safety rule. That was one area that we tackled.

15 Second area is outreach to extension
16 services, educators and others.

17 And then the third area is
18 international outreach. We've done the most work
19 on the harmonization activity or the alignment
20 activity, but we are touching on the others.

21 And then sort of the last way that
22 USDA and FDA play well together is there's a

1 government wide review process for regulation and
2 regulatory type of action. The regulations,
3 guidance documents, things of that nature. It's
4 managed by Office of Management and Budget, OMB,
5 where when one agency is writing a significant
6 rule they've got to get the other agency to at
7 least have reviewed it before it goes out public.
8 So if there's any significant issues, concerns,
9 comments, that kind of thing. So that's just
10 sort of a normal thing that we've done forever
11 and ever.

12 Let me jump over to produce safety
13 rule. And really what I want to point out, in
14 your packets there's a couple of different pages
15 that are snapshots of FDA's FSMA webpage for that
16 particular topic.

17 So there's a produce safety page in
18 there. There's a preventive controls for human
19 foods page in there and there is a foreign supply
20 verification program page in there.

21 And if I remember correctly Darrell
22 told me you might have a stray page at the end of

1 that section as a flow chart. And that is the
2 flow chart that describes for the produce safety
3 rule if you're subject to the rule or not. You
4 can kind of run through that flow chart and kind
5 of figure it out based on what you're doing.

6 One of the things that we've done to
7 be responsive to our USDA concerns is as FSMA was
8 being understood, better understood and as the
9 produce safety regulation was being drafted and
10 then put out as a proposal and then a final after
11 that is USDA and Jeff did -- where did Jeff go --
12 wherever he managed to disappear to. Jeff led
13 and organized various webinars. And our FDA
14 colleagues were the guest speakers at the various
15 webinars to help our USDA stakeholders across the
16 country get a better understanding of what at
17 that time -- what the proposed rule for produce
18 might look like.

19 We also did one to cover the
20 preventive controls for human foods rule. And
21 Jenny Scott who's not here from our FDA crowd
22 today, but Jenny Scott at FDA led the technical

1 discussion on that particular rule. So we've got
2 some folks across the FDA spectrum that can be
3 helpful to you as time goes on.

4 So yes, so you've got that flow chart
5 and decision tree in there. And all of this
6 information is available on FDA's website. So
7 you don't have to search for it very far.

8 If you're looking for something, you
9 want to try to find something and you can't give
10 me a holler and I can point you in the right
11 direction or send you the links and all that kind
12 of thing. So you don't have to go out there and
13 get too frustrated.

14 I will note -- my FDA colleagues might
15 shoot me but I hope not. FDA globally just
16 updated their website. Now I can't find
17 anything. Probably my deficiency, not theirs.
18 So a lot of the links I had are broken and things
19 of that nature. But we'll figure it out. We'll
20 get you to where you need to be, that kind of
21 thing.

22 The next page in your book is just

1 again FDA's webpage on the preventive controls
2 for human food rule. That's your manufacturing,
3 your processing, that kind of thing. Supply
4 chain verification program which could be the
5 farm community verifying to their processor
6 they've got a program in place. That all falls
7 under there. So here in that we can be helpful
8 and guide you toward what you might need to do to
9 be compliant if that's what your organization
10 does.

11 Foreign supply verification program,
12 Patty mentioned it earlier today. Essentially
13 this is the rule or the regulation that tells an
14 importer what they've got to do to meet the same
15 requirements that a domestic farmer might have to
16 meet.

17 It's U.S. importers have to verify
18 different activities on the foreign grown product
19 so that we're on a level playing field. So
20 that's the foreign supply verification rule that
21 comes into play there.

22 And FDA's putting in soon that they

1 fully understand we need to have a level playing
2 field for the industry so we're heading in that
3 direction.

4 Let me jump ahead a little bit to
5 compliance dates. I think you've got a slide in
6 there that talks about that.

7 There is -- there's a table on FDA's
8 website that has every single one of their rules
9 outlined in a column and then different activity
10 that have happened or that will happen depending
11 on timing.

12 It is a challenging document to look
13 at unless you print it out on almost legal or
14 larger paper. But if you are able to do that
15 it's kind of a good visual to show you what's
16 going on where, where you can find different
17 things and that nature. So that might be
18 something you want to look at. I can get you the
19 link to that document.

20 But in terms of compliance dates
21 probably the biggest thing for produce right now
22 is that the -- we've been waiting and finally

1 about two months ago I guess maybe got the notice
2 that the agricultural water provisions were going
3 to be delayed a little bit longer. They actually
4 put some time frames in there which is what
5 everybody was waiting on.

6 The rest of the rule -- essentially
7 you've got to comply with it if you're a large
8 farm. Would have been this spring which started
9 -- here it started -- my allergies started about
10 a month and a half ago so that was spring here.

11 Other parts of the country spring
12 might have been a little bit earlier or later
13 depending on if you're upstate New York when
14 they're still digging out muddy fields. If you
15 fall into that large category then at least you
16 know that the clock starts ticking.

17 The good news is you've got a lot of
18 resources that can be helpful to you. Your state
19 departments of agriculture in large part are
20 going to be great resources for you to better
21 understand compliance.

22 The training that's available through

1 the Produce Safety Alliance and other venues,
2 it's a wonderful place to get some basic
3 information and education.

4 Your cooperative extension, your ag
5 consultants, those kind of operations have been
6 working towards pretty much staying up to speed
7 on what's going on. So you've got some really
8 good resources out there.

9 FDA's Produce Safety Network is
10 designed to be boots on the ground folks. So
11 what I would say about that particular resource
12 is if you don't know -- for anybody around the
13 country, if you haven't plundered through FDA's
14 website yet to identify the name of the person
15 that might be a good resource for you I can help
16 you do that over the next day and a half.

17 Folks are eager to be helpful. And
18 they want to learn about your operation. I think
19 you might want to learn about how they intend to
20 do their jobs as well. So that's a really good
21 resource for you.

22 We've got two parts of the Produce

1 Safety Network. One is the Office of Regulatory
2 Affairs group and one is the Center for Food
3 Safety and Applied Nutrition group. But
4 essentially they're going to do the same type of
5 thing.

6 They want to be a good resource for
7 you no matter where you might be in the country.
8 FDA's website has got a listing of names and what
9 regions they cover. Primarily it's mostly a
10 group of states although there are some regions
11 that are a single state just based on the size.
12 Some are split I think. We can get you those
13 names as well.

14 I know Ken's going to talk a little
15 bit about audits. And the only thing I really
16 want to say about that at this point, I'll end on
17 this note, is one of the things that we've done
18 in our most recent USDA FDA Cooperation and
19 Collaboration Work Group is work on ensuring that
20 the harmonized GAP audit, USDA's harmonized GAP
21 audit is aligned with the minimum technical
22 requirements of the produce safety rule.

1 It doesn't take the place of an FDA
2 inspection. It does not. Let me be very clear
3 it does not.

4 But it gives you a really good idea if
5 you're successful in that harmonized GAP audit
6 gives you a really good idea that you shouldn't
7 have any real problem demonstrating that you're
8 in compliance with the rule if an FDA inspector
9 should show up at your farm.

10 The FDA inspector might be a federal
11 employee or might be a state employee depending
12 on how that particular state has worked its way
13 into FDA's state cooperative agreement program.

14 I'm going to guess 46 states and
15 American Samoa I think are the states that are
16 currently getting some FDA cap funding to either
17 have an outreach and education program, or that
18 plus a compliance and enforcement program.

19 Colorado, you've got both activities.
20 And so in Colorado I'd be probably a little
21 shocked if a federal FDA inspector showed up on
22 the farm. That would be somebody from Tom's

1 group. And that's likely to be the same kind of
2 thing across the country depending on where you
3 might be. A few states haven't decided to play
4 in the enforcement world and that's okay.
5 That'll be our FDA -- will PSN do that? Will PSN
6 do any of the inspections?

7 MR. BROMLEY: For?

8 MS. SKELTON: For on farm.

9 MR. BROMLEY: The produce inspections?

10 MS. SKELTON: Right.

11 MR. BROMLEY: Yes, we do that --

12 MS. SKELTON: Yes.

13 MR. BROMLEY: Plus you're doing that
14 in those states that are not cap.

15 MS. SKELTON: That are not cap B. A
16 and B. That's a very few. It's not very many
17 states at all. Primarily you're going to see
18 state employees do that.

19 The last thing I'll leave you with is
20 the last page that says recent updates. That
21 FSMA webpage in FDA is a great resource for you.

22 Now, our USDA website is a good

1 resource as well. I don't want to shirk our
2 responsibilities there. It is a great resource
3 for you as well.

4 We do have links to FDA's sites, FDA's
5 pages so you can get some questions answered one
6 way or the other.

7 And as has been the case for a number
8 of years now I can be the resource for you. I
9 can put you in touch with the right FDA body or
10 bodies depending on what the issue might be and
11 we can go from there.

12 So I appreciate your attention. I'll
13 turn it back over to the chair.

14 MR. CARR: Would you mind answering
15 questions if there are any questions?

16 MS. SKELTON: I do not mind at all.

17 MR. CARR: Does anybody have questions
18 for Leanne?

19 MS. HARPER-LARSEN: I do have one.

20 MS. SKELTON: Sure. Go ahead.

21 MS. HARPER-LARSEN: Thank you very
22 much for addressing the group. This is Kiley

1 Harper-Larsen.

2 There's been more conversation about
3 the produce safety rule and then farmer-owned
4 facilities that have their own product that
5 sometimes will have more than 51 percent of the
6 product coming from another source.

7 And there has been very little
8 official dialogue to date on that. And so the
9 extension services are trying to do their best to
10 provide resource information from the statute and
11 the guidance documents on that.

12 But many of us in the room fall into
13 that category with facilities that are farmer or
14 cooperative-owned but when their product is not
15 going through they are serving as a shipping or a
16 brokerage entity.

17 MS. SKELTON: So, really what you're
18 asking about is what is the definition of a farm.
19 That's really the bottom line what you're asking.

20 The -- our colleagues that are working
21 the facilities rule primarily is preventive
22 controls for human foods rule, and then that ties

1 -- that farm definition cuts across every one of
2 the rules. So we want to get figured out and the
3 folks are working on that.

4 They are taking into account scenarios
5 like you just described and there's dozens of
6 others or hundreds of other scenarios out there
7 as well that to you and me look like a farm but
8 legally fall under a facility definition or a
9 non-farm definition.

10 FDA realizes the challenge that has
11 resulted from the way that is originally defined
12 in the rules and is looking at that to try to
13 clean it up a little bit.

14 So there is some -- on FDA's website
15 there is some consideration for whether you're a
16 facility and covered by the PC human foods rule,
17 or whether you're a farm and covered by the
18 produce safety rule. They're looking at what
19 that might end up looking like.

20 What I can tell you now is stay in
21 your seats, stay in your chairs. Don't get too
22 riled up about it.

1 Consider yourself whatever it is you
2 actually think you are. And I feel pretty
3 comfortable that when this is clarified in the
4 revised definition you'll be able to see exactly
5 where you fit.

6 At this point there's enforcement
7 discretion I believe that is -- essentially
8 enforcement discretion means we know we're
9 supposed to enforce this, but because of these
10 conditions we're going to cut you some slack.
11 That's kind of what that means.

12 So that's why you can stay in your
13 chairs and stay calm about this for now. FDA
14 knows it's an issue and they're trying to get
15 that addressed.

16 I'm going to take a stab and I don't
17 expect my FDA colleagues to give me a wink, but
18 I'm going to take a stab that it's probably going
19 through final clearances through the legal staff
20 to make sure it buttons up the way people expect
21 it to. And we might ought to see something on
22 that in the next couple of months is my guess.

1 I could be wrong, it could be longer,
2 but enforcement discretion is your friend. So
3 utilize that for as long as you can.

4 MS. HARPER-LARSEN: Thank you.

5 MR. CARR: Any other questions? Thank
6 you, Leanne.

7 MS. SKELTON: All right. Thanks for
8 having me, folks.

9 (Applause)

10 MR. HUGHES: All right. Darrell
11 Hughes speaking. The next guest speaker is Ken
12 Petersen. Kenneth Petersen is the chief of the
13 Audit Services Branch of our agency, of the
14 Agricultural Marketing Services Specialty Crops
15 Program Inspection Division. That's within our
16 region.

17 Mr. Petersen spelled with an E, not an
18 O, has more than 30 years experience in the area
19 of fruits and vegetable production including good
20 agricultural practices, GAPs, on farm and food
21 safety laws.

22 He represents USDA on an issue that's

1 related to GAPs including produce GAP
2 harmonization initiative and the global food
3 safety initiatives primary production task force
4 and has given numerous presentations across the
5 country on the USDA's GAP program.

6 So without further ado Ken Petersen.
7 And obviously the same with Leanne. His bio was
8 shared in advance and you have a print copy if
9 there is anyone else who would like to look at it
10 right now. Ken, the floor is yours.

11 MR. PETERSEN: Thank you and good
12 afternoon, everybody, and thank you for the
13 opportunity to speak with you this afternoon.

14 A little bit about myself. Born and
15 raised in New Jersey on a farm. After I
16 graduated college I worked with Rutgers
17 University in the extension service for about
18 five or six years working directly with
19 producers.

20 I spent about five years back at my
21 alma mater where I ran the horticulture
22 production facility at the college that was used

1 as a living learning farm. Also did some adjunct
2 teaching before I came over to USDA.

3 In 2004 I came down to DC where
4 shortly thereafter I inherited what was about
5 that much of a GAP program. And it was me,
6 myself and I for a very long time. As we go
7 through here, we'll talk a little bit, our GAP
8 program is now about this big and we've got a lot
9 of other services that we offer that I'm going to
10 talk about here as well.

11 So as Leanne talked about a little bit
12 FDA has regulatory authority over fruits and
13 vegetables. So where does AMS fit in and where
14 does the GAP program fit in.

15 And still to this day I have a hard
16 time understanding the differences. They think
17 it's the federal government and USDA is out there
18 to regulate their produce and that's not the
19 case.

20 For the GAP program specifically it's
21 all about market access. It's about you've got a
22 buyer that's requiring you to get some sort of a

1 food safety certification in order to become a
2 supplier for that company and that's really the
3 main purpose of our program is to facilitate
4 access in the marketplace whether it's here
5 domestically or internationally.

6 And we've got a number of different
7 audit programs that we offer. Food safety
8 verification is obviously our largest program.
9 Our GAP program falls in that program. We also
10 offer programs with good manufacturing practices
11 and some other things where we do food safety
12 certification.

13 One area for us right now is export
14 certification. We've been working with several
15 of the nut commodities out in California on
16 meeting EU requirements to be able to export
17 products over to the EU.

18 Actually working with Joy and her team
19 right now on probably in the next six weeks or so
20 on launching a seeds for sprout export
21 certification program for seed distributors here
22 in the United States that are right now shut out

1 of the EU marketplace because of EU regulations.
2 So that's a program where again a lot of
3 collaboration working between the agencies with
4 FDA and AMS.

5 We offer a domestic origin
6 verification program that's used primarily within
7 the AMS commodity purchase programs to ensure
8 that the products that AMS is purchasing is of
9 domestic origin.

10 And then we do a fair amount of work
11 as well with other government agencies. The
12 Defense Logistics Agency, the U.S. Agency for
13 International Development, our own commodity
14 procurement group. Where we're doing supplier
15 verification audits going out with DLA on
16 suppliers that they've contracted with to provide
17 fruits and vegetables and other commodities.
18 Working with USDA or USAID on some of the
19 international food relief programs and things
20 like that. Working with Richard Boyd and his
21 team in his normal day job on that program as
22 well.

1 But really the centerpiece and what
2 I'm going to spend most of my time talking about
3 is our GAPs program. Again our GAPs program
4 founded in the early two thousands was a
5 relatively small program for the first number of
6 years and then through a series of food-borne
7 illness outbreaks associated with produce we've
8 really started seeing our program growing again
9 as more buyers were requiring their growers to
10 get food safety certification.

11 This past year we did over 4,200 GAP
12 audits nationwide in all 50 states. So it's a
13 pretty large program.

14 We partner with state departments of
15 agriculture primarily where we train and license
16 state department of agriculture employees to go
17 out and do audits on our behalf in those states.

18 We also have a staff on the federal
19 side that goes out and covers states that either
20 don't have state auditors or in some cases where
21 states get over-burdened with audit requests
22 we'll help fill in with our federal auditors

1 there as well.

2 And as I mentioned GAP program started
3 back in the early two thousands. At that time it
4 was one GAP program. It was the USDA Cultural
5 Practices Program.

6 But over the years we've expanded our
7 suite of services again for market access
8 purposes. We have worked with the mushroom
9 industry on developing the mushroom GAPS program.
10 We were part of an industry effort with the
11 tomato industry on the tomato audit program.
12 Have partnered with both California and Arizona
13 to provide some technical oversight on their
14 state marketing agreement programs for leafy
15 greens, LGMA programs, the California Cantaloupe
16 Program. Ultimately over the last six years or
17 so partnered again with industry, United Fresh
18 taking the lead working with industry on the GAPS
19 harmonization initiative and really adopting the
20 harmonized GAPS standard within our audit
21 program.

22 So, again we've really expanded the

1 services that we provide to the industry.

2 As Leanne kind of primed up here 2018
3 was really a significant year for us with the
4 GAPS program for a number of reasons.

5 (A) we had worked with FDA back in
6 2006 on -- or 2016, sorry, on aligning our
7 harmonized GAPS program with the technical
8 requirements of the produce safety rule and last
9 June Secretary Perdue was over at FDA with
10 Commissioner Gottlieb where they presented a
11 formal letter to the department recognizing the
12 alignment of our program with the FDA produce
13 safety rule. So certainly a significant piece of
14 work that we did there again to help industry
15 know where they're at.

16 As Leanne said it's not a replacement
17 for FDA inspection, but it's going to help
18 growers understand where they need to be. And
19 ultimately buyers asking are you FSMA compliant
20 which obviously is a very technical term from the
21 FDA perspective but from a buyer perspective
22 again it gives them some level of assurance that

1 they're buying from producers that are meeting
2 the expectations of the FDA produce safety rule.

3 The other big accomplishment that we
4 had last year was we were the first government
5 agency worldwide that went through the formal
6 technical equivalency through the Global Food
7 Safety Initiative.

8 It's a new program that GFSI launched
9 in 2016 to partner with governments around the
10 world on aligning their certification programs
11 for those countries that have certification
12 programs like AMS to the technical requirements
13 of GFSI's food safety requirements.

14 That was a long time coming. We
15 started back in 2011 where Bruce Summers and I
16 met with the GFSI board on how could AMS go
17 through this project. It took us seven years to
18 get there. I tend to blame my hair loss on a lot
19 of things but that was probably the number one
20 thing that drove that.

21 But certainly with the GFSI technical
22 equivalency. So again our suite of services.

1 We've got the harmonized GAP audit. We've got
2 another one that's called harmonized GAP+. And
3 as the name implies it's the harmonized audit
4 plus the GFSI requirements, GFSI technical
5 equivalency. So we all kind of sat around the
6 room and flipped a coin on the name and my
7 suggestion was the only one that stuck. So
8 that's what it is.

9 Again, that's a great program for
10 producers that are selling to buyers that require
11 a GFSI level certification.

12 Now, I will point out that technical
13 equivalency is not the same as full GFSI
14 benchmarking for those of you that are the food
15 safety geeks in the organization.

16 GFSI does make a clear delineation
17 between the two and buyers are free to accept
18 technical equivalency or not within their
19 programs. But the work that we've done reaching
20 out to a lot of buyers, particularly here in the
21 U.S. we've had pretty good acceptance and
22 penetration where buyers say yes, they'll take

1 our harmonized GAP+ audit for their suppliers.

2 We've had a couple of exceptions
3 there. We're continuing to work with those
4 retailers to get full acceptance of our audit.

5 But again it's providing that
6 marketing tool, that market access tool to the
7 industry so that they can facilitate marketing
8 and gain access to things like that.

9 Another program that we launched in
10 2016 is our USDA group GAP program. And that's a
11 group certification program where historically
12 our program had been one farm, one audit. And we
13 were approached by a number of representatives
14 that worked exclusively with small regional food
15 systems, food hubs, things like that that were
16 looking for a more cost-effective method of
17 certification.

18 If you're a small two or three acre
19 grower getting GAP certification can be a costly
20 endeavor. So they wanted to try to look at some
21 other methods of certification.

22 And we ran a pilot program looking at

1 a couple of different options ultimately leading
2 to us developing our group GAP program.

3 We've started out initially in 2016
4 with five groups. This year we're either 12 or
5 13. We've got one group that's still on the
6 fence. But those 13 groups represent over 600
7 growers. So again it's another tool that the
8 agency is offering to help growers of all sizes
9 achieve the certification they need to access
10 markets.

11 So I figured there was going to be
12 lots of questions so I left plenty of time to
13 answer any questions that you may have on our
14 programs and services. I'd be happy to go into
15 more detail on anything that I talked about.

16 MR. CARR: Questions for Ken. This is
17 Chalmers Carr. I want to make a statement to you
18 because I don't think the produce industry has
19 yet realized the impact of this GAP+. But I can
20 give you a firsthand experience and share with
21 the group.

22 So we were under SQS certification in

1 South Carolina. We have a farming operation in
2 Florida as well.

3 Due to a scheduling conflict we could
4 not get SQS to date in a timely manner and our
5 food safety certification was going to be up in
6 the retail space.

7 Lo and behold we didn't know they were
8 going to back GAP us. We called the Florida
9 Department of Agriculture program. Inspector
10 comes out with a less than two-week notice, does
11 the inspection, of course passes and everything
12 else.

13 But this was the kicker. Had an 80
14 percent reduction in cost. So I think the
15 produce industry is really going to appreciate
16 what you all have done in this and just continue
17 to work. Everybody now is not accepting it.

18 MR. PETERSEN: There's one major
19 retailer that is giving us fits at the moment,
20 but we continue to be engaged with them to work
21 with them on full acceptance.

22 I will say if you've got either

1 yourself or growers that you may work with where
2 there's a retailer that's giving them problems on
3 acceptance of our program please let me know.

4 We have real good success when we
5 reach out to buyers and educate them on our
6 program and go through exactly what the technical
7 equivalence is as well as our auditor training
8 and credentialing program and things like that.

9 So we do -- although we're not
10 accredited and don't have to go through that side
11 of the GFSI benchmarking our program is set up
12 almost identically to what those certification or
13 accredited certification bodies would go through.
14 So very rigorous training credentialing program,
15 review process, things like that.

16 MR. WILKINS: Tommy Wilkins here.
17 Just to clarify, you got global GAP+.

18 MR. CARR: Well, it's GAP+.

19 MR. WILKINS: GAP+.

20 MR. CARR: Which is the -- has the
21 technical equivalency of GFSI. So every major
22 retailer that you deal with in the United States

1 requires GFSI especially in my commodity.

2 So unfortunately we were running
3 against a deadline because the Florida season is
4 out of synch with the South Carolina season and
5 we were going to lose that certification.

6 And the number one retailer we deal
7 with was telling us they weren't going to be able
8 to buy. We got into a real panic situation and
9 lo and behold reached out to the department of ag
10 there in Florida and we learned about this
11 program and what it said.

12 We have to schedule our audits out
13 sometimes a year in advance, or at least six
14 months in advance. This one we got done in less
15 than two weeks at a much reduced cost.

16 MR. WILKINS: So domestically they
17 accept the plus except for --

18 MR. CARR: Every major retailer on the
19 east coast has accepted it except for one.

20 MS. HARPER-LARSEN: This is Kiley
21 Harper-Larsen. I have a success story to share
22 with you guys in relation to his team.

1 During the government shutdown there
2 were a lot of people who were worried about
3 getting what they needed out of Ken's auditors.
4 And there were a couple of people who were coming
5 online in the controlled environment CEA programs
6 at your indoor greenhouses in the leaf industry.

7 Retailers are accepting this audit,
8 okay, for this technical equivalency. But his
9 auditors did it in less than a two-week time span
10 at the same reduced cost.

11 And personnel have been able to take
12 those budget items and apply it directly back
13 into their programs to improve PTI compliance and
14 things like that.

15 So I think that this is a great stride
16 that USDA made for the endeavor.

17 I wanted to ask a question. We have
18 a memorandum of understanding between Canada and
19 the U.S. related to FSMA, right, where they're
20 accepting of our food safety programs. Is that
21 correct? Similar to New Zealand.

22 MR. PETERSEN: I defer to FDA on that.

1 MS. HARPER-LARSEN: Systems
2 recognition. Within that will CFIA do an MOU
3 recognition of the USDA GAP+ which would then
4 help their retail base to accept your audit.

5 MR. PETERSEN: It's not anything that
6 we've looked at at this point. So right now the
7 service that we provide is also with our state
8 partners here in the United States. And we've
9 not really delved into the international arena
10 with this yet.

11 MS. HARPER-LARSEN: I'm just
12 wondering, I deal with quite a few of our
13 clientele who have held back because they want to
14 have the audit that is the once and done. Like
15 Chalmers was talking about. And they've got that
16 one entity in Canada that's holding that back.
17 We're essentially holding back the profitability
18 of our American grower banks. I think it would
19 be a worthy pursuit.

20 MR. PETERSEN: Duly noted.

21 MR. CARR: Any other questions for
22 Ken? I'm sure a couple of years ago there was a

1 lot of questions.

2 MR. PETERSEN: This is an easy crowd.
3 Normally I get 25 minutes worth of questions
4 after a 5-minute talk.

5 MR. CARR: Food safety has become a
6 part of everybody's daily lives in the fruit and
7 vegetable industry so I think it's more now
8 improvements that you could make to it.

9 The industry has had a longtime
10 problem with different retailers accepting
11 different certifications. The closer you can get
12 to making this harmonized and we can go to this
13 it kind of takes the profit incentive out of the
14 companies and puts it back where it needs to be.

15 If you're going to be the one
16 regulating the inspections anyway it should be
17 the auditors approving our plans.

18 MR. PETERSEN: Thank you.

19 (Applause)

20 MR. HUGHES: All right. So next up --
21 actually before we get started with the next
22 guest speaker a reminder for those who are new to

1 the room. If you provide insights or an assisted
2 comment make sure you give your first and last
3 name for the court reporter in the room.

4 I know we have a couple of new people.
5 We have provided the court reporter with your
6 names. So Judy, Travis and Robert, if you speak
7 remember to give your first and last name for the
8 court reporter.

9 Next and final guest speaker, Judith
10 Redman from the Fair Trade Practices Program in
11 AMS.

12 Judith Rudman is the director of the
13 Perishable Agricultural Commodities Act, PACA
14 division, and AMS's Fair Trade Practices Program.

15 PACA is committed to ensuring fair
16 trade in the produce industry and offers many
17 services to the produce industry.

18 PACA protects businesses dealing in
19 fresh or frozen fruits and vegetables by
20 establishing and enforcing a code fair business
21 practices and by helping companies resolve
22 business disputes.

1 Working in partnership with the fruit
2 and vegetable industry PACA facilitates fair
3 trade practices through education, mediation,
4 arbitration, licensing and enforcement.

5 There's more about Judy's background
6 but I'm sure that she will probably get into that
7 in her remarks. Without further ado, Judy
8 Rudman.

9 MS. RUDMAN: Thank you. Thanks,
10 Darrell. Happy to be here. Thank you. I'm Judy
11 Rudman and I'll tell you a little bit about
12 myself.

13 I came to USDA in December of 2015.
14 Before that -- there's some familiar faces in the
15 room. I know Bret Erickson. If you were still
16 in your old job and I was still in mine we'd be
17 having some really long nights because I was the
18 director for bilateral agreements at the Commerce
19 Department and I did the Mexican Tomato
20 Suspension Agreement. So we're certainly --
21 that's where I would be.

22 But glad to be here. A couple of

1 other familiar faces. I did the California ag
2 leadership program in 2017 and I stayed in John
3 Chandler's parent's house. So that was a great
4 program.

5 When I came to USDA I'd been at
6 Commerce for 24 years. I really like the produce
7 industry. In addition to the tomato case I did
8 some lemon juice cases, other ag products, did
9 cattle. Really enjoyed it and the opportunity to
10 come over to PACA was a real win-win for me. And
11 I feel like I won the lottery.

12 I like the industry. I really like
13 these opportunities to meet with members of the
14 industry and to figure out how PACA can better
15 serve your needs.

16 I know that many of you are affiliated
17 with companies that are licensed under PACA and
18 as you may know the Perishable Agricultural
19 Commodities Act was enacted in 1930 at the
20 request of the fruit and vegetable industry.

21 We work to ensure that farmers get
22 paid. We deal with whatever point in that

1 transaction, the contract transaction to make
2 sure that produce is paid for in a prompt and
3 timely -- in a timely manner and in accordance
4 with the terms of the contract.

5 PACA is unique in that it's 100
6 percent user fee funded. So you were talking
7 about the furlough before. We worked all the way
8 through it. We were here.

9 It is the industry that funds us
10 through your license fees and complaint fees.
11 And I think it might be from when we were created
12 in 1930, the industry was lobbying Congress and
13 Congress said yes, we'll protect you. But it's
14 1930, we're minding our checkbook. We'll do it
15 but it's got to be self-funded by the industry.

16 So that puts us in a unique position.
17 I can tell you we are responsible stewards of
18 your money. We went out, we had a meeting.
19 Everybody in PACA self-parked. We don't valet
20 park. That's kind of who we are. We represent
21 the industry and we are careful stewards of the
22 funds that we receive.

1 And it's also that -- we need to have
2 the money that we get from license and complaint
3 fees to protect the businesses dealing in fresh
4 and frozen fruits and vegetables.

5 As Darrell said, we establish and
6 enforce a code of fair business practices by
7 helping companies to resolve business disputes.

8 We work in partnership with the
9 industry. We facilitate fair trade practices
10 through education, mediation, licensing,
11 enforcement and arbitration.

12 We respond to hundreds of calls each
13 week from the industry seeking assistance on
14 problems that are unique to this produce
15 industry.

16 Interpretation of USDA inspection
17 certificates. Pricing at certain price points.
18 We use the market news information. We use our
19 inspection certificates all the time.

20 Advice on contract disputes and
21 bankruptcies.

22 PACA resolves over 90 percent of the

1 disputes that are brought to us through informal
2 mediation process. That's where we work with the
3 seller and the buyer to seek a resolution that
4 works for both sides.

5 And this is really important in this
6 industry. When a lot of businesses conduct it on
7 a handshake. When you might have the same buyer
8 and seller working together for years. They
9 happen to get in one bad season or one bad
10 transaction. You need that neutral third party
11 that both of you can be angry at so that it all
12 works out.

13 So that's what we're there for. We're
14 there to resolve those disputes.

15 We also are there to protect the
16 industry by sanctioning entities that have
17 committed unfair trade practices. And those
18 might include failure to pay promptly for the
19 agreed price on the contract. Failure to account
20 truly and correctly for produce shipped on
21 consignment, or failure to deliver the contracted
22 produce in a timely manner at the price and

1 quality established in the contract.

2 Sanctions for violations of PACA are
3 serious. They can include monetary penalties,
4 license suspension, or in the most serious cases
5 we revoke licenses.

6 I say that we're often the good
7 housekeeping seal of approval. If you know that
8 you're dealing with an entity that's licensed
9 under PACA they are in compliance with the law
10 and they went through what it takes to get there.

11 It's been a very busy time for PACA
12 recently. We were moved to the Fair Trade
13 Practices Program in December of 2017. And this
14 was a new program in USDA's Agricultural
15 Marketing Service that's committed to promoting
16 fair trade practices to USDA stakeholders.

17 The FTTP program as we're called is
18 made up of four divisions, the packers and
19 stockyards division, the warehouse commodities
20 division, the food disclosure and labeling
21 division, and PACA.

22 We work in partnership with our USDA

1 stakeholders to advance fair trade across the
2 board to our respective industries.

3 But as you can see by me being here
4 today we still are a tightly knit group with our
5 specialty crops colleagues.

6 Another big event for PACA recently
7 has been our -- since our move to Fair Trade
8 Practices Program deals with information
9 technology.

10 And I know Bruce Summers was here this
11 morning and mentioned that there were some big
12 changes coming on the technology front.

13 I'm pleased to announce the deployment
14 of a new ePACA system that is going live today.
15 Early this morning at about 3 a.m. emails went
16 out to current PACA licensees whose licenses are
17 due for renewal 45 days from today.

18 Those emails invited the recipients to
19 renew their PACA licenses online through the new
20 external ePACA portal.

21 As of today PACA licensees will
22 receive renewal notices via email for everybody

1 where we have an email address on file.

2 We'll continue to send paper renewals
3 for those firms we don't have email addresses.
4 And all of those renewals at least in the month
5 of May we're going to continue to send paper
6 renewals.

7 And we're getting used to the new
8 system. I have Travis Hubbs with me here today.
9 And Travis is a PACA veteran for 13 years. So
10 Travis was key in helping us to build the new
11 cloud-based platform that includes an external
12 portal.

13 Before that we were using a behind the
14 scenes Oracle database. Now we're state of the
15 art and it's a really big day for us to have gone
16 online with this today.

17 So as of today members of the industry
18 can apply for and renew their PACA licenses.
19 They can file reparation complaints and they can
20 make credit card payments through the online
21 secure ePACA portal.

22 PACA also will be transmitting license

1 certificates after we finish the renewals through
2 email, getting them out to our stakeholders more
3 quickly and more efficiently.

4 A press release will be going out
5 shortly announcing the formal rollout of ePACA
6 and it will include information on the system and
7 links to our website.

8 The development of the ePACA system
9 has been a top priority for AMS and for PACA.
10 It's in line with Secretary Perdue's goal of
11 improving information technology efficiencies and
12 customer service.

13 PACA licensees now have the option of
14 using that online portal. For those who prefer
15 to fax or mail their renewals or complaints those
16 are -- those mechanisms are not going away. It's
17 just to provide you the industry with more
18 options.

19 ePACA also includes an improved PACA
20 search function. And for any of you who may have
21 used our search function before to see if an
22 entity is licensed before you choose to do

1 business with them as of this afternoon there's a
2 new capability on our website that will take you
3 to realtime license information.

4 It's a new more comprehensive search
5 function that should allow you to make better
6 informed business decisions.

7 In addition to providing information
8 on whether or not a company is licensed under
9 PACA we're also including information on an
10 entity's complaint history.

11 This is really new and big for us. In
12 the past you would have to call PACA and find
13 out. This gives you realtime information on what
14 we can provide. The information that is out
15 there is what we are allowed to provide publicly.

16 With realtime license and complaint
17 information that can be accessed anytime from
18 anywhere we're assisting the industry in making
19 better informed business decisions.

20 We also sometime this summer expect to
21 roll out an ePACA app and then you would be able
22 to access that same information from the app.

1 A little bit of an update about where
2 PACA is. We're always ready to serve the
3 industry in our joint goal of promoting fair
4 trade, but as a quick snapshot we maintain
5 approximately 13,600 licenses. Our revenue is
6 between \$10 and \$11 million annually.

7 We licensed almost 400 new entities in
8 the last six months alone. And that was through
9 the furlough. We were still licensing. We kept
10 it going. We couldn't get mail in and out. That
11 caused a little bit of a problem. But we figured
12 out some backwards ways to make it happen.

13 Since January of 2019 PACA assisted
14 the produce industry with over 750 phone calls
15 regarding good delivery guidelines, contract
16 issues and the PACA trust involving over \$25
17 million.

18 In this era where so much is done by
19 and through technology the fact that since
20 January we have had 750 phone calls where the
21 industry is coming to us with the specifics of
22 their transaction and we're giving the guidance

1 as to what liabilities amounts due might be. We
2 remain relevant every day.

3 In the last six months we issued press
4 releases notifying the fruit and vegetable
5 industry that sanctions had been imposed and that
6 the PACA licenses of 33 produce firms were
7 suspended for failing to pay for over \$1.8
8 million in fruits and vegetables.

9 PACA also imposed employment
10 restrictions on principals of those firms.

11 PACA has been around for 89 years.
12 For those of you who don't know Bruce's history
13 he used to have my job. So it's a little
14 intimidating when the administrator used to sit
15 in my chair.

16 And we are always looking for ways to
17 better serve the industry. We adapt to remain
18 relevant and that's our hope with this data
19 modernization.

20 It's been the last 18 months that
21 we've actively been building this database and
22 before that it was 2 or 3 years to figure out

1 exactly what we needed.

2 The prior system was built in the
3 early nineties as I said on an Oracle platform.

4 PACA is there to protect you and your
5 business transactions. We have our experts in
6 Washington, DC and we still have our three
7 regional offices, Tucson, Arizona, Fort Worth,
8 Texas and Fredericksburg, Virginia.

9 We're ready to address your needs and
10 concerns. It's those people in our field offices
11 who are answering those 750 phone calls.

12 If you have had dealings where you've
13 involved PACA you probably know the people in the
14 regional office that cover your area.

15 And we're industry funded. We're
16 industry focused. We are there to provide the
17 assistance to ensure that produce is bought and
18 sold fairly.

19 And if we can ever be of any
20 assistance please let us know. And if there's
21 any questions today I have Travis here as well to
22 help. Travis is the chief of our investigative

1 enforcement branch. He handles the disciplinary
2 complaints primarily, but before that he spent 11
3 years in our Fredericksburg office as a marketing
4 specialist handling complaints that affected
5 entities in the eastern region.

6 MR. CARR: Thank you, Judy. Questions
7 for Judy.

8 MR. WINGARD: Yes, I've got one. This
9 is Charles Wingard. This morning we talked at
10 length about hemp being classified as a specialty
11 crop. Will hemp come under PACA?

12 MS. RUDMAN: That's an interesting
13 question. And when we get -- we get those
14 questions on different products all the time and
15 do an analysis and determine.

16 At this point, I don't know Sonia if
17 you want to -- I don't want to overstep anything.

18 If it's dried herbs -- there's all
19 sorts of things that go into making those calls
20 officially. Travis, any insights on your side
21 that you want to provide?

22 MR. HUBBS: This is Travis. I would

1 just say just like Judy said each commodity is
2 evaluated as it comes up either through a case or
3 through inquiries such as yourself.

4 So we evaluate it. Herbs typically
5 are covered --

6 MS. RUDMAN: Fresh herbs are covered.

7 MR. HUBBS: Fresh herbs are covered.

8 So as they come up we evaluate it.

9 MS. RUDMAN: So if it's dried and the
10 perishability, all that factors in. But we know
11 it's a significant topic at the moment. Sonia,
12 did you want to?

13 MS. JIMENEZ: No, I agree with you.
14 I think it's premature to say yes or no. It
15 would have to go through the process of
16 evaluating whether it falls within the PACA
17 block.

18 MR. CARR: Chalmers Carr. Judy, last
19 year, maybe two years ago there was a major
20 retailer in the country that tried to impose new
21 payment standards.

22 My question is if a produce supplier

1 to that company would have gone along with that
2 would they have forfeited their rights under PACA
3 because their terms were longer?

4 MS. RUDMAN: I mean, it would have
5 depended on the particular circumstances of that
6 individual thing.

7 You know we jumped right on that. If
8 you Google Judith Rudman and Kroger you'll find
9 all of that. We got that out. Then we had a
10 similar issue with Campbell's.

11 I don't want to give a sort of
12 advisory opinion. It would depend on the
13 circumstances, but you know under PACA you can --
14 a buyer and a seller can choose to enter into a
15 contract that does not -- you can choose to enter
16 into payment days that exceed what PACA allows
17 for.

18 So you could enter into 45-day payment
19 terms if the buyer and the seller agree. In that
20 instance you sort of have the David and Goliath
21 situation.

22 So what we're mindful of is when

1 things are being imposed and that's where we
2 found that that was contrary to the PACA.

3 MR. BOWMAN: For the record I'm
4 Richard Bowman. So if you have a contract --
5 since we got on this subject -- that states at
6 the beginning of the contract that it's under
7 PACA rules, but down in the terms section it says
8 it's 45 days are you covered?

9 MR. HUBBS: If you put anything that
10 exceeds 30 days in writing you would negate your
11 PACA --

12 MR. BOWMAN: Even if it says at the
13 beginning that it's under PACA rules and in the
14 term section later in the contract it states 45
15 days, for example.

16 MR. HUBBS: Correct. It would
17 typically be seen as negating your trust rights.
18 Doesn't mean you couldn't file a reparation
19 complaint through the PACA division if you're
20 familiar with that. You file that hundred dollar
21 claim. You could still handle that.

22 But as far as trust rights being

1 covered if your customer filed bankruptcy or
2 financially delinquent you most likely would not
3 be able to proceed. But that is typically up to
4 the judge in that civil case proceeding.

5 But our statutes are pretty clear if
6 you exceed those 30 days in writing then you're
7 pretty much giving up that component of the
8 trust.

9 MS. RUDMAN: Yes, and I think a lot of
10 that when those go to court it depends on the
11 interpretation of the judge. You can be hanging
12 yourself on that technical language.

13 MR. BOWMAN: Thank you. That came up
14 a lot after the Kroger deal.

15 MR. CARR: Any other questions for
16 Judy? Well, thank you very much.

17 MS. RUDMAN: Thanks for having me.

18 (Applause)

19 MR. HUGHES: All right. So it's 2:30
20 now. On the agenda we have a 15-minute break
21 scheduled. I'm going to say you go ahead and do
22 the break and then after the break since a

1 representative of ERS is here we can have them
2 speak a little -- for a few minutes after the
3 break since we have coffee and snacks outside.

4 MR. CARR: And I think United is here
5 if they want to speak. Okay. So everybody,
6 we'll take a 15-minute break. We'll come back
7 and we'll have somebody from ERS speak to us and
8 then we will break up into our working groups.

9 Right now we're running almost two
10 hours ahead. And looking ahead at the schedule
11 we slotted three hours for the working groups.
12 So if it's all right with this group maybe we do
13 an hour and a half today and an hour and a half
14 tomorrow. It would still get us through by 4:30
15 today and then would allow people to make plans
16 to leave a little bit early tomorrow. Is that
17 all right?

18 MR. HUGHES: Darrell Hughes. One
19 quick insight. The directors from our divisions
20 will probably not be here tomorrow.

21 The last page of Sonia's presentation
22 has contact information for those directors.

1 Should you have a topic that you want insights on
2 you can email those POCs for information or
3 obviously you can contact me and I'll help you
4 figure it out. But I just wanted to let you know
5 that they may not be here tomorrow. Or they will
6 not be here tomorrow.

7 MR. CARR: All right. Well, it's 2:30
8 now so we'll be back at 2:45.

9 (Whereupon, the above-entitled matter
10 went off the record at 2:28 p.m. and resumed at
11 2:49 p.m.)

12 MR. CARR: As I said before we went on
13 our break we have somebody here that is from ERS
14 to speak with us. They asked to be a part of the
15 public comment. Since we have time we're going
16 to recognize them and let them come and speak.

17 MR. ASTILL: Thank you very much. I
18 won't take much time. My name is Greg Astill.
19 I'm an economist at the Economic Research Service
20 in USDA.

21 Myself and my colleagues have come to
22 some of these meetings before and shared some of

1 the work we're doing. Today I brought you
2 beautiful printed reports. A lot of times people
3 just access online now but we're happy to hand
4 these out whenever we can.

5 We have Fruit and Tree Nuts Outlook,
6 Vegetables and Pulses Outlook, a report on the
7 availability of fresh market tomatoes.

8 These two reports have been long in
9 the making, five years, and the produce growers
10 that participated in the survey really made this
11 possible.

12 So this is our survey on produce food
13 safety practices used on the farm that came out
14 last August.

15 And then this is a case study talking
16 with retailers and looking at how retailer
17 demands have driven food safety adoption.

18 So thank you very much for letting me
19 come up here and plug these reports. All of our
20 work is made for the public. Everything we put
21 out is publicly accessible and downloadable from
22 our website.

1 So we hope that these reports are
2 useful to you and the information in them really
3 helps you all. So thank you. I don't know if
4 anyone has any questions.

5 MR. WHEELER: Are these reports in our
6 packet?

7 MR. ASTILL: I put them out on the
8 table and you're welcome to take whatever you
9 like. Darrell said he also sent you a set of
10 links. All of these are available at
11 usda.ers.gov.

12 MR. HUGHES: One clarification. I
13 don't know if the links are of the same reports,
14 but nonetheless I'll make sure that whatever I
15 sent synchronizes with that once we're back in
16 the office and are able to reassess all the
17 material that I've shared.

18 But there are definitely hard copies
19 outside on the table.

20 MR. CARR: Any questions?

21 MR. JANIS: Just curious if someone in
22 industry is interested in perhaps pursuing some

1 sort of study to be done can you maybe just share
2 with us how you go about that?

3 MR. HUGHES: That's Michael Janis
4 speaking.

5 MR. JANIS: I apologize. Thank you.

6 MR. ASTILL: Yes. So you're very
7 welcome to send emails to me and Suzanne
8 Thornsberry is my supervisor and kind of the team
9 lead for the small and dedicated team of
10 specialty crops researchers in Economic Research
11 Service.

12 But yes, if you have ideas of what's
13 important research that USDA should be looking at
14 we're very open.

15 MR. JANIS: Thank you.

16 MR. ASTILL: Thank you.

17 MR. ERICKSON: Bret Erickson. You do
18 all types of different research studies in the
19 fresh produce industry?

20 MR. ASTILL: Yes.

21 MR. ERICKSON: What is your take on
22 for U.S. fruit and vegetable producers for the

1 next 5 to 10 years, what do you think is the
2 biggest threat to our existence?

3 MR. ASTILL: That is a very good
4 question. We do produce predictions for market
5 outlook and those are in our ERS reports.

6 So Congress mandates for budgetary
7 reasons that we produce these outlook reports
8 predicting prices, supply and demand. So that's
9 all publicly available.

10 In our outlook reports like the
11 Vegetable and Pulses and Fruit and Tree Nuts
12 Outlook we address a lot of those issues that are
13 challenges for specialty crop producers.

14 MR. ERICKSON: So you're not going to
15 take a stab at that.

16 MR. ASTILL: I won't take a stab at
17 that today. But I will plug one of my special
18 articles in the Veg Outlook which is romaine
19 lettuce outbreaks. So I think food safety is a
20 challenge for produce. I think everybody
21 understands that.

22 So there's a special article

1 addressing that that I think you would like.

2 MR. ERICKSON: And any thoughts on the
3 relocation of ERS to other areas of the U.S.?

4 MR. ASTILL: No, I don't have any
5 thoughts.

6 (Laughter)

7 MR. CARR: Other questions?

8 MS. HARPER-LARSEN: This is Kiley
9 Harper-Larsen for the record. Can you give the
10 highlights of your romaine lettuce research?

11 MR. ASTILL: So using our good friends
12 at AMS's data we looked at the shipments of
13 romaine lettuce. So you can see there's that
14 seasonality in shipments that moves from Yuma to
15 the central coast of California.

16 And then if you look at the historical
17 trend in outbreaks they typically happen in
18 romaine in the spring and in the fall, in those
19 transition times.

20 Now of course we don't have any idea
21 of why that seasonality is happening, but we do
22 observe that in the data. And we point other

1 researchers to that interesting piece of
2 information, that there's a seasonality in
3 shipments and the seasonality in the production
4 and outbreaks.

5 You stop growing lettuce in California
6 because it gets too hot. Bacteria like it when
7 it's hot. So animals are moving around at
8 different times of the year. There's lots of
9 different things that possibly could be
10 contributing to these issues.

11 I think it's an interesting piece that
12 we found in the data.

13 MS. HARPER-LARSEN: This is Kiley
14 again. Was that just trend analysis or is it
15 statistical significance?

16 MR. ASTILL: That's just trend
17 analysis. We are looking at -- that was a
18 preliminary piece. We're going to do some more
19 in-depth statistical analysis with journal
20 articles.

21 MR. CARR: Chalmers Carr. When you
22 talk about looking out 5-10 years on industries

1 and stuff like that, when you get a potential
2 market disruptor like hemp that could be -- how
3 often do you redo these plans? Is it something
4 revisited every year, or when you have something
5 that comes in very quickly and that can have a
6 significant impact on an industry or something
7 like that, how do you deal with that?

8 MR. ASTILL: I think that's a big
9 challenge for industry. That's a challenge for
10 us as a small team of researchers in the
11 Department of Agriculture.

12 We try to be as forward looking as
13 possible. I really have to hand it to my
14 colleagues who started this food safety survey
15 before I even came into the department.

16 They were looking ahead five years and
17 saying okay, this new food safety law is going to
18 be implemented. Right now we have to start doing
19 the survey.

20 It took two or three years to get that
21 survey implemented, another couple of years to
22 carry it out, another couple of years to process

1 the data and get this report out.

2 So we are trying to be forward
3 thinking and anticipate some of these challenges.
4 But it is hard and we're doing our best. And if
5 you have any things that are on your radar that
6 you think we should be aware of you're welcome to
7 hear about it.

8 MR. CARR: For the committee Darrell
9 is going to supply the contact information for
10 Greg and everything. So he will send that to all
11 of us and you will have that. Any other
12 questions? Thank you.

13 MR. ASTILL: Thank you very much.
14 (Applause)

15 MR. CARR: I believe at this next
16 stage we're going to break out this afternoon and
17 spend the rest of the afternoon in the working
18 groups. And then by doing that we actually will
19 officially recess this meeting.

20 Tomorrow morning we have to actually
21 come back here and meet to reopen the meeting,
22 and then we'll go back to the working groups.

1 Did I get that part right?

2 MR. HUGHES: Yes.

3 MR. CARR: Okay. So, our objective
4 for the next two days while we're working in the
5 working groups if I understand it basically is to
6 come up -- if you go back to this page where we
7 started with the original topics.

8 Basically it's an objective statement
9 that the committee needs to come up with, that
10 the working group needs to come up with of what
11 you're planning on covering. Kind of like a
12 mission statement if you will. Might refer back
13 to this. The first time I'm reading this myself.

14 But the other thing is to also set an
15 agenda for the year of how you -- what topics
16 you're going to discuss under that group, so try
17 to identify the topics. There may be a subtopic
18 under trade or labor or production obviously and
19 you want to touch on those.

20 Probably prioritize those so that you
21 know going through the year which ones are most
22 important you need to work on. And kind of set a

1 schedule.

2 That was the guidance I was given for
3 the groups. You want to update that or change
4 that?

5 MR. HUGHES: Darrell Hughes speaking.
6 Just one additional insight I forgot to share.

7 Keep in mind that we are starting sort
8 of late in the game and that this committee will
9 be going through a re-charter and reorganization
10 by like March 2020.

11 That means that by the August meeting,
12 potential August meeting we will need to have
13 made some type of progress on the types of
14 statements and recommendations that we may be
15 putting forth.

16 Like I said they don't have to be
17 final, but some draft things in the works because
18 of our short time frame. It's not like we have a
19 whole two years to come together and work on
20 things. This August.

21 MR. CARR: So I understand we've got
22 a truncated timetable and everything. As you go

1 through working with your working groups again
2 it's to identify the objective of that working
3 group, try to identify your topics that you want
4 to address that you feel are -- and then make
5 sure your schedule can accomplish those to where
6 we can have recommendations back to the full
7 committee after the summer in our next face to
8 face meeting.

9 It's up to the committee to establish
10 all your phone calls and everything else like
11 that. And again, do we want to make all the
12 members aware of when they're having those
13 meetings or if -- your email chains would only be
14 to the ones that have asked to be on those
15 particular committees?

16 MR. HUGHES: What I can do is once I
17 connect with the chair leads I can send out the
18 planned conference calls to everyone so that
19 everyone will have the dates.

20 And I'll try to include the conference
21 call information. I'll send it to everyone so
22 that anyone can call in. That way, because there

1 are multiple people on these and I don't want to
2 get to the point where I'm limiting the
3 conference call information to just certain
4 people. So I will just send it out to the entire
5 committee if that's okay with you.

6 MR. CARR: Is that all right with
7 everyone?

8 So lastly because a lot of us are new
9 and I think we -- working with group leads that
10 have not been on this committee. These are some
11 of the recommendations in the past. They're in
12 the back of your books. It may be something you
13 want to look at as they look at the overview and
14 then they come up with their recommendations or
15 their statement.

16 Darrell has also put this form in our
17 packets. It doesn't have to be used -- it's not.

18 MR. HUGHES: No, it's that printout.

19 MR. CARR: Well, then we'll go ahead
20 and give one to each working group.

21 MR. HUGHES: Each working group.

22 MR. WILKINS: It was in the email.

1 MR. CARR: Yes, it was in the email
2 you sent.

3 MR. HUGHES: Okay, great.

4 MR. CARR: But basically -- of course
5 you're not going to fill out all this in this
6 page, but this would be a way to standardize that
7 every product coming back from the working groups
8 would be the same.

9 So as best you can you would give a
10 summary of this. This is a summary. Of course
11 you can have the full recommendations and
12 everything behind it. But this way we could
13 always quickly reference as a group and we're
14 always looking at it presented in the same
15 format.

16 So if nobody has any major objections
17 to that we'll use this as kind of our way of
18 reporting back in top level before we get down in
19 the weeds and use this form right here.

20 So again tomorrow we're not coming
21 back with any statements or recommendations, but
22 hopefully we will identify all the topics within

1 each working group and have those prioritized so
2 that that gives us clarity to what we're going to
3 work on while we're doing meetings and
4 everything.

5 So if everybody is in agreement where
6 do we have to meet?

7 MR. HUGHES: Right next door. That's
8 the work group space, all the tables. And
9 obviously because we're going to be ending early
10 here if there's a work group that wants to sit on
11 one side of the table, the other, you can use
12 this space as well.

13 You know what? I would actually say
14 that everyone should use the space over there.
15 The reason being, keep your name tags where they
16 are. Since it's a little snug in here my plan is
17 to have that wall removed and we're going to add
18 a section so that we can spread out a little bit
19 and tomorrow when you all come back to the main
20 table you have elbow room.

21 So the room right next door is the
22 room we'll convene the working group sessions.

1 Sonia right now is passing out little
2 strips with dates on it. Those are the proposed
3 dates for the August meeting. Not a decision
4 that needs to happen now, but by close of
5 business tomorrow or before the meeting adjourns
6 tomorrow we'll pick a couple of options off that
7 sheet of paper for me to take back to whichever
8 hotel to figure out where we could host our
9 August meeting.

10 MR. CARR: So at this time this
11 committee will be in recess till tomorrow
12 morning. We'll work until 4:30 today within the
13 working groups. If you decide to go longer
14 that's entirely up to you all, whatever the group
15 wants to.

16 But we won't come back in here
17 whenever you're dismissed from there. And we'll
18 reconvene tomorrow morning at 8 a.m.

19 (Whereupon, the above-entitled matter
20 went off the record at 3:03 p.m.)
21
22

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Fruit and Vegetable Industry
Advisory Committee Meeting

Before: USDA

Date: 05-09-19

Place: Arlington, VA

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.

Neal R Gross

Court Reporter

NEAL R. GROSS

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UNITED STATES DEPARTMENT OF AGRICULTURE

+ + + + +

FRUIT AND VEGETABLE INDUSTRY ADVISORY COMMITTEE

+ + + + +

MEETING

+ + + + +

FRIDAY
MAY 10, 2019

+ + + + +

The Advisory Committee met in the Fairfax Room of the Hyatt Regency Crystal City Hotel, 2799 Richmond Highway, Arlington, VA, at 8:00 a.m., Chalmers R. Carr, III, Chair, presiding.

PRESENT

CHALMERS R. CARR, III, Chair
KILEY HARPER-LARSEN, Vice Chair
TOMMY WILKINS, Secretary
DAVID K. BELL
RICHARD E. BOWMAN
JOHN CHANDLER
TINA ELLOR
K.C. ELY
BRET ERICKSON
MOLLY GLEASON
JULIE L. GORDON
JEFF HUCKABY
MICHAEL JANIS
TOM LIPETZKY
PAUL PALMBY
KELLY POWELL-MCIVER
READE SIEVERT
STEVE SMITH
BRUCE TALBOTT

GREG TISON
DERRIN WHEELER
CHARLES A. WINGARD
DONN ZEA

STAFF PRESENT
DARRELL HUGHES, Designated Federal Official
SONIA JIMENEZ, Deputy Administrator, AMS
LEANNE SKELTON, AMS, USDA
CHARLES STEPHENS, AMS, USDA

CONTENTS

Call to Order 4

Work Group Reports to Full Committee 11

Adjourn.67

1 P-R-O-C-E-E-D-I-N-G-S

2 8:02 a.m.

3 MR. CARR: Good morning, everyone.

4 This morning as you know we're going to break
5 back up into our working groups and some of you
6 got through yesterday and maybe you've already
7 accomplished your goal, but you can obviously go
8 ahead and start talking on your topics and stuff
9 like that.

10 The plan is to do that till about 9:30
11 and then we'll reconvene. Maybe a little bit
12 later, just by that time.

13 Darrell, I'll call on you for any
14 housekeeping notes this morning. Anything?

15 MR. HUGHES: Did you officially call
16 the meeting to order?

17 MR. CARR: Yes, I did. Is that all
18 right?

19 MR. HUGHES: All right. So, Darrell
20 Hughes speaking. Housekeeping items. I sent an
21 email out late last night with my availability,
22 the firm ones and tentative ones.

1 The working groups, you can provide
2 dates for your working group call today.
3 However, you can give it the rest of the week for
4 you guys to organize, check your schedules as
5 need be and send an email to me using the SCP,
6 that generic email address that I emailed you
7 guys on, respond to that with your proposed
8 dates.

9 What I'll do is I'll send a
10 comprehensive email to the elected officers
11 letting them know what dates each of the work
12 groups are meeting just so that we're all on the
13 same page.

14 So you can get it to me today or we
15 can handle it within the next week or whatever.
16 And I'll follow up with each of the work group
17 leads on their times before the end of the week.

18 I had a whole list.

19 MR. CARR: Let me just ask you on that
20 right quick. So this would only be for the first
21 meeting of the group because if they want to
22 schedule other calls they can do then.

1 MR. HUGHES: Right. At that meeting,
2 yes exactly. So it's only for the first meeting.
3 And then at that meeting or in between you guys
4 can discuss potential follow-up working group
5 meetings.

6 MR. CARR: And again, for a reminder
7 you've requested that all communication -- all
8 calls you need to be on or invited to and emails.

9 MR. HUGHES: So the conference calls,
10 I'm going to use a platform called Zoom and it
11 allows everyone to dial into the call from your
12 cell phone, wherever. There's no special --
13 well, using your phone you just dial into a
14 number.

15 If you want to dial into a webinar or
16 use your laptop you may have to like go on the
17 application in your browser. But I can walk
18 everyone through that when we get to that point.

19 But I need to be on all conference
20 calls that we have. And if we attend meetings in
21 person I'll be there.

22 Any email communication. Like I said

1 each work group, what I'll do is create a thread
2 and that work group should communicate only on
3 that thread.

4 I know that we heard from a member
5 potentially about using texting, a group text.
6 That probably won't work, I'll just say that. It
7 won't work. It won't work because everything
8 that we do is FOIA-able and we have to provide
9 our information to the public should they ask.

10 And I don't know how we could easily
11 create a text thread and provide it in a format
12 that the public can easily digest.

13 And the last thing I'll do is just do
14 a quick check on our working groups, the names,
15 if I could do that real quick.

16 All right, so for food safety I've got
17 Kiley as your lead, Molly as the assistant, K.C.,
18 member, Michael, Tom and Reade. That's correct?

19 Trade work group. Tommy is the lead,
20 Paul is assistant, Brian K. who's not here was
21 appointed by chair, David, Richard, Julie, Donn,
22 Derrin, Greg, Tom, Kelly, Kiley, K.C. Anyone

1 missing from trade?

2 All right, so labor. We've got Bret
3 as the lead, Tina as assistant, members John,
4 Jeff, Bruce, Kelly, Chalmers, Derrin, Charles.
5 Anyone missing?

6 All right, now production. We've got
7 Steve as the lead, members Julie, Bret, Molly and
8 Donn.

9 MR. CARR: There's more. And I do
10 have a list here for you that Kiley had made
11 yesterday. But for production I have Bret,
12 Julie, Molly, Chalmers, Charles, Eric, Steve.

13 MR. HUGHES: Oh you know what, I'm
14 sorry.

15 MR. CARR: Chandler and Tommy.

16 MR. HUGHES: So let me reread my
17 production list. I've got Steve as the lead,
18 Julie, Bret, Molly, Donn, Charles, John, Chalmers
19 and Tommy. I forgot I had two pages.

20 And the name of the production work
21 group is just production. Or are we adding
22 domestic production? Do you want to just leave

1 it as production?

2 MR. CARR: Just leave it as
3 production.

4 MR. HUGHES: Okay. All right, great.
5 That is it.

6 MR. CARR: All right. So again, I
7 don't like the schedule today because we're
8 running an hour and a half ahead of schedule. We
9 weren't supposed to start working groups till
10 today.

11 So if everybody is still comfortable
12 with the plan we laid out we will meet from this
13 morning 9 to 9:45. We will have a break and then
14 we will come back to get the reports of the
15 working groups.

16 The assignment today is hopefully to
17 bring back the objective statement, those topics
18 that you prioritized that you want to discuss
19 over time and then kind of talk about your
20 schedule. Schedule your first meeting if
21 possible. If not, do that the next week.

22 But then talk about how you want to

1 have your meetings over the summer and everything
2 else like that. So that's really our homework
3 assignment. We will reconvene back here around
4 10 o'clock.

5 MR. WINGARD: This is Charles for the
6 record. Darrell, to reach -- to find the first
7 meeting date can we use something like Doodle
8 poll?

9 MR. HUGHES: You're talking about for
10 your work groups or for the full committee?

11 MR. WINGARD: For the work groups.

12 MR. HUGHES: I don't know if that
13 would work because I mean that would just be
14 pulling out random dates for each of the work
15 groups. I don't think that would work.

16 Unless you guys gave me the dates and
17 I put them into Doodle and then sent them to
18 everyone. That's possible.

19 MR. WINGARD: Is that possible?

20 MR. HUGHES: Yes.

21 MS. ELLOR: Can we set the Doodle up
22 ourselves and add you on it?

1 MR. HUGHES: Yes. You can do that as
2 well.

3 MR. CARR: All right, we're going to
4 break up and have our meetings.

5 (Whereupon, the above-entitled matter
6 went off the record at 8:09 a.m. and resumed at
7 10:03 a.m.)

8 MR. CARR: I'll call the meeting back
9 to order. I hope everybody had a very productive
10 session working within your different working
11 groups.

12 At this point in time I guess I'll
13 just go around and have each group come up with
14 their objective statement, share it with
15 everybody.

16 Do we have the opportunity now to
17 comment on that, or do we have discussion on
18 that?

19 MR. HUGHES: Darrell Hughes speaking.
20 I would say that for each work group have them
21 read what their plan is, discuss it as a group
22 and then either you can approve it one by one or

1 wait till the day end and approve it all at once.

2 MR. CARR: Well, if it's all right
3 with the group we'll approve one by one to make
4 sure we stay on topic.

5 If I can call on trade.

6 MR. WILKINS: Tommy Wilkins. We
7 worked on four focus areas that we're working on.

8 Number one, develop trade agreement
9 with countries, for example Mexico, Europe, Peru,
10 Brazil that would protect the U.S. grower where
11 the U.S. is dependent on supply from other
12 countries during off season.

13 Number two, we want to work on the buy
14 American where you support the American farmer,
15 rancher and processor especially when taxpayer
16 dollars are involved with that purchase.
17 Following the school discussion yesterday.

18 Third, the USDA should increase its
19 export market support by doubling available funds
20 to support promotion and research that is
21 currently being served by the MAP, the Market
22 Access Program.

1 And additionally we're going to look
2 at the USDA should support development of
3 domestic programs to enable specialty crop
4 industries to compete against cheaper foreign
5 imports.

6 MR. CARR: Did you all come up with an
7 objective statement?

8 MR. WILKINS: We would like to pursue
9 trade agreements that support the American farmer
10 and buy American.

11 MR. CARR: Any questions or comments?
12 Under your buy American plan, can you read that
13 one again?

14 MR. WILKINS: We want to support the
15 American farmer, rancher and processor especially
16 when taxpayer dollars are involved with that
17 purchase.

18 MR. CARR: Was there any discussion on
19 competing against foreign product that is
20 subsidized by foreign countries?

21 MR. WILKINS: No, but it's not that we
22 would not have that conversation in our work

1 groups.

2 MR. CARR: Paul, I may ask you this.
3 Some of the pushback on this subject has been
4 really it will have a huge impact on that 80
5 percent of the school funding that -- their
6 discretionary money, that they can choose. As we
7 said, some of these products could be 40 to 50
8 percent less.

9 But we also know that they're
10 government subsidized by the foreign countries.
11 So a way to maybe do that under regulation is
12 just add that it can be considerably less but
13 cannot be from countries that subsidize their
14 agriculture production.

15 MR. PALMBY: This is Paul Palmby. So
16 I was able last night to do a little more
17 research into the comments that we heard
18 yesterday.

19 I think as we heard the buy American
20 provisions were put in place by 1988 by I learned
21 Leon Panetta.

22 And it was after that that the

1 department actually promulgated the rule on the
2 notion, this concept of significant cost
3 difference.

4 So what we plan to do is put together
5 the background on that situation for the broader
6 committee, recognize -- develop an objective
7 statement along the line of what the chairman
8 characterized.

9 And then we didn't want to presume to
10 get into what the actual recommendations might be
11 at this point.

12 I think once that happens you
13 certainly would expand that into the discussion
14 about how we deal with subsidized imports.

15 Because frankly we struggled a little
16 bit about buy American, whether it really fits in
17 trade. And I think concluded among the group
18 that really what it is is it's a non-tariff
19 barrier is what we're talking about. We're
20 asking USDA to enforce already on the books rules
21 that are effectively non-tariff barriers.

22 So that was kind of the overall

1 thinking. But obviously needs to be provided in
2 a coherent manner and then to be fleshed out on
3 our conference calls as well as amongst the group
4 in August.

5 MR. CARR: Chalmers Carr. I
6 appreciate that. I guess I was jumping ahead.
7 The reason why I was thinking that is just like
8 when I questioned yesterday.

9 USDA actually has the ability to
10 change that regulation. They have to go through
11 the public comment, but they have the ability and
12 under this current administration it's very in
13 line with their principles of what the
14 administration stands for.

15 The bad thing about doing regulation
16 reform is the next time it comes around they
17 could change it again. But again, that may be
18 the easier way to get this solved.

19 But also just understand that foreign
20 subsidy because of dealing with the World Trade
21 Organization and everything we've already run
22 into that. So it's already a precedent.

1 MR. PALMBY: Yes. Paul Palmby again.
2 You're a hundred percent right Chalmers. One of
3 the four recommendations that I know a group of
4 folks that I'm associated with actually met with
5 the Secretary.

6 And one of the recommendations to the
7 Secretary was to eliminate the significant cost
8 difference standard. There were three or four
9 others.

10 We didn't want to at this point
11 without having the opportunity to flesh those out
12 with our committee be able to throw those out to
13 the broader group.

14 I'll speculate that that would be
15 among one of the things that would be presented
16 to the rest of the committee at the appropriate
17 time.

18 MR. WILKINS: Tommy Wilkins here. I'd
19 like to also follow up that even if it was a
20 point that you had to disclose where you
21 purchased your product from, just exposing that
22 to the public what that would be, we would chase

1 that avenue down as well.

2 MR. CARR: Any other questions or
3 comments for trade?

4 MR. LIPETZKY: Tom Lipetzky. I really
5 appreciate the direction that your committee is
6 going. I had wanted to be on the trade but I was
7 also on the food safety side.

8 But I really appreciate it from the
9 viewpoint of looking at policy. And then I've
10 always felt the way you dignify your policy work
11 is through promotion. And I think that's great
12 that you've included MAP.

13 Kind of my interest would be that
14 sometimes we get industries that kind of get
15 caught up, it's not really in gaining market
16 access, it's in the technical world.

17 And whether or not you considered
18 alongside of MAP the TASC program.

19 MR. WILKINS: Tommy Wilkins here. I
20 haven't got all of my acronyms down yet, but I'll
21 try to be better informed on those things.

22 MR. LIPETZKY: That's certainly

1 important to our potato industry. We're caught
2 up in kind of this long-running legal battle in
3 Mexico and the TASC program has been very, very
4 helpful to the potato industry in that respect.

5 MR. ZEA: Donn Zea. To add to the
6 promotional discussion the Farm Bill, when the
7 discussion was happening last year there was a
8 lot of traction, bipartisan traction to give \$400
9 million and at the last minute it did not happen.

10 But the arguments that were being used
11 in '17 leading up to '18 were trade related.
12 There are so many disadvantages and we were
13 starting to see the rumblings of these trade
14 deals falling apart, et cetera.

15 Look where we are now with those. So
16 that argument has gotten stronger. I think
17 because there was bipartisan support last time
18 there should be even more so this time albeit the
19 politics will likely get in the way.

20 MR. HUGHES: Darrell Hughes speaking.
21 A point of clarity. Just to state for the record
22 can you clearly state the objective of the trade

1 group, working group, one more time?

2 MR. WILKINS: So we obviously worked
3 on the four points. Tommy Wilkins here. And any
4 of the committee can override me here, but I
5 think what we're -- our objective is to focus the
6 trade to protect the American farmer and buy
7 American when possible.

8 MR. HUGHES: Okay. Darrell Hughes.
9 One potential guidance point. The proposed trade
10 policy market access work group that was sent,
11 the language that is provided there you might
12 consider looking at that language and rolling
13 what you just stated into that language, getting
14 rid of like the market access and any of the
15 other stuff that doesn't fit that you don't like.

16 And I'm only stating that so that it's
17 more uniform with some of the other work group
18 objectives that I know will be coming up.

19 MR. WILKINS: Tommy Wilkins. We
20 weren't prepared to dig into the weeds as much as
21 try to find a direction to head towards. I
22 believe the group will -- we will get into better

1 clarity as we work together offsite.

2 MR. HUGHES: Perfect.

3 MR. CARR: Chalmers Carr. Maybe the
4 first time you all have your meeting go back and
5 review your objective statement and kind of get
6 that more together and then supply that back.

7 MR. WILKINS: Certainly.

8 MR. CARR: That would be great.

9 Labor, Bret.

10 MR. ERICKSON: Labor. Our objective
11 statement -- Bret Erickson speaking. Sorry. Our
12 objective statement, draft objective statement,
13 to deliver thoughtful and clear ag labor
14 recommendations and statements to the Secretary
15 with intent to preserve the survival and
16 sustainability of U.S. fruit and vegetable
17 production.

18 For decades the future of ag labor has
19 had a high level of uncertainty due to lack of
20 immigration reform and an inadequate guest worker
21 program. So it's created a competitive
22 disadvantage for U.S. producers.

1 Because of this disadvantage U.S.
2 dependency on foreign grown fruits and vegetables
3 continues to rise dramatically as demonstrated by
4 record-breaking import volumes. At the same time
5 U.S. production is moving overseas.

6 Without immediate ag labor reforms the
7 nation's food security will remain at risk and
8 domestic production will continue to decline.

9 MR. CARR: So that's the objective
10 statement.

11 MR. ERICKSON: Our objective
12 statement. We can provide that to you in
13 writing.

14 Focus areas. We selected or we
15 prioritized five primary buckets.

16 Number one, the future flow of labor.
17 Number two, the current workforce. Number three,
18 wages and benefits. Number four, food security.
19 And number five, technology and innovation.

20 MR. CARR: Questions of labor? And
21 we're going to do a Doodle poll for our first
22 meeting.

1 MR. ERICKSON: We're going to Doodle
2 poll for our first meeting.

3 MR. CARR: Production.

4 MR. SMITH: Steve Smith. We
5 identified four things but our group was kind of
6 small as a lot of our members were in other
7 groups. So we'll depend upon our first
8 conference call to get more people involved and
9 garner some new ideas and feedback on what we
10 came up with.

11 But we identified four things we were
12 wanting to propose. Research initiatives is one
13 of them to encourage and -- a lot of the research
14 now is being done in the form of block grants.

15 And block grants recognize problems
16 that occurred six months ago that someone now
17 wants to do a research project on. It will be 18
18 months before you get any results. And it's not
19 there.

20 So we wanted to focus more research
21 dollars on continual availability of researchers
22 and ongoing research at universities so that

1 daily problems can be addressed and not two years
2 later. So that was one of our things with
3 research.

4 Also with universities staffing going
5 continually down. Block grants are only
6 available mainly to public institutions. And we
7 wanted to allow private groups to apply in the
8 same manner that other applications are submitted
9 for research projects as long as all the research
10 was made public at the finality. So a couple of
11 things on research.

12 Our second area that we wanted to
13 focus on is specifically a problem that's
14 confronted in the last three years of off-target
15 movement and contamination of produce mainly by
16 the introduction of dicamba tolerant crops and
17 the risk that that imposes to specialty and food
18 crops.

19 So we wanted to make some
20 recommendations to both USDA to work with EPA and
21 get some better language and restrictions to
22 protect food crops, pollinator habitats and

1 organic producers that are at risk of crop
2 contamination.

3 We also have an area where we're
4 identifying problems with product labels that are
5 not clearly and uniformly written. Examples
6 might be that a particular product is from one
7 generic producer has a label for processing only
8 and another very same active ingredient is
9 labeled for fresh end product.

10 So that someone using that that bought
11 a different generic product might be in violation
12 of the label unknowingly because the other label
13 has been used and had it on there.

14 So clear and uniformly written labels
15 for fruits and vegetables is really important.

16 And then we wanted to address crop
17 insurance. But none of us on the existing group
18 was good enough on that and so we're going to
19 rely on some more input about crop insurance for
20 fruit and vegetable crops.

21 MR. CARR: Any questions? So you
22 didn't really come up with an objective statement

1 yet.

2 MR. SMITH: We have overview
3 statements on three, or two of the things. And
4 Charlie, if you wanted to read any of those you
5 could. Steve Smith. Or it can be --

6 MR. WINGARD: This is Charles
7 speaking. We kind of worked on an individual on
8 research.

9 It is our opinion that agricultural
10 research funding has traditionally gone into
11 agronomic row crop research due to market
12 potential.

13 As a result specialty crops research
14 has lagged and this industry has significant
15 production challenges that are not being
16 addressed. Inclusion of the specialty crop
17 titles in the Farm Bill which initiated specialty
18 crop research initiatives and block grants has
19 benefitted this industry.

20 However, budget constraints and public
21 universities still are not adequately funded to
22 support this industry such as providing ongoing

1 extension outreach, addressing producers' daily
2 challenges.

3 Grants or research projects originate
4 following the discovery of major production
5 problems whereas funding for daily challenges
6 remains insufficient.

7 Smaller producers lack the experience,
8 ability and resources to address daily challenges
9 and therefore suffer consequences of under-funded
10 research.

11 Resident expertise has disappeared
12 from university extension departments.

13 That is our very first go at it. We
14 have not slept on it. I'm sure we'll make it a
15 little better.

16 MR. CARR: So, Darrell.

17 MR. HUGHES: Darrell Hughes. I think
18 that's good. The only thing that -- I mean, if
19 you want to add more to it you totally can. The
20 only thing that I would add to it is that the
21 action item. What that objective is providing
22 guidance to USDA, the Secretary, blah blah blah.

1 MR. WINGARD: So that's the overview
2 for research and then below the overview we have
3 two recommendations in bullet points to address
4 what we think.

5 MR. HUGHES: Wait, wait. So what you
6 just read, that's only for research. What about
7 the objective statement?

8 MR. WINGARD: We have not crafted that
9 statement yet because we wanted to see in my
10 opinion only the reason I did not talk about this
11 -- we wanted to see what the other two overview
12 statements do before we draft an overarching
13 objective for our esteemed committee.

14 MR. CARR: And even the ones released
15 today don't have to be program. They can be
16 modified.

17 MR. HUGHES: This isn't like anything
18 that's like set in stone right now. It just
19 gives us the first meeting to refine, re-tune
20 what we want to have. Like you guys have got to
21 get work going, you've got to get to work
22 drafting recommendations sooner rather than

1 later.

2 And so I mean we're all in the right
3 direction.

4 MR. CARR: And that was Darrell Hughes
5 speaking.

6 MR. WINGARD: This is Charles again.
7 So we worked on research and we worked on
8 chemical overspray and I think our opinion was
9 that we would have this to email to our committee
10 before we worked on the next two bullet points.

11 MR. HUGHES: Awesome.

12 MR. CARR: Charles, did I hear you --
13 I think you go back and look at your documents
14 and you come back with just a more generic
15 objective statement for production over the top
16 that just could say production -- making sure
17 that we have production in this country going
18 forward. USDA should support these areas. And
19 then you talk on each one. More of a general
20 statement.

21 MR. WINGARD: We actually have one
22 sentence.

1 MR. CARR: Any other questions on
2 production? And I would be glad to talk about
3 crop insurance when we have the committee
4 meeting.

5 MR. SMITH: Yes, and Steve Smith
6 again. We do have our meeting set up for May 21
7 at 1 p.m. So our teleconference.

8 MR. CARR: Food safety.

9 MS. HARPER-LARSEN: All right. Well,
10 first things first within the committee that we
11 didn't get to talk about is we're going to have
12 to reschedule our June 7 meeting that was
13 proposed because Darrell needs to attend that
14 meeting. So we'll do a Doodle poll for that.

15 Our mission, our objective statement
16 is going to be simplified, combining the food
17 safety audit work group and the inspection and
18 standardization work group statements.

19 So for those of you who want to
20 reference that you were given it yesterday in the
21 back pocket of your notebook. And we're just
22 going to combine those into one simplified thing.

1 We did not spend very much time
2 discussing inspection and standardization. By
3 the way, this is Kiley Harper-Larsen. But we
4 wanted to leave it in there because we feel like
5 that may come up in future discussions.

6 Our objectives as they stand. We
7 looked at taking small bites of the elephant to
8 be successful and larger bites.

9 On the short-term looking at the
10 current exclusions in the produce safety rule for
11 rarely consumed raw commodities and expanding
12 that list for all American producers. So that's
13 the first thing.

14 And making a recommendation from our
15 committee to FDA. Okay. On additional
16 commodities that should be there.

17 Improving allocations for USDA GAP
18 programs including the GAP+ auditing programs.
19 As we learned yesterday from Ken Petersen and as
20 we have further learned from Leanne those are
21 fee-based predominantly.

22 And we're having an issue with the

1 promotion of those programs to our growers to be
2 able to solve issues that we are having within
3 food safety audits and food safety knowledge
4 awareness.

5 The next objective which is going to
6 be much broader is we intend to help strengthen
7 the understanding of the foreign supplier
8 verification program and its use by American
9 producers to be able to verify sourcing integrity
10 and compliance with the Food Safety Modernization
11 Act.

12 This will be recommendations or
13 statements that we will provide to the trade
14 committee we think to be able to further your buy
15 American endeavor.

16 The final objective is to understand
17 and improve the process between the USDA, the FDA
18 and the CDC when the CDC issues overarching
19 advisories that can be market disruptors. We saw
20 that with spinach. We've seen it with tomatoes.
21 We've seen it with cut melons. We've seen it
22 with romaine. And we want our federal agencies

1 to be able to work more effectively together
2 before advisories get issues that could destroy,
3 and potentially permanently disrupt commodities
4 in America.

5 MR. CARR: Very good. Any questions
6 on food safety or comments?

7 So the committee leads if you would,
8 if you would make sure that an objective
9 statement and your topics, you supply those to
10 Darrell.

11 There was a form yesterday. I don't
12 have it in front of me. Darrell, maybe you could
13 send that to the committee leads. He did. Okay.

14 You have that in a short narrative but
15 then you could also attach to it from that
16 standpoint. But it gives standardization at
17 least for them to do.

18 MR. WILKINS: Tommy Wilkins here. I
19 just want to add to that that several of you,
20 Bret and yourself show some experience that some
21 of us don't have.

22 What we're lacking in experience we'll

1 make up and be more effective in the next
2 communique.

3 MR. CARR: Well look, we all know that
4 a lot of us are new to this and the process is
5 new to us. Luckily we have a couple of people
6 that have been on the committee before so that
7 helps quite a bit.

8 I think again it's your committee,
9 it's how you want to do this. I just think for
10 understanding Darrell's role coming from the
11 committees and having it look in the same form or
12 fashion makes it easier for him.

13 But each one of you are encouraged to
14 work on your content all on your own and
15 participate in as many different working groups
16 as you can.

17 So one thing would be, Darrell, is to
18 make sure that once a committee is having a date
19 -- they've already decided on a date put that out
20 there so the other committees won't schedule on
21 the same time.

22 And again allow notification to all

1 members of the committee so that they can choose
2 to participate or listen in if they choose to.
3 So if we could make sure those communications get
4 out.

5 Darrell, do you have anything else on
6 the working groups or anything else that needs to
7 be done there?

8 MR. HUGHES: Darrell Hughes speaking.
9 I would just add that initially what I was
10 thinking that the committee may like all say we
11 unanimously support the objectives of the working
12 groups.

13 We may back away from that only
14 because the working groups are still working.
15 But also to be more flexible you may decide that
16 for the most part based on what you're hearing
17 that you are fine with whatever objective
18 statement or focus items that the work groups
19 decide on and go about it that way.

20 MR. PALMBY: Paul Palmbly, just to
21 comment. I think my experience with this
22 committee has been that when you come down to the

1 final recommendations to the Secretary it is a
2 sort of laborious process among the whole
3 committee and that even though there are
4 objective statements that are put forth coming
5 out of the working groups, even those become
6 subject to wordsmithing and tweaking.

7 I think that -- and you mentioned that
8 earlier, Chairman Carr, that there may be some
9 wordsmithing to the labor one although it's
10 pretty darn good from what I heard.

11 So I think that's why we sort of
12 backed away from trying to put together something
13 too polished.

14 MR. CARR: Paul, I appreciate that
15 comment. And I'll ask any of the other committee
16 members.

17 Hearing that and knowing that we don't
18 come back face to face until sometime in August,
19 we're going to decide where here in a little bit,
20 but would you have a recommendation that maybe
21 two weeks or three weeks prior to that the
22 working groups should have their final product

1 sent out so that we're not seeing it for the
2 first time when we get back together so that at
3 least if you're going to -- a lot of times you
4 come into a meeting and you're reading something
5 for the first time. And then we'll spend a lot
6 of times wordsmithing and the word "is" becomes a
7 conversation piece.

8 But would it be a recommendation of
9 this group that maybe at least two weeks prior to
10 our coming back together that the final product
11 from the working groups is shared with everybody
12 so that they have time to review them?

13 MR. HUGHES: Darrell Hughes speaking.
14 I actually now hearing what Paul said, I like
15 that idea. Just providing your objective
16 statement and any of your bullets, research, two
17 weeks before we all come back together.

18 And one additional point. What Paul
19 just did was something that is extremely useful
20 which is sharing insights from his prior
21 experience.

22 I'm new to this role. I cannot know

1 everything. It may seem like it, but I don't.
2 And so if there is -- you're like that isn't
3 going to work say it because it's helpful.

4 MR. PALMBY: Paul Palmbly. Thank you.
5 I think that -- and I think the work groups can
6 put out what they think. And it is helpful if
7 you've got an opportunity to look over.

8 Now, depending upon the agenda for the
9 next meeting we might have a lot of time
10 allocated to go through that and may be able to
11 do it then as well.

12 At least me, I like to see it in
13 advance as I know you do, Chalmers.

14 MR. HUGHES: Darrell Hughes speaking.
15 The next meeting will not be this format. This
16 was a very heavy administrative type agenda. The
17 next meeting agenda I'll work with Chalmers to
18 develop and my thinking is at a very high level
19 there are going to be time slots dedicated for
20 each topic which is your work group and you're
21 going to go through and just discuss everything,
22 refine and come up with a semi final draft.

1 Work groups go back into their
2 meetings and do whatever the full committee has
3 said. Let's add this, or let's add that. Let's
4 do this. And then finalize leading up into the
5 beginning of 2020.

6 MR. CARR: Darrell, a question would
7 be for the working groups. If they need
8 resources to help them develop their positions or
9 their statements, whether it's an agency within
10 USDA that they want to talk to. Maybe on trade
11 or something.

12 But if it's another agency outside of
13 USDA can they coordinate those requests through
14 you and can you help facilitate those requests?

15 MR. HUGHES: That is my role. And so
16 once my laptop stops going crazy one of the
17 things I'll be doing is I can send an email to
18 Ken Petersen because Kiley mentioned if they
19 wanted to connect with Ken and hopefully he's
20 available the next time the working group gets in
21 session.

22 I know there is someone --

1 MS. HARPER-LARSEN: We have a
2 plethora. This is Kiley. We have a plethora of
3 actual names.

4 MR. HUGHES: The ERS contact, our
5 economist that came, Greg Astill. Some of you
6 may want to connect with him. And so my plan is
7 to get his contact and share it with you all.

8 But also if there's a meeting, a
9 working group session that you want him to come
10 to I'll facilitate that.

11 That's all within USDA, but that being
12 said anything outside of USDA. Like my role is
13 to help you all succeed. I don't know all
14 federal government workers, but I'll find out who
15 the contact is and do what I can to make that
16 connection and get them in touch with you as
17 quickly as I can.

18 MR. CARR: To that point I would
19 recommend to the committees and especially
20 committee leads to try to identify that early on
21 if you think you're going to need some of that
22 expert -- not testimony, but consultation if you

1 will.

2 Because obviously schedules are pretty
3 tough and they're not going to be able to answer
4 on a dime. So the sooner you can identify if you
5 want to do that please get with Darrell and make
6 those requests.

7 And if you don't know the person by
8 name just say you want to talk to somebody in
9 this department that I'm sure you will track down
10 the right person.

11 MR. HUGHES: And one more tip.
12 Darrell Hughes speaking. In the back of Sonia's
13 AMS overview for our agency there is a point of
14 contact list. And the division directors, like
15 you know, you guys are talking about research and
16 promotion.

17 If you think like I want to contact
18 someone in this area but I don't know if
19 something like that exists, emailing Heather or
20 giving Heather a call and saying hey, do you know
21 anything about this so that she can point you in
22 the right direction is absolutely fine and it's

1 what you should do so that when you come back to
2 me and say well, we connected with Heather and
3 she said there's someone at DoD that you may not
4 get in contact with, but there's someone at DoD
5 that can provide information on XYZ and this is
6 their name. Can you put us in contact with that
7 person.

8 And so that's just me making an
9 insights comment that beyond just me you have
10 other resources like the directors of our
11 divisions.

12 MR. CARR: Any other questions or
13 comments on working groups? Just really
14 understand that I'm learning this as a lot of us
15 are that this is really our core function is to
16 delve into these specific areas and see
17 statements or recommendations to the Secretary
18 that he can follow up that will be very impactful
19 in our industry. So I do appreciate everybody's
20 time and consideration of that and your further
21 dedication of time over the summer which is
22 usually everybody's busy time.

1 This is very important. We all got on
2 this committee because we enjoy the industry
3 we're in and we're here to represent them so
4 we've got to put forth the work. Again,
5 appreciate everybody on that.

6 Darrell, can I open this now up for
7 just comments and questions? And particularly I
8 would like to get the committee's input on what
9 the next meeting should look like in terms of
10 things you might like to have outside of these
11 working groups. Any guest speakers or any other
12 topics that we'd like to go over.

13 The format of that or anything like
14 that. We have also got to talk about picking two
15 dates. So maybe we can tie all this into the
16 next meeting. So we can look at dates. But then
17 also suggestions of things that we may want to
18 encompass in that meeting if they're within the
19 purview of what we can do. Any thoughts?

20 MS. GLEASON: Molly Gleason speaking.
21 I do have a question not specifically related to
22 that. But I am wondering what happens at the end

1 of August. Is our term up? After we make
2 recommendations are we done?

3 MR. HUGHES: Darrell Hughes speaking.
4 So your terms and the charter is set to expire
5 March of 2020. So as of Monday I'll be working
6 on the reauthorization package for the charter.

7 With regard to the nomination packages
8 I don't know exactly what approach we will take
9 with like you know, if we'll want to do a full
10 new combinations or do a staggered term
11 membership.

12 What I'll do is connect with Sonia in
13 a meeting and go back and look at our charter,
14 our membership balance rules and figure out what
15 approach we should take.

16 But after March you're still working
17 up until March of 2020. I forget the exact date.
18 Your term doesn't expire until March of 2020.

19 MS. GLEASON: Okay. So we're still on
20 until 2020, but there's a charter being
21 reauthorized that will decide if we continue to
22 actually --

1 MR. HUGHES: The charter gives the
2 committee authorization to function. The
3 nomination package, you know how you completed
4 the nomination package to be a part of the
5 committee. That also happens at the same time.

6 And so the method that we take with
7 conducting the nominations is what I haven't
8 confirmed yet because I need to work on the
9 charter first.

10 And so that's what I'll connect with
11 Sonia and other groups may have insights on the
12 approach that we take for the nomination package
13 for the next committee cycle.

14 MS. GLEASON: Gotcha. Thank you.

15 MR. CARR: Darrell, can you put the
16 dates up there for the -- dates for the next
17 meeting? And we'll see if we can come to any
18 kind of consensus. Or would it be the group's
19 decision to do a poll outside of today on this.

20 We have four dates that were provided
21 to us and we can choose two as potential dates if
22 I'm understanding correctly.

1 MR. HUGHES: Yes, four dates, choose
2 two. And what I'll do is I'll connect with our
3 resource folks and hotels to see which dates are
4 available. All in August.

5 MR. CARR: So looking at these I see
6 that the second full week in August or the third
7 week in August. And there are Tuesday to
8 Thursday, Wednesday to Friday, Monday to
9 Wednesday or Tuesday to Thursday for
10 consideration.

11 MR. PALMBY: Paul Palmby. As another
12 follow-up question on Molly's point. I would
13 expect, Darrell, there would be at least -- there
14 would be, not at least, there probably would be
15 one more meeting after the August meeting, is
16 that right? January.

17 MR. HUGHES: The in-person?

18 MR. PALMBY: Yes.

19 MR. HUGHES: No. So August would be
20 the last in-person meeting. And what I'll likely
21 do is have a full conference call that has a
22 video component to it. So like even on your

1 phones you can dial in and join the conference
2 call via video.

3 MR. PALMBY: Gotcha. Thanks.

4 MR. HUGHES: Sort of like a webinar.

5 MR. CARR: So is there any suggestions
6 for dates?

7 MR. PALMBY: Do you want to just go
8 around? They all work for me.

9 MS. POWELL-MCIVER: The first two.

10 MR. HUGHES: First one.

11 MS. POWELL-MCIVER: First two options.

12 MR. SIEVERT: Bottom two.

13 MR. SMITH: I'm good on all of them.

14 MR. TALBOTT: Later is better but
15 they're all in peach harvest.

16 MR. TISON: I'm good with all of them.

17 MR. WHEELER: Bottom two.

18 MR. WILKINS: I'm good with all.

19 MR. WINGARD: Bottom two. This is
20 Charles speaking.

21 MR. ZEA: Good with all.

22 MR. LIPETZKY: Preference to the last

1 two.

2 MR. CARR: Good with all.

3 MS. HARPER-LARSEN: Preference to the
4 last two. Kiley Harper-Larsen.

5 MR. HUCKABY: I can't do the first
6 one, so the last three.

7 MR. JANIS: Same as Jeff actually.

8 PARTICIPANT: The last two.

9 MS. GORDON: Bottom two.

10 MS. GLEASON: Bottom two.

11 MR. HUGHES: Okay, so is everyone else
12 going to choose the bottom two? All right,
13 perfect. We have our two.

14 So what I'll do is I'll connect with
15 --

16 MR. CARR: Can I make a comment that
17 if we choose between those two a Monday would not
18 be a preference. A Monday meeting is tough.

19 MR. HUGHES: I agree. I would aim for
20 this.

21 MS. GLEASON: Monday is just the fly
22 in day, right? Monday is the travel day and the

1 Tuesday, Wednesday are the meeting dates?

2 MR. HUGHES: Let me make sure, look at
3 my notes. Yes. We meet the 13th, half day,
4 leave 14th. So Monday would be the travel day.

5 MR. CARR: Yes, it's just Mondays are
6 Mondays.

7 Okay, so we have our two dates for the
8 meeting. I'll send that out and then once they
9 confirm that they'll let us know.

10 But suggestions for the meeting.
11 Whether it's housekeeping like breaks or whether
12 it's topics that you would like to discuss. We
13 don't have to decide today, but if there's any
14 notes or any thoughts that you can share with
15 Darrell I think now would be a good time if there
16 is any in particular.

17 MR. WILKINS: Tommy Wilkins here. I
18 want to go back. So based on that preliminary
19 dates would we say that by July 31 we would try
20 to have the final documents from the work groups
21 to Darrell?

22 MR. CARR: Is that good with everybody

1 by consensus? The working group leads try to
2 have their final product to present to the
3 committee done by the end of July and forwarded
4 to him so that he can send it out to all of us.
5 Any objections to that? Okay.

6 So Darrell, if you'll make sure we
7 have a record of that and then you'll communicate
8 that with the leads throughout the summer so that
9 we stay on task with that completion date.

10 MR. WILKINS: Tommy Wilkins again. Do
11 we -- will we get all contact information for
12 everybody, emails, everything?

13 MR. HUGHES: That's up to you all.

14 MR. WILKINS: I would like to have
15 everyone's contact information and email.

16 MR. HUGHES: Okay.

17 MR. WILKINS: I understand we do any
18 business we need to do it with you involved, but
19 I would like to have everyone's contact and phone
20 number, email.

21 MR. CARR: Question. Chalmers Carr.
22 Would that be made public? Would it have to be a

1 part of the public record?

2 MR. HUGHES: I don't believe so.

3 Sonia. I don't believe -- I think that's --

4 MR. CARR: The question is if we are
5 going to share our information with one another,
6 our email addresses and all that, our contact
7 information, does that become a matter of the
8 public record or can that be kept in the confines
9 of this committee?

10 MS. JIMENEZ: Anything that is your
11 personal information we would not release to the
12 public.

13 MR. HUGHES: It's like a FOIA
14 exemption.

15 MS. JIMENEZ: Yes. If it's your
16 business information that's probably on your
17 website already. Your personal information, no.

18 MR. CARR: So does anybody have an
19 objection with sharing our personal -- our
20 contact information within the confines of this
21 committee? Not hearing any.

22 And I know you were going to set up an

1 email thread for each working group. But maybe
2 just do an initial email.

3 MR. HUGHES: Yes, just a contact.

4 MR. CARR: With the contact
5 information for the whole committee. That would
6 be great. Much appreciated.

7 MR. HUGHES: And I'll just keep it to
8 your email, phone numbers and names. That way it
9 doesn't get into a gray area.

10 MR. CARR: So any suggestions on the
11 meeting? Are we good in the context of the way
12 we're doing? I know we have the next time is to
13 go through the working group session, but not
14 being here before I don't know if there's any
15 other topics that we'll discuss or can we have
16 presenters come and talk to us?

17 MR. BELL: David Bell. My suggestion
18 might be that by the middle, end of June if
19 working groups have come across an expert that
20 they think might be helpful in the discussion in
21 August that they can be suggested as a guest
22 presenter. Helps explain the objectives of what

1 they're pursuing.

2 MR. CARR: Chalmers Carr speaking.

3 One I had yesterday just listening to Greg but
4 maybe just having somebody come and present the
5 economic outlook for fruits and vegetables to
6 this group so we're presented that information,
7 kind of what they're working on and everything
8 else, but we get relevant information that we can
9 go back and share back in our communities and our
10 industry other than just being a pamphlet.

11 What's the hot topics right then and everything.

12 So maybe a presenter like that, or if
13 trade continues to be a big deal maybe have
14 somebody on trade as well. As it affects
15 agriculture, especially fruits and vegetables.

16 We can work on this. As we're
17 developing the agenda over the summer I'll be
18 reaching out to all of you on that. But again if
19 you've got any thoughts please forward them.

20 Again, we want to make this as informative for
21 every one of us as we come here and participate.

22 And also we've got a work product we've got to

1 produce.

2 MS. ELLOR: This is Tina Ellor. It
3 would be easier when we're going through the
4 final edits if we're not finalizing till the next
5 meeting to have them up on screen where we can
6 all see them. Somebody can be making edits in
7 realtime.

8 MS. HARPER-LARSEN: This is Kiley
9 Harper-Larsen. I can say from previous
10 experience serving on other committees that it's
11 incredibly beneficial for the entire group to be
12 able to make effective and actionable things in
13 our timeline, to be able to present it in front
14 in realtime.

15 MR. HUGHES: So a projector is what
16 you're saying.

17 MS. HARPER-LARSEN: Yes.

18 MR. CARR: Chalmers Carr. Sonia, I
19 direct this maybe to you or Darrell. Serving on
20 the NAREEE Board we've always had different
21 agencies, APHIS and everybody come to speak.

22 A lot of times they would not provide

1 -- they might be doing a PowerPoint and sometimes
2 it's just written like yesterday when we had
3 people.

4 But for us in the room it would be a
5 whole lot better if we had a kind of a PowerPoint
6 presentation in print because a lot of us want to
7 make notes as we're going. Yesterday we were
8 scrambling, flipping through our books. We
9 didn't know where we were at and this, that and
10 the other.

11 So we did make a request through the
12 NAREEE Board that any presenter has to supply
13 their PowerPoint presentation in an individual
14 packet that we could follow along with to make
15 notes on.

16 I don't want to be that rigid, but it
17 would be a strong suggestion. Again, it was hard
18 to keep going yesterday and making notes when we
19 wanted to at least for me.

20 But knowing what they're talking about
21 and following them, especially if presenters have
22 -- if they have it on screen and we don't have

1 the same thing here you don't have anything to go
2 back and reference to.

3 Any other comments? Go ahead.

4 MR. HUGHES: Darrell Hughes speaking.
5 So when we talk about the dates and collecting
6 information and confirming like documented report
7 that's something that I'll -- I take part in in
8 making sure that for public information and FOIA
9 rule stuff we have set and is organized.

10 The committee will also have some
11 responsibility to make sure that what I have is
12 accurate. And so I don't know that you have
13 already thought about what types of tasks will be
14 shifted to the vice or the secretary. So I just
15 wanted to throw that out to make sure that I know
16 who I need to coordinate with to make sure that I
17 have someone that I can connect with to validate
18 and make sure that whatever I have on my side is
19 correct.

20 And it may always be you.

21 MR. CARR: I'm kind of at a loss as to
22 what -- we're not going to produce any working

1 product until we get through and we come back
2 together. So at that point then if we do that,
3 yes.

4 If we don't have time at that meeting
5 to go back and review it before you go to print
6 then we'll assign that day.

7 MR. HUGHES: Okay.

8 MR. CARR: Unless there's something
9 I'm missing.

10 MR. HUGHES: I just wanted to throw it
11 out there because you have three elected
12 officials and I didn't know what their exact
13 duties would be.

14 MR. CARR: Herding cats.

15 (Laughter)

16 MR. CARR: For former members are we
17 missing anything from that standpoint?

18 MS. ELLOR: This is Tina Ellor. To
19 think about leaving enough full committee time in
20 the next live meeting in addition to enough
21 subcommittee time to make all the adjustments
22 brought on by both of those groups. So however

1 that.

2 MR. HUGHES: Darrell Hughes speaking.
3 Like I said the meetings in the future will be so
4 different from this format because this was a
5 heavy administrative type meeting.

6 What that difference looks like I
7 can't say. But I think the comments you all are
8 providing will lead to the format that is most
9 ideal.

10 MR. CARR: There's only three who have
11 served before, Bruce, Paul and Tina. Is there
12 anybody else?

13 So I will reach out offline to you all
14 to get recommendations on the timeline for that
15 and how it's coming about if that's okay. As we
16 work on the agenda for the August meeting. That
17 way I can get your input.

18 MR. PALMBY: Paul Palmbly. Just again
19 spend 15 years, but my perspective would be that
20 plenty of time needed for the full committee.
21 And the notion of having it up on the screen and
22 all of that. There will be some limited on the

1 working group.

2 The working groups need to be tasked
3 to really get their work done before they show up
4 at that meeting. And then it's the full
5 committee that then is tweaking and twisting and
6 adding and deleting. So that's my perspective.

7 MR. CARR: Chalmers Carr. I really
8 wouldn't see us go back within the subcommittees
9 at that point in time. I think we hash it out
10 between us.

11 Again, it would have been my job if
12 you all start worrying about the word "is" or
13 "than" then, you know, we're trying to stay on
14 task. But if it's substantive then I think it's
15 worth conversation.

16 I think we're all professionals and
17 we'll turn out products that will reflect this
18 group. So again that's our challenge. As Paul
19 said everybody's got to do their work over the
20 summer and that's when I'll start reminding make
21 sure we get the products out and on time.

22 At this point in time I guess I'd

1 bring up there's been a couple of issues people
2 talked about. And Kiley, I guess I'll ask you to
3 talk about the Produce Safety Alliance if you
4 want to make everybody aware?

5 MS. HARPER-LARSEN: Yes. I will have
6 information shared through Darrell in additional
7 communication, but the Produce Safety Alliance
8 which has been critical to conversations on
9 getting growers all the way through the
10 inspectors, the training that they need and the
11 understanding that they need to fall into
12 compliance with the produce safety rule under
13 FSMA is time limited in its funding.

14 And so although we did not have that
15 as an objective for our food safety working group
16 we'll be sharing the information with you as a
17 committee as a whole and with my committee I will
18 be adding an additional talking point for us as
19 we relay information.

20 MS. SKELTON: This is Leanne Skelton.
21 So what Kiley is saying is true. Let me sort of
22 lay out the premise for you.

1 The funding for the Produce Safety
2 Alliance starts at FDA. They fund it. The
3 funding comes to USDA as a straight pass through.
4 We don't take any overhead, any anything.

5 And then USDA actually has, maintains
6 the cooperative agreement with Cornell
7 University. That's where the PSA is stationed
8 right now.

9 So it's 100 percent pass through. We
10 don't take a nickel.

11 And we are on a currently a five-year
12 cooperative agreement because our department sets
13 cooperative agreement limits at five years.
14 That's just an administrative thing.

15 At year 4 years 11 months and a half
16 we can extend it, but right now they do have life
17 spans of 5 years.

18 We are in year number three of the
19 current agreement. So that's the administration
20 of the agreement.

21 The funding part of the discussion is
22 FDA is on an annual funding cycle. So year to

1 year we don't quite know until we're close, too
2 close in my view to the end of the year to know
3 if there's funding for the following year.

4 It has come through, it has routinely
5 come through, but there have been sort of some
6 angst as part of that. So that's just the
7 addition I want to provide.

8 MS. HARPER-LARSEN: Thank you very,
9 very much for that. But as you can see not just
10 as a working group -- and this is Kiley Harper-
11 Larsen. Not as just a focus.

12 This is a whole committee type of
13 thing because it affects not just domestic but
14 also the requirements that we have for education
15 of any foreign producers as well.

16 MR. CARR: Any comments on that? Any
17 other topics that want to be brought before the
18 group? Sonia, can I call on you to make some
19 closing remarks?

20 MS. JIMENEZ: Sure. Thank you so much
21 for all of you taking from your busy time. I
22 know it's not easy to just fly into DC and spend

1 three days here.

2 I know you do know how important this
3 is. We went without a committee for two years
4 and you can see the results. It's a big gap of
5 issues that we just didn't work on. So I really
6 appreciate you taking your time and appreciate
7 all the work.

8 I told Bruce this is a great group.
9 They're serious about it. They have issues.
10 They have rolled up their sleeves in the last two
11 days. They just went for it. So that's what we
12 want.

13 I'm very happy with the group that was
14 selected. And again, Darrell, Charles and I are
15 here to help you with those recommendations and
16 anything that we can do to help you with your
17 tasks, your objectives, we're here to do.

18 So thank you so much. I really,
19 really appreciate it.

20 MR. CARR: Thank you. Housekeeping
21 reminder. Our communications especially with the
22 working groups, be sure Darrell is copied on all

1 emails. And participating in the calls as well.

2 MR. HUGHES: Darrell Hughes speaking.
3 I've created my Outlook groups for each work
4 group already. And I was going to send my
5 introduction email but this thing shut down on
6 me.

7 So probably once this is over and I
8 can get to a different power source I'm going to
9 send emails out probably today or if not today
10 Monday that just starts off the email thread so
11 that each working group, you have your thread all
12 ready.

13 MR. CARR: Very good. Is there
14 anything else to come before the committee?

15 MR. TISON: Just a housekeeping. This
16 is Greg Tison. Just I know some others have
17 commented too. How do we go about reimbursement
18 for hotel and things like that?

19 MR. HUGHES: Darrell Hughes speaking.
20 That should be in the travel guidance document.
21 But if it's not in the travel guidance document
22 that was emailed early because I don't know all

1 the specifics of how that happened Devonia Betts
2 who -- her contact information is in that
3 document. She's the correct person to connect
4 with specific questions on reimbursement.

5 I do know that there's a -- there's
6 some type of form that needs to be completed.
7 It's like the last page of that Word document.
8 And the timeline on when receipts need to be
9 submitted, I know that's included. I just don't
10 know the exact dates. But Devonia is lead on all
11 of that.

12 MS. JIMENEZ: Darrell, can we just get
13 some information, send it out to them after this
14 meeting?

15 MR. CARR: That's what I was going to
16 ask. So just put an email solely on
17 reimbursement and the contact person for that so
18 everybody knows that.

19 I think everybody -- on the travel
20 side of it if you're going to get reimbursement
21 for that you need to work through the official
22 travel agent. Is that correct?

1 MR. HUGHES: So, wait, wait, wait.
2 Darrell Hughes. The travel Word document
3 provided, did everyone receive that? Okay, so
4 that has all of the information and I can resend
5 that and it has everything you need on travel
6 reimbursement and the process and the timeline
7 and everything.

8 MR. CARR: If you could resend just
9 that section on the reimbursement.

10 MR. HUGHES: Sure.

11 MR. CARR: Because when you get big
12 packets like that it's difficult what you pay
13 attention to. Probably a lot scan it just to see
14 who the committee members are just to see if
15 we'll know the faces and we don't pay attention
16 to everything else. In this particular one if
17 you would send out that guidance that would be
18 great.

19 MR. HUGHES: Okay. Will do.

20 MR. CARR: Anything else? I'll
21 entertain a motion -- it's 11 o'clock.

22 MR. PALMBY: Paul Palmbly. So moved.

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MR. CARR: All in favor we adjourn?

(Chorus of ayes)

MR. CARR: Thank you all.

(Whereupon, the above-entitled matter
went off the record at 11:01 a.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Fruit and Vegetable Industry
Advisory Committee Meeting

Before: USDA

Date: 05-10-19

Place: Arlington, VA

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
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Good morning Chalmers:

I've attached the meeting minutes for the May 9-10 FVIAC session. Please respond to this email approving the minutes.

One important correction. On page 95, beginning in the third paragraph, I said: "If you want to create a work group on let's just say agricultural labor or rural broadband those are topics that get outside of USDA's center of influence." This statement is partially incorrect. USDA Rural Development agencies work to enhance telecommunication (among other infrastructure) needs in rural communities.

Once the minutes are approved, I will have them posted on the USDA FVIAC website.

Thanks,
Darrell

<image015.jpg> | **Darrell A. Hughes | Designated Federal Officer**
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