

UNITED STATES DEPARTMENT OF AGRICULTURE

+ + + + +

PUBLIC HEARING

+ + + + +

PROPOSED AMENDMENTS TO THE MARKETING ORDER
REGULATING RAISINS PRODUCED FROM GRAPES
GROWN IN CALIFORNIA
(MARKETING ORDER NO. 989)

+ + + + +

DOCKET NO. 16-0016 AO-FV
AMS-SC-16-011; SC16-989-1

+ + + + +

TUESDAY,
MAY 3, 2016

The hearing came to order at 9:00 a.m.
at the Hilton Garden Inn located at 520 West Shaw
Avenue, Clovis, California, Bobbie J. McCartney,
Chief Administrative Law Judge, presiding.

BEFORE:

BOBBIE J. MCCARTNEY

Chief Administrative Law Judge

APPEARANCES:

On Behalf of the U.S. Department of
Agriculture:

RUPA CHILUKURI, ESQ.
U.S. Department of Agriculture
Office of General Counsel
Trial Attorney
1400 Independence Avenue, S.W.
Room 2331-C
Washington, D.C. 20250
202-702-4982
rupa.chilukuri@ogc.usda.gov

MARC MCFETRIDGE
U.S. Department of Agriculture
Agricultural Marketing Service
Agricultural Economist
1400 Independence Avenue, S.W.
Room 2331-C
Washington, D.C. 20250
202-720-0988
marc.mcfetridge@ams.usda.gov

MELISSA SCHMAEDICK
GERONIMO QUINONES
U.S. Department of Agriculture
Agricultural Marketing Service
Senior Marketing Specialists
1400 Independence Avenue, S.W.

Washington, D.C. 20250

435-260-9964

melissa.schmaedick@ams.usda.gov

geronimo.quinones@ams.usda.gov

APPEARANCES:

On Behalf of the U.S. Department of
Agriculture:

MARIA STOBBE

U.S. Department of Agriculture
Agricultural Marketing Service
California Marketing Field Office
Marketing Order and Agreement Division
2202 Monterey Street
Suite 102B
Fresno, California 93721
555-487-5901
maria.stobbe@ams.usda.gov

C O N T E N T S

WITNESSES	PAGE
Marc Fetridge.38
Monte Schutz51
Debbie Powell.72
Steven R. Spate.	113
Rick Stark	140
Sonet Van Zyl.	159
Kalem Barserian.	175
Jeff Milinovich.	208
Barry Kriebel.	231
Richard Sahatjian.	235
Barry Kriebel (recalled)	284

Exhibit No.	Description	Mark	Recd
1	Notice of Hearing	29	36
2	Certificate of Mailing	33	36
3	Certificate of News Release	34	36
4	Certificate of Officials Notice	34	36
5	Testimony of Marc McFetridge	40	48
6	US Raisins; Crop Year 2000- 2014	40	48
7	Natural Seedless Crop Year Report	61	66
8	CA Raisin Marketing Board, Administrative Committee	62	66
9	Testimony of Debbie Powell	73	81
10	Marketing Policy & Industry Statistics 2015	78	81
11	Marketing Policy & Industry Statistics 2014	78	81
12	Marketing Policy & Industry Statistics 2013	78	81
13	Marketing Policy & Industry Statistics 2012	78	81

Exhibit No.	Description	Mark	Recd
14	Marketing Policy & Industry Statistics 2011	79	81
15	RAC Minutes 1/27/2016	75	81
16	RAC Minutes 4/14/2016	80	81
17	CA Marketing Board Minutes 4/14/16	81	81
18	Spate Testimony	106	130
19	California Raisin Marketing Board Annual Report	106	130
20	California Raisin Marketing Board Annual Report	106	130
21	California Raisin Marketing Board Annual Report	106	130
22	California Raisin Marketing Board Annual Report	106	130
23	California Raisin Marketing Board Annual Report	106	130
24	California Raisin Marketing Board Annual Report	106	130
25	California Raisin Marketing Board Annual Report	106	130
26	Stark prepared statement	131	157
27	Stark outline for additional remarks	131	157
28	Van Zyl witness statement	159	172
29	Barserian witness statement	175	201
30	Milinovich witness statement	208	241
31	Milinovich witness statement	208	241
32	Sahatjian witness statement	269	269
33	Kriebel witness statement	323	323
34	Letter on behalf of Sun-Maid, dated 11-17-14	323	323
35	Table of statistics prepared by Raisin Administrative Committee	323	323

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

2 9:00 a.m.

3 JUDGE McCARTNEY: I'm Judge McCartney.

4 This is a public hearing. The Docket Number is
5 16-0016AO-FV.

6 I note that some of the pleadings have
7 the AO and the FV before the number docket. I
8 encourage you to put the number first.

9 Simply because as a matter of the
10 official record, the hearing clerk will file it
11 by number. So, if you want to be sure that your
12 dockets are properly filed, I encourage to put
13 the number first.

14 I have given the court reporter a
15 heading from the pleadings so that all of the
16 reference numbers, including the AMS and other
17 related numbers for tracking will be included in
18 the record by the court reporter.

19 Now it may seem redundant, but those
20 of you who have a copy of the proposed Rulemaking
21 Notice in front of you, I am going to be reading
22 into the record the summary. And I do that for a

1 number of reasons. While it may seem inefficient
2 at the present time, I assure you five years from
3 now you will welcome having that in the
4 transcript without having to look for an Exhibit
5 or an unattached document.

6 Also, it helps to bring everybody on
7 the same page as to why we are here today. That
8 is to identify with particularity and specificity
9 the focus of the issues that we're going to be
10 addressing in this proceeding.

11 All right, while it's an informal,
12 non-adversarial proceeding, the matters relevant
13 to the Secretary must be material, relevant and
14 not unduly repetitious. So, these will help us
15 with that structure.

16 Once I complete that, I will be asking
17 for notices of appearances. I want everyone in
18 the room to provide their appearance. But I want
19 those who intend to examine witnesses to state
20 that purpose on the record so that I can be clear
21 as to who's here and why.

22 Also, you may note that the Rules

1 provide that the name, address, and the
2 occupation are to be provided on the record by
3 all witnesses. I'm going to assume that you have
4 all provided your contact information to the
5 court reporter.

6 If you have not done so, you are
7 directed to do so before you leave the room
8 today. It is very difficult to keep track of
9 who's participating and in what capacity without
10 the address and contact information. But yet, it
11 is very time consuming.

12 And I think some -- in this current
13 day and age, perhaps a little difficult for
14 witnesses to give personal information like
15 address information on the record.

16 So, I find that giving business cards
17 or just simply filling out a small sheet with
18 that information and delivering it personally to
19 the court reporter is a far better process. With
20 the added benefit she gets your names spelled
21 right.

22 (Laughter)

1 JUDGE McCARTNEY: This is always a
2 nice thing. All right. So, with that I am
3 turning my attention to what will be a
4 foundational Exhibit entered into the record.
5 So, don't feel like you have to take notes. But,
6 as I indicated, I'm reading it for future
7 judicial reference.

8 This is a public hearing to receive
9 evidence on proposed amendments, to Marketing
10 Order Number 989 that regulates the handling of
11 raisins grown in California. Five amendments are
12 proposed by the Raisin Administrative Committee,
13 which is responsible for local administration of
14 the Order.

15 These proposed amendments would
16 authorize production research, establish new
17 nomination procedures for independent grower
18 member and alternate number of seats, add
19 authority to regulate quality, add authority to
20 establish different regulations for different
21 markets, and add a continuance referenda
22 requirement.

1 In addition, the Agricultural
2 Marketing Service proposes two amendments. These
3 amendments would remove Order language pertaining
4 to volume regulation and reserve pool authority.
5 And would establish term limits for committee
6 members.

7 In addition, AMS proposes to make any
8 such changes as may be necessary to the Order to
9 conform any amendment that may result from the
10 hearing. These proposed amendments are intended
11 to update the Order to reflect past changes in
12 the industry and potential future changes, and to
13 improve the operation and administration of the
14 Order.

15 Are there any questions, issues or
16 concerns with the respect to the nature of this
17 public hearing and why we're here today?

18 (No response)

19 JUDGE McCARTNEY: All right. Then
20 moving forward with notices of appearances, I
21 would like to begin with the USDA on my left.

22 MS. CHILUKURI: Good morning, Your

1 Honor. I'm Rupa Chilukuri. That's spelled R-U-
2 P-A C-H-I-L-U-K-U-R-I.

3 I'm a trial attorney with the Office
4 of the General Counsel. And I represent the USDA
5 at this hearing. And I will be examining
6 witnesses.

7 MS. SCHMAEDICK: Good morning. My
8 name is Melissa Schmaedick. M-E-L-I-S-S-A S-C-
9 H-M-A-E-D-I-C-K. I am a Senior Marketing
10 Specialist with the U.S. Department of
11 Agriculture. And I also will be asking questions
12 today.

13 MR. QUINONES: Hello, Your Honor. My
14 name is Geronimo Quinones. G-E-R-O-N-I-M-O Q-U-
15 I-N-O-N-E-S. And I am a Senior Marketing
16 Specialist. And I will also be asking questions.

17 MR. McFETRIDGE: Good morning. My
18 name is Marc McFetridge. M-A-R-C M-C-F-E-T-R-I-
19 D-G-E. I'm an Agricultural Economist with the
20 Promotion and Economics Division, part of
21 Agricultural Marketing Service for the USDA. And
22 I will also be asking questions of the witnesses.

1 MS. STOBBE: Good morning. My name is
2 Maria Stobbe. And that's S-T-O-B-B-E. And I am
3 a Marketing Specialist with USDA.

4 And I oversee the raisin program. And
5 I may be asking questions today. Thank you.

6 JUDGE McCARTNEY: All right. I'm
7 going to turn to my right. And we're going to
8 move down the table. And then I'm going to start
9 from left to right in the back.

10 MS. POWELL: I'm Debbie Powell. D-E-
11 B-B-I-E P-O-W-E-L-L. I'm the Interim Present and
12 General Manager for the Raisin Administrative
13 Committee.

14 MS. ROTHWEILER: I am Dori Rothweiler.
15 D-O-R-I R-O-T-H-W-E-I-L-E-R. Field
16 Representative for the Raisin Administrative
17 Committee, Project Coordinator for the California
18 Raisin Marketing Board.

19 MR. SCHUTZ: My name is Monte Schutz.
20 M-O-N-T-E S-C-H-U-T-Z. And I am the Chairman of
21 the Raisin Administrative Committee.

22 MR. SPATE: I'm Steven Spate, S-T-E-V-

1 E-N S-P-A-T-E. I'm employed by the Raisin
2 Bargaining Association as a Rural Representative.
3 I'm also the Chairman of the Board of the
4 California Raisin Marketing Board and also a farm
5 for grapes for raisins.

6 MR. STARK: Good morning. Hi, I'm
7 Rick Stark. That's R-I-C-K S-T-A-R-K. And I'm
8 the Manager/Grower Relations for Sun-Maid
9 Growers.

10 MS. ZYL: Good morning, my name is
11 Sonet van Zyl. That's S-O-N-E-T V-A-N Z-Y-L.
12 And I'm an Assistant Professor in Agriculture at
13 Fresno State, representing usually table grape
14 production and raisin production.

15 JUDGE McCARTNEY: Sir?

16 MR. GOTO: Good morning. My name is
17 Glen Goto. G-L-E-N G-O-T-O.

18 JUDGE McCARTNEY: Actually, could you
19 step up to the podium, to the mic?

20 MR. GOTO: Good morning. My name is
21 Glen Goto. G-L-E-N G-O-T-O. I am the CEO of
22 the Marketing Association.

1 MR. BARSERIAN: Good morning, Your
2 Honor. My name is Kalem Barserian. I am a
3 member of the Raisin Administrative Committee.

4 Also, a raisin grower, consultant to
5 Lion Raisins. And I'll be giving testimony in
6 favor of Propose Number Two.

7 JUDGE McCARTNEY: Thank you.

8 COURT REPORTER: Can you restate your
9 name please, sir?

10 MR. BARSERIAN: Barserian. B-A-R-S-E-
11 R-I-A-N. First name Kalem, K-A-L-E-M.

12 JUDGE McCARTNEY: Sir?

13 MR. KAUFFMAN: Steven Kaufman. S-T-E-
14 V-E-N, Kaufman, K-A-U-F-F-M-A-N. Marketing Order
15 Agreement Division with the USDA, Winter Haven
16 Field Office.

17 MR. DURANDO: Good morning, Your
18 Honor. My name is Michael Durando. M-I-C-H-A-E-
19 L D-U-R-A-N-D-O. I am the director of the
20 Marketing Order and Agreement Division for the
21 Specialty Crops Program, Agricultural Marketing
22 Service, United States Department of Agriculture.

1 I will be presenting testimony during
2 the hearing on Proposal Number Six. Strike that.
3 Six, Seven and Eight. Yes, to reiterate, that
4 will be Six, Seven and Eight. Thank you.

5 JUDGE McCARTNEY: Thank you. I'll
6 move from the back and then.

7 MR. SMUTNY: Good morning. My name is
8 Jeff Smutny. S-M-U-T-N-Y. First name Jeff, J-E-
9 F-F. I am with USDA, Marketing Order and
10 Agreement Division.

11 MS. HALES: Good morning. My name is
12 Essence Hales. E-S-S-E-N-C-E H-A-L-E-S. And
13 I'm an Agricultural Economist with the Promotion
14 Economics Division of the Agricultural and
15 Marketing Service.

16 MS. DINH: Good morning. My name is
17 Mai Dinh. M-A-I D-I-N-H. I am the Assistant
18 General Counsel at USDA, Office of the General
19 Counsel.

20 JUDGE McCARTNEY: Everyone in the room
21 must note an appearance, please.

22 MR. SOMMERS: My name is Peter

1 Sommers. S-O-M-M-E-R-S. I am here as an
2 observer with the California Marketing Field
3 Office. And I oversee pistachios and olives.

4 JUDGE McCARTNEY: Great. Thank you.

5 MS. WRAY: Good morning. My name is
6 Debbie Wray. It's D-E-B-B-I-E W-R-A-Y. And I'm
7 a Senior Marketing Specialist with the Marketing
8 Order and Agreement Division, the USDA. And I
9 work out of the Portland, Oregon office.

10 JUDGE McCARTNEY: Thank you. All
11 right. Now, I'm going to be moving into some
12 preliminary matters. Including rules for the
13 conduct of the hearing.

14 And that might seem a little strange
15 because most of these rules are common courtesy.
16 But nevertheless, I find it helpful to take a few
17 moments of our time so that we're all on the same
18 page moving forward.

19 Then we'll be moving into the proposed
20 schedule for the day. I think it's very helpful
21 for people to know when they can expect a break
22 and to plan accordingly.

1 Now, I will say that my primary
2 purpose is to facilitate the taking of evidence
3 in this public hearing. Not to be draconian or
4 difficult in any way.

5 So, if anyone needs an exception to a
6 rule or has concerns with the rules, speak up
7 now. Let me know if you have special issues.

8 Anyone who comes in late must come to
9 the microphone and identify themselves for their
10 notice of appearance on the record.

11 MR. MILINOVICH: Hi, my name is Jeff
12 Milinovich. I'm with Central California Raisin
13 Packing.

14 JUDGE McCARTNEY: Thank you. All
15 right. So, rules for the conduct of the hearing.
16 As I said, most of these are just common
17 courtesy. I'm just going over them so we're on
18 the same page.

19 All cell phones on silent mode. All
20 right. And I -- some Judges prohibit you having
21 your cell phone with you. I use my cell phone
22 for a number of reasons, including staying on

1 track.

2 So -- and I know emergencies do
3 happen. So, just put them on silent mode. Also,
4 if you have to answer a call, get up and leave
5 the room to do it. Please, none of this high
6 pitched whispering, I'm in a hearing, I'll get to
7 you later.

8 (Laughter)

9 JUDGE McCARTNEY: Okay. It disturbs
10 everyone just as much as if you took the call.
11 You see that you've got a call coming in and you
12 really feel like you must take it, you can't wait
13 for the break, don't bother excusing yourself,
14 just quietly and courteously remove yourself from
15 the room.

16 Now, having said that, if something
17 happens while you're absent that is on you. I'm
18 not going back revisiting. And you're not going
19 to be able to ask witnesses redundant questions
20 because you chose to take a call during witness
21 examination time.

22 All right. No food or drink other

1 than -- this is my big concession. Usually it's
2 just water. But we're going to let coffee in
3 this time.

4 (Laughter)

5 JUDGE McCARTNEY: Because I need
6 coffee too. So, usually it's nothing but water.
7 And please, no gum. You cannot even imagine how
8 distracting it is for me to have to watch someone
9 chewing gum in the audience while I'm trying to
10 listen to a witness testify.

11 And it's very rude to the witness to
12 have to deal with that. All right.

13 No extraneous material in the hearing
14 room. If you must read your newspaper, do it in
15 the lobby, not while we're examining witnesses.

16 This also goes for your Facebook, for
17 your news alerts on your cell phone, or anything
18 else that you might be interested in other than
19 what our witnesses are here to give testimony on.

20 Now, I know that many of us have ADD
21 and it's very hard to give our full, undivided
22 attention to a witness giving testimony. But we

1 can do that for the duration of this proceeding.

2 And that's what I'm asking of everyone. It's

3 common courtesy.

4 If it were you on the stand, you would

5 want that. And so, I'm asking on behalf of the

6 witnesses.

7 Professional courtesy at all times.

8 You may enter and exit the room quietly and

9 discretely. You do not need to ask my permission

10 to do so.

11 Please refrain from speaking over a

12 witness. If this is a common occurrence, I will

13 indicate so on the record. It's very disruptive.

14 Please, if you ask a question, let the witness

15 finish his or her response.

16 If you feel that the witness is being

17 unresponsive and is just using the time to

18 bolster his or her position, direct your

19 objection to me. And I will address the issue.

20 Witnesses are required to address

21 questions to the Judge. I do not -- witnesses

22 are here to answer questions as a general rule.

1 I do realize this is a non-adversarial public
2 hearing. But, you know, encouraging dialog
3 versus testimony, is something that I'm
4 responsible for moderating.

5 So, the witness has a question, they
6 are to direct that question to me. And then we
7 will clarify it with counsel as necessary and
8 appropriate.

9 Please be punctual. I realize that
10 sometimes we're late. We have very good reasons.
11 But we're not in Washington, D.C. with metro
12 problems killing people. Okay?

13 (Laughter)

14 JUDGE McCARTNEY: There should really
15 be very few times that the traffic is an issue or
16 you have other such similar matters that distract
17 from you being punctual.

18 All right. It's very important given
19 the number of witnesses that are testifying that
20 if you intend to examine a witness that you be in
21 the hearing room at all times while the witness
22 is under oath. All right, direct and cross

1 examination.

2 If you decide to remove yourself while
3 a witness is under oath giving testimony and then
4 you come back in the room and want to examine the
5 witness, please be advised, no redundant or
6 repetitive questions will be permitted.

7 And you're not going to find out until
8 you get the transcript what he or she had to say.
9 So, I strongly urge you to remain in the room at
10 all times if you have a witness that you are
11 interested in examining.

12 Exhibits, properly marked. Exchanged
13 in advance whenever possible is extremely
14 helpful. If the Exhibit is a foundational
15 document or has otherwise been stipulated to,
16 please let me know that in advance as you hand a
17 copy to the court reporter so it can be reflected
18 in the record.

19 This saves time because then I'm not
20 expecting you to lay a proper foundational
21 predicate for the document. It's a foundational
22 document, public record, and/or has been

1 stipulated to by all impacted parties.

2 It saves a lot of time. And it saves
3 time for the court reporter too.

4 Please be advised too that with
5 respect to Exhibits, it is my duty and
6 responsibility to certify the transcript to the
7 Secretary. Which will include the Exhibits.

8 So, to ensure that I can do my job
9 properly, I expect all attorneys and
10 participating parties to track their Exhibits. I
11 usually have an end of the day Exhibit
12 recounting.

13 But, because this is a relatively
14 short proceeding and it is non-adversarial, I
15 will simply do it before I close the record at
16 the end of the process. But, please be advised,
17 you should have a running list.

18 It is surprising how fast this process
19 takes over. And you've offered something. You
20 didn't formally, you know, it wasn't formally
21 received into evidence and then I close the
22 record, I'm back in Washington, D.C., and an

1 issue arises later about the admissibility of the
2 Exhibit.

3 That is not going to happen to you.
4 Because I'm going to make sure that when I leave
5 and this record is closed, everyone has had an
6 opportunity to put his or her Exhibits into the
7 record. And they've been properly received.

8 All right. Any questions, issues or
9 concerns with respect to the procedural protocol
10 applicable to this process?

11 (No response)

12 JUDGE McCARTNEY: All right. I assume
13 then by your silence you are acquiescing. You
14 will be held accountable.

15 All right. So, turning our attention
16 to the schedule. My effort here is to try to
17 give everyone kind of notice about breaks, et
18 cetera. If they're real issues or concerns, we
19 can go off record and talk about it.

20 And I'll tell you, I really believe in
21 the strength of agreement. So, when the parties
22 have all come to an agreement about scheduling

1 issues, admission of Exhibits, anything of that
2 nature, I'm going to defer to the collective
3 agreement of the parties.

4 My job is to resolve disagreements.
5 So, when we have problems and people are not on
6 the same page, then I will move the process
7 forward.

8 So, what I'm proposing here is going
9 to give us maximum utilization of the court
10 reporter. But with deference to the fact that
11 she does get tired. And you know, that we all
12 want a really good transcript here. And we want
13 to be sensitive to our court reporter's physical
14 needs as well.

15 So, here's what I'm proposing. An
16 hour and a half, 15 minute break. That's 9:00 to
17 10:30. A break from 10:30 to 10:45. Reconvene
18 at 10:45. Go to 12:15.

19 I propose an hour and 15 minutes for
20 lunch. That gives you time to check your emails,
21 make a few phone calls, have a bite to eat.

22 We reconvene at 1:30, we go until

1 3:00. From 3:00 to 3:15, a 15 minute recess. At
2 3:15 we reconvene. We recess at 4:45.

3 This is a proposed schedule only. It
4 is subject to the needs of individual witnesses
5 and/or the court reporter.

6 So, if you have a witness that needs
7 to leave earlier and that witness needs to be
8 taken out of order, anything like that, then just
9 have your representative bring that to my
10 attention.

11 All right. Does this sound like a
12 schedule that everyone can live with?

13 MALE: Yes.

14 JUDGE McCARTNEY: All right. All
15 right, thank you for speaking on behalf of the
16 group. I am very serious about the time frames.
17 Okay.

18 Because I have found that it is very
19 difficult for even the best court reporter to
20 keep track of testimony when they're going too
21 long without a break. And yes, my cute little
22 stand I got it in New York, I recommend it to

1 everyone.

2 All right. Now I'm going to turn my
3 attention to introductions by the
4 Representatives. Are there any issues,
5 questions, or concerns about the procedural
6 protocol before we begin?

7 (No response)

8 JUDGE McCARTNEY: All right. I'm
9 going to start with Counsel for the USDA.

10 MS. CHILUKURI: Yes, Your Honor. So
11 I have some preliminary matters that I'd like to
12 address on the record. Notice of the Hearing was
13 published in the Federal Register on April 22,
14 2016.

15 And in that Notice it states that all
16 of the USDA employees involved in the decision
17 making process are prohibited from ex parte
18 communications regarding the merits of the
19 Proposal with any interested party.

20 So, we cannot -- USDA employees cannot
21 discuss the substance or the merits of the
22 Proposals with you off the record. However, if

1 you have procedural questions such as the order
2 of witnesses, scheduling, things like that, we
3 can discuss those types of issues.

4 I'd also like to note that we have a
5 sign up list next to Ms. Debbie Wray, near the
6 entrance of the room. And if you'd like to sign
7 up as a witness, please do so over there.

8 I'd also like everyone to know that
9 all Exhibits that are admitted in the record will
10 be posted to AMS' website. And the address for
11 that is [https://www.ams.usda.gov/rules-](https://www.ams.usda.gov/rules-regulations/moa/fv)
12 [regulations/moa/fv](https://www.ams.usda.gov/rules-regulations/moa/fv). And this sheet that has the
13 website address, I'll put that at the back of the
14 table as well.

15 JUDGE McCARTNEY: And do you have an
16 extra one for the court reporter?

17 MS. CHILUKURI: Yes.

18 JUDGE McCARTNEY: Do you want to hand
19 it to her now? Thank you.

20 MS. CHILUKURI: And now, Your Honor,
21 we'd like to mark some Exhibits for addition to
22 the record. And so these four Exhibits are

1 foundational Exhibits that are referenced in the
2 regulations.

3 And Exhibit 1 is a copy of the Federal
4 Register Notice of this proceeding. Which was
5 published on April 22, 2016.

6 (Whereupon, the above-
7 referred to document was
8 marked as Exhibit No. 1 for
9 identification.)

10 MS. CHILUKURI: And I'd like to
11 clarify some of the statements made in the Notice
12 of Hearing. I think when you started your
13 introductory statements you were correct in
14 everything that you said as to what the hearing
15 will address.

16 But the Notice of Hearing misstates
17 things in certain places. So, I would just want
18 to make clear of that.

19 JUDGE McCARTNEY: I think that's a
20 very good idea.

21 MS. CHILUKURI: Make clear of what we
22 intend to do. So, at one point the Notice of

1 Hearing states that the Raisin Administrative
2 Committee recommended Proposal Six and Seven.
3 That is not correct.

4 And as indicated by you, Judge
5 McCartney, and elsewhere in the Notice of
6 Hearing, the USDA has recommended those
7 Proposals. And will be testifying on those
8 Proposals later in the hearing.

9 And I would also like to clarify that
10 Proposal Eight by the USDA is to make changes as
11 may be necessary to the Order to conform to any
12 amendment that may result from the hearing. But,
13 we'd also like to correct minor inconsistencies
14 and typographical errors in the Order as part of
15 that Proposal Eight.

16 And finally, I would like to note that
17 USDA has a modified Proposal in connection with
18 Proposal Seven to establish term limits. And the
19 modified regulatory language for Proposal Seven
20 will be available on the back table near Ms.
21 Wray.

22 If anyone would like to take a look

1 before Mr. Durando, he will be the one who is
2 testifying on that Proposal, before he testifies
3 on that Proposal later in the hearing.

4 JUDGE McCARTNEY: All right. So, does
5 the modified proposed rule making address all of
6 the issues that you've read into the record with
7 -- or will an errata be issued?

8 MS. CHILUKURI: I think we intend to
9 issue that as an Exhibit. Or enter that as an
10 Exhibit when Mr. Durando testifies.

11 JUDGE McCARTNEY: Does it encapsulate
12 all of the modifications and/or corrections that
13 you've read into the record?

14 MS. CHILUKURI: It does as it relates
15 to Proposal Seven.

16 JUDGE McCARTNEY: Uh-huh.

17 MS. CHILUKURI: I didn't use that to
18 address what I thought were minor
19 inconsistencies. For instances, as it relates to
20 whether or not Rath made the Proposals versus
21 USDA, since I thought I could do that on the
22 record.

1 JUDGE McCARTNEY: All right. Anything
2 else then?

3 MS. CHILUKURI: And Exhibit 2, what
4 we've marked as Exhibit 2 is a Certificate of
5 Mailing. Indicating that the Notice of Hearing -
6 -

7 JUDGE McCARTNEY: Excuse me for
8 interrupting counsel.

9 MS. CHILUKURI: Um-hum.

10 JUDGE McCARTNEY: I just want to make
11 sure we have a consistent --

12 MS. CHILUKURI: Yes.

13 JUDGE McCARTNEY: Identification
14 process. Exhibit, what's your preface lettering?
15 Exhibit 1? I mean is this --

16 MS. CHILUKURI: Oh, I'm sorry, I
17 thought we had pre-marked that. So, we're doing
18 it by 1. I apologize for that.

19 JUDGE McCARTNEY: Okay.

20 MS. CHILUKURI: So, we will do that
21 now.

22 JUDGE McCARTNEY: And I don't really

1 have a problem with people being expected to mark
2 their own Exhibits, including myself. Except the
3 court reporter.

4 The one that's handed to the court
5 reporter should be marked. Because I don't want
6 her taking her time, when she should be taking
7 testimony, to mark Exhibits.

8 MS. CHILUKURI: Yes. I apologize for
9 that. So, Exhibit 1 is the Notice of Hearing.
10 What will be marked as Exhibit 2 is --

11 JUDGE McCARTNEY: You have no preface
12 to -- so like USDA? Or anything?

13 MS. CHILUKURI: No, we don't.

14 JUDGE McCARTNEY: Or just numerical?

15 MS. CHILUKURI: It will just be
16 sequential.

17 JUDGE McCARTNEY: Okay. All right.

18 MS. CHILUKURI: What we'll mark as
19 Exhibit 2 is a Certificate of Mailing. Which
20 indicates that the Notice of Hearing was sent to
21 interested persons. Yes.

22 (Whereupon, the above-

1 referred to document was
2 marked as Exhibit No. 2 for
3 identification.)

4 MS. CHILUKURI: Then Exhibit 3 is a
5 Certificate indicating that the press release has
6 been issued regarding this hearing, yes.

7 (Whereupon, the above-
8 referred to document was
9 marked as Exhibit No. 3 for
10 identification.)

11 MS. CHILUKURI: And then what we'll
12 mark as Exhibit 4 is a Certificate of Officials
13 Notified Concerning this Hearing. And in this
14 case the Governor of California has been notified
15 concerning this hearing.

16 (Whereupon, the above-
17 referred to document was
18 marked as Exhibit No. 4 for
19 identification.)

20 JUDGE McCARTNEY: All right. And so
21 what measures have you taken to ensure that
22 everyone who needs to has access to review these

1 documents? You've set up -- you have -- you're
2 not handing everyone a copy, that's fine.

3 But they have access to the documents?

4 MS. CHILUKURI: Right. So, the
5 website as I indicated, all those Exhibits will
6 be posted. And if they -- if people would like
7 more copies, I think we have a few copies in the
8 back of different Exhibits.

9 But if people would like more copies,
10 if they want to see, please let us know. And
11 we'll ensure that more copies are made.

12 JUDGE McCARTNEY: Well, particularly
13 if any of these documents are going to be
14 utilized to examine a witness. I want to be sure
15 that they have access to that before they
16 approach the witness.

17 All right. So, make that clear to
18 counsel. And they will make copies available for
19 you. Otherwise, we'll assume you have your own.
20 All right.

21 MS. CHILUKURI: And I move for those
22 four Exhibits to be admitted to the record, Your

1 Honor.

2 JUDGE McCARTNEY: Any objections?

3 (No response)

4 JUDGE McCARTNEY: Exhibits 1 through
5 4 as identified are hereby admitted.

6 (Whereupon, the above-
7 referred to documents were
8 received into evidence as
9 Exhibit Nos. 1, 2, 3, and
10 4.)

11 MS. CHILUKURI: Okay. So, we have one
12 witness that we'd like to call at this time. And
13 generally USDA likes to present data information
14 regarding the commodity that the hearing is going
15 to address.

16 And at this time we'd like to call
17 Marc McFetridge to present this information.

18 JUDGE McCARTNEY: All right. So,
19 someone has just joined us from the room. All
20 right, an appearance, sir? Name?

21 MR. REINHART: Jeffrey Reinhart.

22 JUDGE McCARTNEY: Occupation?

1 MR. REINHART: Government employee.

2 JUDGE McCARTNEY: Purpose for being
3 here?

4 MR. REINHART: Training.

5 JUDGE McCARTNEY: Excellent. Have a
6 seat. All right. So, you're prepared to call
7 your first witness?

8 MS. CHILUKURI: Yes.

9 JUDGE McCARTNEY: All right. Now,
10 here's a proposal that I'd like to make. I find
11 that given the number of witnesses here that
12 sometimes the witnesses prefer a collective
13 swearing in versus being sworn in each time a
14 witness takes the stand.

15 So that has been a very effective
16 process. If I have no objections, I'm going to
17 do a collective swearing in. Is that acceptable?

18 (No response)

19 JUDGE McCARTNEY: All persons who
20 intend to give testimony under oath, please
21 stand. Raise your right hand.

22 Do you solemnly swear the testimony

1 that you are about to give in this proceeding
2 will be the truth, the whole truth, and nothing
3 but the truth, so help you God?

4 (Chorus of yeses)

5 JUDGE McCARTNEY: When you take the
6 stand, your representative will ask, have you
7 been previously sworn. And you are to
8 acknowledge that on the record as you take the
9 stand.

10 Counsel, call your first witness.

11 MS. CHILUKURI: Marc McFetridge.

12 WHEREUPON,

13 MARC MCFETRIDGE

14 was called as a witness by Counsel for the USDA
15 and, having been first duly sworn, assumed the
16 witness stand, was examined and testified as
17 follows:

18 DIRECT EXAMINATION

19 BY MS. CHILUKURI:

20 Q So, as Ms. Schmaedick is handing out
21 the documents, let's just get started with some
22 introductory questions. So, Mr. McFetridge, you

1 have previously been sworn in. Is that correct?

2 A That's correct.

3 Q Okay. And what is your duty station?

4 A My duty station is Washington, D.C.

5 Q And what is your occupation?

6 A My occupation is an Agricultural
7 Economist.

8 Q And how long have you been an
9 Agricultural Economist at the USDA?

10 A I have been an Agricultural Economist
11 since 2009. So, that would make it almost seven
12 years. It will be seven years in July.

13 Q Okay. And have you participated in
14 hearings like this before?

15 A I have.

16 Q And you have prepared two documents
17 for this hearing, correct?

18 A That is correct.

19 Q So, those two documents would be
20 what's been marked as Exhibit 5? And what's been
21 marked as Exhibit 6?

22 A That is correct.

1 Q And Exhibit 5 is what you intend to
2 read into the record, your written statement?

3 A That's correct.

4 (Whereupon, the above-
5 referred to document was
6 marked as Exhibit No. 5 for
7 identification.)

8 MS. CHILUKURI: And Exhibit -- what is
9 Exhibit 6?

10 MR. McFETRIDGE: Exhibit 6 is some
11 charts that I have prepared based on the data
12 that has been released by the National
13 Agricultural Statistics Service.

14 (Whereupon, the above-
15 referred to document was
16 marked as Exhibit No. 6 for
17 identification.)

18 MS. CHILUKURI: And did you personally
19 prepare these documents?

20 MR. McFETRIDGE: I did.

21 BY MS. CHILUKURI:

22 Q And you understand that USDA is making

1 Proposals in this hearing, correct?

2 A That is correct.

3 Q But this data you've prepared, anyone
4 can use this data? USDA, proponents, opponents?

5 A That is correct.

6 Q Okay. Please, when you're ready,
7 please proceed to read your written statement.

8 A My name is Marc McFetridge. I've
9 worked for the U.S. Department of Agriculture,
10 USDA since 2006. I work for the Marketing Order
11 Administration Division from July 2006 through
12 December 2009.

13 From December 2009 to the present I've
14 worked for the Promotion and Economics Division
15 as an Agricultural Economist where my duties
16 include preparing economic and statistical
17 analysis which are used by government officials
18 to help minister Federal programs for fruit and
19 vegetable programs. A large part of my work is
20 related to Federal Marketing Order issues.

21 I received a Bachelor's Degree in
22 Agriculture Business Management in 2001 from

1 Oregon State University. And a Master's Degree
2 in Agriculture and Resource Economics in 2004
3 from Oregon State University.

4 JUDGE McCARTNEY: Excuse me, sir. One
5 moment. I want clarification from the court
6 reporter about your process for dealing with --

7 COURT REPORTER: Sorry.

8 JUDGE McCARTNEY: I'm inquiring about
9 your process for dealing with testimony that's
10 being read into the record. I know they're
11 offering this as a separate Exhibit.

12 Do you type it contemporaneously with
13 the testimony? Or do you simply admit the
14 Exhibit and do not read it into the record and
15 then go back?

16 COURT REPORTER: I admit the Exhibit
17 and note a direct examination and go back and
18 reinsert it there.

19 JUDGE McCARTNEY: At a later time.
20 All right. So, just to be sure. That's fine.
21 As long as we're really clear about this witness
22 and this witness' Exhibits.

1 COURT REPORTER: Um-hum.

2 JUDGE McCARTNEY: So that when you go
3 back later we have a clean transfer.

4 COURT REPORTER: Yes, ma'am.

5 JUDGE McCARTNEY: All right. You may
6 proceed.

7 MR. McFETRIDGE: For this hearing on
8 California Raisins, I prepared a report titled
9 The U.S. Raising Crop Years 2000 Through 2014.
10 The data source is the National Agriculture
11 Statistic Service, NASS, the USDA.

12 The purpose of this report is to
13 introduce U.S. Government data and other relevant
14 information into the hearing record. These
15 graphs are intended to be used by all parties
16 involved in the hearing in discussing and
17 analyzing the merits of the various proposed
18 amendments.

19 Data for the 2015/2016 crop year will
20 not be available until July 2016 when NASS will
21 release the Non-Citrus Fruit and Nut 2015
22 Summary.

1 In the report graphs are shown for
2 U.S. raisins. Raisins are primarily produced in
3 California's San Joaquin Valley and are sun
4 dried.

5 Bearing acres. The graph on page four
6 shows the total bearing acres. Bearing acres
7 reached a 15-year high during the 2000/2001 crop
8 year at 280 thousand acres for the total U.S.

9 Since the 2000/2001 crop year, bearing
10 acres have trended downwards. For the 2014/2015
11 crop year, bearing acres reported at 190 thousand
12 acres.

13 Acreage is down five percent compared
14 to the 2013/2014 crop year. And down eight
15 percent compared to the previous five-year
16 average.

17 Yield. The graph on page five shows
18 the average raisin yield. The average yield has
19 varied greatly over the past 15 crop years. With
20 the 15-year average yield being 9.7 tons per
21 acre.

22 Average yields reached a high of 11.4

1 tons per acre during the 2002/2003, 2008/2009 and
2 2013/2014 crop years. The lowest yield occurred
3 during the 2006/2007 crop year at 7.95 tons per
4 acre.

5 The 2014/2015 crop year had a yield of
6 9.28 tons per acre. Down almost 19 percent from
7 the 2013/2014 crop year. And down eight percent
8 compared to the previous five-year average.

9 Quantity of dried raisins. The graph
10 on page six shows the total quantity of dried
11 raisins. As expected, the quantity of dried
12 raisins has seen a significant reduction
13 following the downward trend of bearing acres in
14 the past 15 crop years.

15 The graph also shows the typical
16 cyclical nature of raisins. Where one year will
17 have a large crop of raisins, followed by a
18 smaller crop the next year.

19 The quantity of raisins reached a high
20 during the 2000/2001 crop year at 484 thousand
21 500 tons. For the 2014/2015 crop year, the
22 quantity of raisins was reported at 328 thousand

1 600 tons. Down 17 percent compared to the
2 2013/2014 crop year. And down nine percent
3 compared to the previous five-year average.

4 Prices received by growers. The graph
5 on page seven shows the average price received by
6 growers. Prices subsequently increased as the
7 supply of raisins has trended downward the past
8 15 crop years.

9 The season average price received by
10 growers was the lowest during the 2002/2003 crop
11 year at \$393 per ton. In the past 12 years, the
12 price of raisins has increased by more than three
13 and a half times the prices received by growers
14 in 2002/2003 crop year.

15 The season average price for raisins
16 in the 2015/2015 crop year was reported at \$1,820
17 per ton. Up 12 percent compared to the 2013/2014
18 crop year. And up 15 percent compared to the
19 previous five-year average.

20 Total value of production. The graph
21 on page eight shows the total value of production
22 for raisins. The total value of production was

1 calculated by taking the quantity of raisins,
2 multiplied by season average price received by
3 growers.

4 The total value production has
5 followed a similar upward trend as grower prices.
6 The total value production was the lowest during
7 the 2002/2003 crop year at \$172,487,700. For the
8 2014/2015 crop year, the total value of
9 production for dried raisins was \$598,052,000.
10 More than triple the value of the 2002/2003 crop.

11 The total value production for the
12 2014/2015 crop year was down seven percent
13 compared to the 2013/2014 crop year. But up
14 compared to the previous five-year average.

15 I apologize for numbers so early in
16 the morning. So, hopefully nobody fell asleep
17 through my testimony.

18 Any questions?

19 MS. CHILUKURI: Okay. Thank you.
20 Thank you Mr. McFetridge. I have no questions.

21 I'd like to move those Exhibits,
22 what's been marked as Exhibit 5 and 6 into

1 evidence, Your Honor.

2 JUDGE McCARTNEY: Any objections?

3 (No response)

4 JUDGE McCARTNEY: There being none
5 noted, Exhibit 5 and Exhibit 6 are hereby
6 admitted.

7 (Whereupon, the above-
8 referred to documents were
9 received into evidence as
10 Exhibit Nos. 5 and 6.)

11 MR. McFETRIDGE: Are you guys going to
12 let me off easy?

13 JUDGE McCARTNEY: Sir, I know you're
14 hopeful. But I'll ask it.

15 (Laughter)

16 JUDGE McCARTNEY: Are there any
17 further questions for this witness?

18 MR. SPATE: Can I ask one question?

19 JUDGE McCARTNEY: Yes, sir.

20 MR. SPATE: On one of the Exhibits.

21 JUDGE McCARTNEY: Please identify
22 yourself.

1 MR. SPATE: Steven Spate. On the
2 yield for raisins 2000 through 2014, graph five.
3 And it talks about yield. It is mentioning a
4 green tonnage, not --

5 COURT REPORTER: Sir, could you speak
6 in the microphone, please?

7 MR. SPATE: On that graph five in the
8 yield that he just talked about under yield, he's
9 talked -- you've mentioned yield that varies from
10 11.4 down to 9.7 tons. That's green yield.

11 I just wanted to clarify that's not
12 raisins.

13 JUDGE McCARTNEY: Ask the witness.
14 You're not testifying.

15 MR. SPATE: Huh? Okay. I just wanted
16 to clarify that that -- is that -- you don't
17 state anywhere the conversion to raisin tonnage.
18 And you just leave a statement that that yield.
19 But you don't refer to green tonnage weight.

20 MR. McFETRIDGE: That's correct.

21 MR. SPATE: Okay.

22 JUDGE McCARTNEY: I'm confused by your

1 question. So, it is green tonnage weight?

2 MR. McFETRIDGE: That's correct.

3 JUDGE McCARTNEY: All right. Thank
4 you.

5 MR. SPATE: Okay.

6 JUDGE McCARTNEY: Any further
7 questions of this witness?

8 (No response)

9 JUDGE McCARTNEY: You're hereby
10 excused.

11 MS. CHILUKURI: USDA does not have any
12 more witnesses at this time, Your Honor. So, I
13 will let the industry proceed I think with their
14 first witness.

15 Would that be Monte Schutz? Okay.

16 JUDGE McCARTNEY: You have been
17 previously sworn?

18 MR. SCHUTZ: Yes.

19 JUDGE McCARTNEY: Yes.

20 WHEREUPON,

21 MONTE SCHUTZ

22 was called as a witness by Counsel for the

1 Industry and, having been first duly sworn,
2 assumed the witness stand, was examined and
3 testified as follows:

4 DIRECT EXAMINATION

5 JUDGE McCARTNEY: Counsel, are you
6 prepared to proceed?

7 MS. CHILUKURI: Yes, we are.

8 JUDGE McCARTNEY: All right. Move
9 forward.

10 MR. SCHUTZ: Okay. Good morning
11 everyone. My name is Monte Schutz. I'm a third
12 generation grower from the -- a raisin grower
13 from the Caruthers area.

14 I am currently the Chairman of the
15 Raisin Administrative Committee since 2012. And
16 I have been a member on the Committee since 2002.

17 I'm also the Chairman of the Raisin
18 Bargaining Association. Which I've been a member
19 of that since 1992. And I also serve on the
20 California Raisin Marketing Board.

21 The production area of the California
22 raisins consist of Fresno, Madera, Tulare, Kern,

1 and Kings Counties. With the biggest production
2 in Fresno and Madera Counties.

3 JUDGE McCARTNEY: All right, sir.
4 Because you do not have a written statement, we
5 must rely exclusively on the court reporter. So,
6 read more slowly.

7 MR. SCHUTZ: Okay.

8 JUDGE McCARTNEY: And articulate very
9 clearly.

10 MR. SCHUTZ: Okay.

11 JUDGE McCARTNEY: You may proceed.

12 MR. SCHUTZ: The industry has
13 approximately three thousand producers. The
14 average size farm is 42 acres. They range as
15 small as one acre to over five thousand acres.

16 The growing season begins December 1
17 during the dormant period where we begin to prune
18 and tie the vines. This process takes roughly
19 about two and a half months through February 15.

20 Late February, early March, buds open
21 to new green little shoots. Smaller bunches can
22 be found and counted by early April.

1 Bloom normally happens mid May
2 depending on the weather. And it can vary three
3 weeks. After bloom the bunches are formed and
4 begin to grow and stretch.

5 The grapevines begin veraison, which
6 means putting on the sugar or taking in sugar
7 usually by early July. Again, weather being a
8 factor.

9 And sugar content raises until optimum
10 brix levels for good quality raisins. The
11 minimum brix level is 18. And any number higher
12 produces a good quality raisin.

13 The majority of the raisins in the
14 Central Valley are Thompson seedless. Harvest
15 usually begins the third week of August.

16 There are two methods of harvest for
17 this variety. The traditional hand harvest. And
18 mechanical harvest using a continuous tray
19 method. Other varieties such as Selma Pete and
20 Fiesta ripen sooner and can be harvested using
21 the dried on the vine method.

22 Either way we only have a window of

1 eight to ten weeks to complete our harvest of
2 over 300 thousand tons due to weather and
3 concerns and drying time by early October. For
4 Thompson seedless that window is more like six
5 weeks.

6 After harvest irrigation and nutrient
7 applications are done. Compost and manure are
8 applied as well post-harvest. This completes the
9 growing seasons as vines begin to go dormant in
10 November.

11 The Raisin Administrative Committee
12 was established in 1949. And was last amended
13 under formal rulemaking on August 18, 1989.

14 The Raisin Administrative Committee is
15 comprised of 35 members representing producers,
16 ten members representing handlers of various
17 sizes, one member representing the Raisin
18 Bargaining Association, and one public member.

19 Members serve two year terms of office
20 that begin on May 1. We currently have 23
21 packers and 18 dehydrators.

22 Marketing by the RAC is focused on

1 providing promotional support for the 40 percent
2 or so of our annual production that is shipped
3 into export. Typically between 100 and 130
4 thousand metric tons each year.

5 Marketing activities are divided into
6 two different programs. The Market Access
7 Program, MAP, the Raisin Administrative Committee
8 Grant Program, and the Merchandise Incentive
9 Program, MIP.

10 Under the MAP grant program, the RAC
11 is able to support marketing activities in 18
12 countries across the globe. Which are managed by
13 an eight in-country international representatives
14 and supervised by the RAC headquarters staff in
15 Fresno.

16 The annual MAP budget is typically
17 three to three and a half million dollars. And
18 the RAC contribution to the overall program is
19 about another two million dollars for a total of
20 about five million dollars.

21 Those countries supported by active
22 marketing campaigns include Denmark, Norway,

1 Sweden, Finland, the UK, Germany, Mexico, China,
2 Hong Kong, Vietnam, Indonesia, Japan, South
3 Korea, Malaysia, Philippines, Singapore, Taiwan,
4 and Thailand.

5 Supported programs include
6 professional product development contests,
7 consumer sweepstakes, public relations campaigns,
8 social media campaigns, educational and nutrition
9 campaigns to teach the benefits of raisins,
10 support for sporting events such as marathons,
11 family runs, and even cooking contests.

12 Additionally, the RAC manages another
13 program called the Merchandises Incentive
14 Program. Which was created to encourage loyalty
15 to California raisins by providing funds based on
16 purchases and market share achievements to
17 importers in countries in Asia.

18 This program is funded by the RAC at
19 about a million and a half dollars per year.
20 Results of this program have been consistently
21 good as California raisins enjoy import market
22 shares in Asian countries between 50 to 95

1 percent depending on the country.

2 Importers use MIP funds to manage
3 their internally created programs to benefit
4 their industrial and retail customers.

5 California raisins can be stored up to
6 18 months from date of harvest in a controlled
7 environment either in stocks or in cold storage.

8 The relationship between the packer
9 and the grower is essentially that between a
10 seller and a buyer. The producers, the grower of
11 the California raisins, there are nearly three
12 thousand of them.

13 Once the project is grown and
14 harvested, the producers sell their raisins to
15 the 23 active handlers, also called packers. And
16 we also have one marketing cooperative, which is
17 Sun-Maid.

18 As far as the growing trends, the
19 pullouts of vineyards continue due to low prices
20 and low returns. Growers have options to higher
21 revenue crops such as almonds and citrus.

22 The current economic health of the

1 industry is not strong. And that concludes my
2 notes.

3 JUDGE McCARTNEY: Any further
4 questions of this witness?

5 MS. CHILUKURI: I'll defer to AMS.

6 CROSS EXAMINATION

7 BY MS. SCHMAEDICK:

8 Q Good morning. This is Melissa
9 Schmaedick, USDA. Thank you Mr. Schutz for your
10 testimony.

11 I do have a couple of questions.
12 First for clarification. And then more
13 substantial questions.

14 You referred to a term called brix.
15 Could you --

16 A Brix.

17 Q Brix. Could you spell that and
18 explain what that means?

19 A It's B-R-I-X.

20 Q Um-hum.

21 A And all I know is I have a
22 refractometer. And it measures the sugar content

1 in my grapes.

2 Q Okay.

3 A And when I smash the grapes and the
4 juice on it, it reads this number and they're
5 called brix levels.

6 Q Thank you. And then you mentioned two
7 varieties. And I wonder if you could spell the
8 names into the record for us.

9 I believe you referred to a Selma Pete
10 and then something starting with PS. I'm not
11 sure.

12 A Yes. The Selma Pete is S-E-L-M-A P-
13 E-T-E.

14 Q Okay.

15 A And -- oh, the other was -- what did
16 I mention? Fiesta.

17 Q Oh, Fiesta.

18 A Yes. Fiesta.

19 Q Okay. I misunderstood that. Thank
20 you.

21 A And that's F-I-E-S-T-A.

22 Q Okay. Thank you. And then you

1 mentioned a couple of promotion type programs.
2 One is the MAP, Market Access Program. Is that
3 correct?

4 A Um-hum.

5 Q And then the other is the MIP,
6 Merchandise Incentive Program? Is that correct?

7 A The MIP.

8 Q Okay. And you mentioned that the MIP
9 is funded by the RAC. Is that correct?

10 A That's correct.

11 Q Okay. So, if I understand how your
12 order works, the funding, is that sourced from
13 the assessments that are collected from members?

14 A Yes.

15 Q Okay. So, the MIP program is funded
16 by assessments. Is that correct?

17 A Right.

18 Q Okay. Thank you. And I believe you
19 have two Exhibits that were handed out. Could
20 you explain to us the relevance of these two
21 Exhibits?

22 A I'll have to see them. I didn't get

1 one.

2 Q Oh, okay.

3 JUDGE McCARTNEY: Exhibit 7 and
4 Exhibit 8.

5 MR. SCHUTZ: Okay. Exhibit 7 shows
6 the total production for each crop year. The
7 value of the 100 -- this is back during the
8 reserve programs.

9 So, you have the free percent and then
10 the reserve percentage. And then what the 100
11 percent return was to the grower based off the
12 RBA's field price.

13 (Whereupon, the above-
14 referred to document was
15 marked as Exhibit No. 7 for
16 identification.)

17 MS. SCHMAEDICK: Okay. Thank you.
18 So, this information is not USDA data? It's
19 industry data?

20 MR. SCHUTZ: Yes. It's provided by
21 the RBA.

22 MS. SCHMAEDICK: Okay. And the RBA

1 is?

2 MR. SCHUTZ: The Raisin Bargaining
3 Association.

4 MS. SCHMAEDICK: Great. Thank you.
5 And then your second handout here. I'll just
6 read it into the record for clarification.

7 It's called California Raisin
8 Marketing Board Raisin Administrative Committee.
9 It looks like a report with a picture of raisins
10 on it.

11 Could you tell us about that Exhibit?

12 (Whereupon, the above-
13 referred to document was
14 marked as Exhibit No. 8 for
15 identification.)

16 MR. SCHUTZ: Well, this is produced
17 from our State Order Marketing Board.

18 MS. SCHMAEDICK: Okay.

19 MR. SCHUTZ: The California Raisin
20 Marketing Board. I believe it's our annual
21 report?

22 MS. ROTHWEILER: It's general

1 information on the industry as a whole.

2 JUDGE McCARTNEY: I'm sorry. You're
3 not sworn in. The witness is the one who has to
4 testify.

5 MS. ROTHWEILER: I'm sorry.

6 JUDGE McCARTNEY: And if he doesn't
7 know, then I'm not sure is fine.

8 MR. SCHUTZ: Okay. Sorry. I don't
9 know.

10 MS. SCHMAEDICK: If you take a moment
11 to look at it, is this document familiar to you?
12 Have you seen it before?

13 MR. SCHUTZ: I'm under oath? No.

14 MS. SCHMAEDICK: Oh, you have not.
15 Okay.

16 JUDGE McCARTNEY: Take a moment to
17 look at it. And perhaps you've seen the content
18 of it in other forms, other formats.

19 MR. SCHUTZ: Yes. I mean --

20 JUDGE McCARTNEY: You're not going to
21 be held to every word of it. I think she's just
22 trying to explore your familiarity.

1 Is that correct, counsel?

2 MS. SCHMAEDICK: Correct. And the
3 purpose of the content. For example, does the
4 content of this Exhibit explain in more detail
5 information about the history and the operation
6 of the raisin industry?

7 MR. SCHUTZ: Yes.

8 BY MS. SCHMAEDICK:

9 Q And does it cover for example, the
10 processing of raisins after they're harvested?

11 A Yes.

12 Q And how about different varieties? Is
13 that included in here? Perhaps on page nine?

14 A Yes.

15 MS. SCHMAEDICK: Okay. Thank you.

16 JUDGE McCARTNEY: I'm going to pause
17 a moment here to remind representatives that you
18 can avoid this unpleasant feeling on behalf of
19 the witness by giving them their Exhibits ahead
20 of time when they're going to be asked to sponsor
21 them.

22 And that goes for everyone in the

1 room. Lesson learned. Okay.

2 MR. SCHUTZ: I'll take the blame. It
3 was me.

4 JUDGE McCARTNEY: It is no one taking
5 blame here. We're just trying to get a more
6 orderly process. And we're all very happy we're
7 not sitting in your chair right now.

8 (Laughter)

9 JUDGE McCARTNEY: No blame.

10 MS. SCHMAEDICK: Okay. Well, thank
11 you, very much. I have no further questions.

12 JUDGE McCARTNEY: Are you moving for
13 the introduction of those Exhibits?

14 MR. SCHUTZ: Yes.

15 JUDGE McCARTNEY: All right. So, you
16 understand that you're the witness that they're
17 sponsoring this -- will be sponsoring these
18 Exhibits. And you've reviewed these documents
19 and you're comfortable with offering those into
20 the record?

21 MR. SCHUTZ: Yes.

22 JUDGE McCARTNEY: All right. No

1 objections, they're hereby admitted.

2 (Whereupon, the above-
3 referred to documents were
4 received into evidence as
5 Exhibit Nos. 7 and 8.)

6 JUDGE McCARTNEY: Any further
7 questions for this witness?

8 MS. CHILUKURI: Your Honor, I did have
9 one question just to clarify on the record. I
10 think you mentioned a term veraison?

11 JUDGE McCARTNEY: Please identify
12 yourself for the record.

13 MS. CHILUKURI: Rupa Chilukuri. Can
14 you tell us more what that means and how to spell
15 it?

16 MR. SCHUTZ: Yes. Veraison is V-E-R-A-
17 I-S-O-N, I believe. And that is the process when
18 the grapes actually start taking on sugar and
19 maturing.

20 MS. CHILUKURI: Okay. Thank you.

21 JUDGE McCARTNEY: Perfect timing.

22 (Laughter)

1 MR. SCHUTZ: Sorry.

2 JUDGE McCARTNEY: Any further
3 questions for this witness?

4 MR. McFETRIDGE: Yes, Your Honor.
5 Marc McFetridge, USDA.

6 MR. SCHUTZ: Yes.

7 BY MR. McFETRIDGE:

8 Q Mr. Schutz, you said that you were a
9 third generation grower. Thank you again for
10 coming in today.

11 The Small Business Administration
12 lists small growers as anybody that produces
13 annual receipts of less than \$750 thousand just
14 for raisins. Would you classify yourself as a
15 small or a large grower?

16 A Large.

17 Q Large, okay. Based on your expert
18 knowledge being Chairman of the Board, you said
19 there was about three thousand growers.

20 Would you be able -- or would you feel
21 comfortable to specify if you thought most
22 growers were small or large? Or do you feel that

1 that's beyond your scope?

2 A I think it's changing. There used to
3 be a lot more small growers. As times have
4 gotten tougher, the larger growers are buying the
5 ranches from the smaller growers.

6 So, I think we're in a transition
7 period.

8 Q Okay. The Small Business
9 Administration also lists for handlers as anybody
10 having annual receipts for raisins greater than
11 \$7.5 million as being larger growers. And
12 anybody being under that number being small
13 handlers.

14 Would you feel comfortable using your
15 expert opinion saying for the ten handlers on the
16 Board, if they're small or large?

17 A I would not.

18 MR. McFETRIDGE: All right. Thank
19 you. That's all the questions I have. Thank
20 you.

21 JUDGE McCARTNEY: All right. No
22 further questions for this witness?

1 MS. SCHMAEDICK: Your Honor, I have
2 questions.

3 JUDGE McCARTNEY: Melissa?

4 MS. SCHMAEDICK: My apologies.
5 Melissa Schmaedick, USDA. Mr. Schutz were you
6 involved in the discussions and deliberations
7 over the Proposals that the Raisin Administrative
8 Committee is proposing today?

9 MR. SCHUTZ: Yes, I was.

10 BY MS. SCHMAEDICK:

11 Q Okay. And to your knowledge, are
12 these Proposals understood by the industry
13 participants?

14 A Yes.

15 Q And have industry participants had the
16 opportunity to be involved if they so wish in
17 those discussions?

18 A Yes.

19 Q And in your opinion, are these
20 Proposals in general supported by those that
21 you've had discussions with? In general.

22 A In general, yes.

1 MS. SCHMAEDICK: Okay. Thank you. No
2 further questions.

3 JUDGE McCARTNEY: Anything further for
4 this witness?

5 (No response)

6 JUDGE McCARTNEY: Hearing nothing
7 further you're excused. All right. So, before
8 we move forward with the next witness, I need to
9 establish a more orderly process for those that
10 are coming into the room.

11 Unless you have made an appearance on
12 the record, I do want you to sign in. You don't
13 have to sign in on the witness sheet that Ms.
14 Wray is keeping for us.

15 But, I do want either a Notice of
16 Appearance on the record or a sign in sheet.
17 Because I need to know who is in this room and
18 for what purpose. All right.

19 What's your preference, sir?

20 MR. SAHATJIAN: I think I'll just come
21 and make my appearance then. My name's Richard -

22 -

1 JUDGE McCARTNEY: And you may explain
2 why you're late.

3 (Laughter)

4 MR. SAHATJIAN: Oh, I didn't know that
5 I had a time limit.

6 JUDGE McCARTNEY: Oh, yes. Yes.
7 Well, you know, 9:00.

8 MR. SAHATJIAN: Okay. My name is
9 Richard Sahatjian and I'll be speaking as to two
10 of the Proposals this morning or this afternoon.
11 It just depends on when.

12 JUDGE McCARTNEY: All right. So,
13 you're a perspective witness?

14 MR. SAHATJIAN: Yes.

15 JUDGE McCARTNEY: All right. Thank
16 you.

17 MR. SAHATJIAN: Thank you.

18 JUDGE McCARTNEY: All right. You may
19 proceed with your next witness. And let me just
20 be clear here that we have admitted Exhibits 7
21 and 8. I have my copies back here.

22 All right. So, to facilitate this

1 process, the Exhibits should be marked and handed
2 the court reporter. And a copy should be made
3 available to the witness, which is also marked.

4 I don't mind doing my own homework and
5 marking my own. But the court reporter and the
6 witness should have marked copies.

7 Offers of assistance. Anyone here
8 wanting to volunteer to help hand out Exhibits?
9 I'm sure will be appreciated.

10 Are we prepared to proceed?

11 WHEREUPON,

12 DEBBIE POWELL

13 was called as a witness by Counsel for the
14 Industry and, having been first duly sworn,
15 assumed the witness stand, was examined and
16 testified as follows:

17 DIRECT EXAMINATION

18 MS. POWELL: My name is Debbie Powell.

19 And I'll be giving testimony today. And I will
20 be entering several Exhibits, including my
21 testimony. Which I believe is marked as Number
22 9. Dori, is that right? Okay.

1 (Whereupon, the above-
2 referred to document was
3 marked as Exhibit No. 9 for
4 identification.)

5 MS. POWELL: Okay. I'm the interim
6 president of the Raisin Administrative Committee,
7 RAC. I have worked 25 years with Marketing
8 Orders. Four with the Navel Valencia Orange
9 Administrative Committee. And 21 with the Raisin
10 Administrative Committee, RAC.

11 I am here today to testify on behalf
12 of the RAC to provide a brief summary of the five
13 proposed amendments. Following my testimony,
14 other individuals will provide more detail in
15 their testimony on each Proposal.

16 The RAC received a letter on July 16,
17 2015 from Michael Durando, Director of the
18 Marketing Order and Agreement Division informing
19 us the Supreme Court rules that the Raisin
20 Reserve Program consists of a taking under the
21 Fifth Amendment.

22 As a result of this ruling, USDA

1 notified the RAC that Agriculture Marketing
2 Service, AMS, would be scheduling formal
3 rulemaking hearings to consider Proposals to
4 amend provisions in the Marketing Order related
5 to the Reserve Program, along with any other
6 changes recommended by the RAC.

7 The last time amendments were made to
8 the Order was August 1989. On August 20, 2015,
9 Michael Durando attended an RAC meeting where he
10 spoke to the Committee on the results of the
11 Horne case. Stating that amendments are in the
12 works to remove any reference to volume control.
13 And that a hearing for formal rulemaking would
14 take place in early May.

15 He encouraged the Industry to use this
16 opportunity to make other changes to the Order
17 that would benefit the industry now and/or in the
18 future.

19 The RAC had previously organized a key
20 group of Committee members to form what is
21 referred to as the Rulemaking Workgroup. The
22 Workgroup reports to the Administrative Issues

1 Subcommittee. Which then any motions are
2 ratified by the RAC.

3 The Rulemaking Workgroup was changed
4 with reaching out to the industry to determine
5 what, if any amendments should be made to the
6 Federal Marketing Order.

7 The Workgroup met six times between
8 October 2015 and April 2016 to develop the five
9 proposed amendments to the Federal Marketing
10 Order and the supporting testimony.

11 I'd like to enter into the record the
12 one, January 27, 2016 concurrent Administrative
13 Issue Subcommittee and RAC meeting minutes with
14 attachments that include the nine points
15 supporting the proposed amendments. And I
16 believe that's marked as Exhibit 15.

17 (Whereupon, the above-
18 referred to document was
19 marked as Exhibit No. 15 for
20 identification.)

21 JUDGE McCARTNEY: Was this the
22 document?

1 MS. POWELL: No. It is -- it looks
2 like this.

3 MS. SCHMAEDICK: Your Honor, I believe
4 it's 15.

5 JUDGE McCARTNEY: Oh, 15 now?

6 MS. POWELL: On January 27, 2016 --

7 JUDGE McCARTNEY: I'm sorry, Ms.
8 Powell.

9 MS. POWELL: I'm sorry.

10 JUDGE McCARTNEY: I need to know which
11 Exhibit we're looking at. So, this is Exhibit 9.
12 That's your direct testimony.

13 MS. POWELL: Yes.

14 JUDGE McCARTNEY: And Exhibit 10 is --
15 that would be -- and likewise the court reporter
16 has the appropriate identified copies? Do you
17 have your Exhibits? All right. I want to make
18 sure.

19 MS. SCHMAEDICK: Your Honor, can we
20 just go on the record and go through the Exhibits
21 just to make sure everyone's on the same pages
22 too? The Exhibit numbers since there's so many

1 here?

2 JUDGE McCARTNEY: Yes. Let's go off
3 the record for a moment. Make sure everyone has
4 the same documents marked in the same way. And
5 then we'll go back on the record and we'll have
6 Ms. Powell walk us through which documents.

7 Then you can refer to the documents in
8 your testimony. That way everyone can be looking
9 at the same thing.

10 Okay. That's a good suggestion now.
11 (Whereupon, the above-entitled matter
12 went off the record at 10:11 a.m. and
13 resumed at 10:14 a.m.)

14 JUDGE McCARTNEY: Okay. Are we ready
15 to go back on the record?

16 MS. SCHMAEDICK: Yes.

17 JUDGE McCARTNEY: All right. So, what
18 I'd like you to do then Ms. Powell, is just very
19 briefly go through the Exhibits that you are
20 sponsoring with the Exhibit Number and some
21 identifying descriptive remark.

22 And then we'll turn your attention to

1 your testimony about the documents. All right?

2 MS. POWELL: Um-hum. Okay. So, --

3 JUDGE McCARTNEY: Exhibit 9.

4 MS. POWELL: As I stated earlier,
5 Exhibit 9 is my testimony that I'll be giving
6 today. Exhibit 10 is a Marketing Policy and
7 Industry Statistics for the Crop Year last year I
8 believe, or we'll call it 2015.

9 And it's basically a snapshot of what
10 we did during that crop year.

11 (Whereupon, the above-
12 referred to document was
13 marked as Exhibit No. 10 for
14 identification.)

15 MS. POWELL: The same thing in Exhibit
16 11. It's the same thing for the 2014 year.

17 (Whereupon, the above-
18 referred to document was
19 marked as Exhibit No. 11 for
20 identification.)

21 MS. POWELL: Exhibit 12 the same thing
22 for the 2013 year.

1 (Whereupon, the above-
2 referred to document was
3 marked as Exhibit No. 12 for
4 identification.)

5 MS. POWELL: Exhibit 13, the same
6 thing for the 2012 year.

7 (Whereupon, the above-
8 referred to document was
9 marked as Exhibit No. 13 for
10 identification.)

11 MS. POWELL: And 14, the same thing
12 for the 2011 year. We went back five years to
13 provide that for the Court.

14 (Whereupon, the above-
15 referred to document was
16 marked as Exhibit No. 14 for
17 identification.)

18 MS. POWELL: Exhibit 15 is the
19 concurrent Administrative Issue Subcommittee and
20 RAC Committee Minutes for January 27, 2016. And
21 in that I believe are the nine points that we
22 recommended for the USDA hearing today and the

1 amendment process.

2 The minutes of the Raisin
3 Administrative Committee April 14, 2016 is
4 Exhibit 16. And I believe that is the minutes
5 that -- or the meeting that we just held to
6 request a modification to the continuance
7 referendum. That has the information in there
8 for that.

9 (Whereupon, the above-
10 referred to document was
11 marked as Exhibit No. 16 for
12 identification.)

13 MS. POWELL: The minutes of the
14 California Raisin Marketing Board, April 14,
15 2016, Exhibit 17, contains a resolution from the
16 California Raisin Marketing Board in support of
17 the crop research amendment for the RAC.

18 (Whereupon, the above-
19 referred to document was
20 marked as Exhibit No. 17 for
21 identification.)

22 MS. POWELL: Any questions? Okay.

1 JUDGE McCARTNEY: Are there any
2 objections to the admissibility of these
3 documents?

4 MS. CHILUKURI: No.

5 JUDGE McCARTNEY: The documents are
6 hereby admitted.

7 (Whereupon, the above-
8 referred to documents were
9 received into evidence as
10 Exhibit Nos. 9, 10, 11, 12,
11 13, 14, 15, 16 and 17.)

12 JUDGE McCARTNEY: Do you wish to
13 provide further testimony with respect to the
14 documents?

15 MS. POWELL: Please.

16 JUDGE McCARTNEY: You may proceed.

17 MS. POWELL: On January 27, 2016, a
18 concurrent meeting of the Administrative Issues
19 Subcommittee and the RAC was held where the five
20 industry supported proposed amendments were
21 presented, discussed and voted upon.

22 Two additional motions were also made

1 regarding the USDA Proposals. One unanimously in
2 favor of USDA's removal of any reference to
3 reserve or reserve pool language in the marketing
4 order. And one that unanimously opposed any
5 recommendations by USDA on term limits for the
6 RAC.

7 The RAC voted unanimously for the
8 following four proposed amendments. Separate
9 nominations for independent grower member seats
10 and independent grower alternate member seats.

11 The RAC has had multiple vacancies for
12 the past five terms. 2006 to 2008 16 members all
13 filled and 16 alternate member, 12 were vacant.
14 2008 to 2010, 14 members all filled and 14
15 alternate members, 13 were vacant.

16 2010 to 2012, 15 members, one was
17 vacant and 15 alternate members, 14 were vacant.
18 2012 to 2014, 16 members all filled and 16
19 alternate members, 14 were vacant.

20 2014 to 2016, 15 members all filled
21 and 15 alternate members, 11 were vacant. In an
22 effort to encourage increased participation, it

1 has been thought that by allowing separate
2 nominations for members and alternate member
3 seats, it would encourage participation by those
4 who wish to sit on a specific side only.

5 Currently independent producers, non
6 RBA and Sun-Maid producers, nominations are held
7 for three districts. District One and Two has
8 one member and one alternate each for the
9 2014/2016 term.

10 The largest District, Fresno County,
11 for the 2014/2016 term, there are 13 member and
12 13 alternate member seats. Names are provided in
13 the nomination process and placed on a ballot.

14 The ballots are mailed to all
15 independent producers who vote within their own
16 district according to where their farm is
17 located. An example for District Three, if 13
18 seats for members and 13 seats for alternate
19 members are available, you would hope to receive
20 at least 26 different nominees to fill all
21 positions.

22 However, in most cases there are too

1 few nominees to fill both member and alternate
2 members seats. If 20 names are on the one
3 ballot, with only 13 member seats available, the
4 independent producer would vote for no more than
5 13 names to fill the 13 member seats.

6 When tabulating the votes according to
7 Section 989.29(2)(ii), the producer receiving the
8 highest number of votes shall be designated as
9 the first member nominee. The second highest
10 shall be designated as the second member nominee
11 or alternate member nominee as the case may be,
12 until all nominees for all member and alternate
13 positions have been filled.

14 In other words, the top 13 who receive
15 the most votes will hold a member position. And
16 the remaining seven would hold alternate member
17 positions. Which would leave six vacant
18 alternate member seats.

19 If the proposed amendment passes,
20 instead of a single ballot for all nominations as
21 is currently done, there would be two separate
22 ballots. One for members and one for alternate

1 members.

2 Number two, quality regulation. This
3 is the second amendment that we're proposing.

4 This would add quality to the list of
5 attributes that can be regulated under the Order.
6 Currently quality is mentioned in several
7 sections of the Order.

8 However, the authority to regulate
9 quality is not expressly stated in the handling
10 sections of the Order. This would provide
11 flexibility to meet future regulatory needs of
12 the industry. An example, it's been contemplated
13 to implement testing for okra toxin.

14 The third Proposal that we're -- we
15 want to amend would be different regulations for
16 different market destinations. This would give
17 authority for the Committee to establish
18 different grade, quality or condition regulations
19 for different market global destinations allowing
20 for different quality or grade standards to be
21 applied to various global markets.

22 This authority would allow the

1 Committee to develop regulation for product that
2 is best suited for a particular market
3 destination.

4 Number four, production research.

5 This would give authority to the RAC to conduct
6 production research, otherwise referred to as
7 crop research. A collective effort is the only
8 way to address the ongoing challenges the
9 industry faces, pest, water issues related to
10 drought, new varietal development, et cetera.

11 The RAC would initiate research only
12 in the event the CRB ceases to exist or is not
13 financially able to fund the work.

14 The following amendment was first
15 proposed by USDA. And the RAC opted to take
16 ownership so the terms of the Proposal would best
17 fit the needs of the industry.

18 This would be the continuance
19 referendum. Currently there is no continuance
20 referendum. This amendment to the order will
21 provide the industry a voice in determining if
22 the Order is favored by its constituents.

1 When the details of this Proposal was
2 first developed in the Rulemaking Workgroup, the
3 recommendation was no less than five years and no
4 later than six years of the effective date of
5 this part. The Secretary shall conduct a
6 referendum to ascertain whether continuance of
7 this part is favored by producers.

8 Subsequent referenda to ascertain
9 continuance shall be conducted every six years
10 thereafter. This recommendation was taken to the
11 concurrent Administrative Issues Subcommittee and
12 RAC meeting on January 27, 2016.

13 When this recommendation was
14 presented, there was much discussion and several
15 amended actions that resulted in a change to the
16 number of years in which the referenda would be
17 initiated. No less than two years and no later
18 than six years.

19 The final vote was not unanimous.
20 Sixteen yeses and ten nos. In that same meeting
21 it was noted under other business the following.
22 Discussion followed regarding the Order in which

1 the Proposals had been presented.

2 Consensus was that had the first
3 Proposal on the continuation been last, the
4 discussion might have gone a very different way
5 with a more unanimous vote. The referencing
6 being there may not be enough time to implement
7 Proposals One through Four within the two-year
8 period that the first referenda would take place.

9 At this time the RAC would like to
10 request a modification to the original Proposal
11 Continuance Referenda. And change the language
12 to read, as was originally recommended by the
13 Formal Rulemaking Workgroup, to the concurrent
14 Administrative Issue Subcommittee and RAC meeting
15 on January 27, 2016.

16 No less than five years and no later
17 than six years of the effective date of this
18 part, the Secretary shall conduct a referendum to
19 ascertain whether continuance of this part is
20 favored by producers.

21 Subsequent referenda to ascertain
22 continuance shall be conducted every six years

1 thereafter. The RAC met again on April 14, 2016
2 and voted unanimously to make the above change.

3 Again, I'd like to enter into the
4 record those minutes. And that would be the
5 Number 16, April 14. And also in support of the
6 crop research one, their amendment number 17,
7 which is the California Raisin Marketing Board.
8 And as stated earlier that has the resolution
9 CRMB is supporting that.

10 And my last thing I talked about
11 earlier was the Marketing Policies. I submitted
12 five of those by year. And again that's just a
13 compilation of what happens at the RAC each year.

14 And this concludes my testimony.

15 JUDGE McCARTNEY: All right. We're
16 going to take a moment and cross-reference with
17 the Exhibit number.

18 MS. POWELL: Um-hum.

19 JUDGE McCARTNEY: Okay. So, the RAC
20 41416 --

21 MS. POWELL: That's Number 16.

22 JUDGE McCARTNEY: Give it Number 16.

1 It's been offered and accepted, admitted into
2 evidence. All right.

3 CRMB 41416, what's the corresponding
4 Exhibit Number for that one?

5 MS. POWELL: Number 17 is the -- yes,
6 California Raisin Marketing Board, Number 17.
7 That one, it looks like.

8 MS. CHILUKURI: The last Exhibit in
9 the sequence?

10 JUDGE McCARTNEY: I don't think I have
11 a Number 17. I have a -- oh, I do. All right.
12 Thank you.

13 MS. POWELL: And then the Marketing
14 Policies are Numbers 10 through 14. 2015 is
15 Number 10, 2014 is Number 11, 2013 is Number 12,
16 and 2012 is Exhibit 13, and 2011 is Exhibit 14.

17 JUDGE McCARTNEY: So, Exhibits 10
18 through 14 are referring the RAC Marketing
19 Policies?

20 MS. POWELL: Yes. The number three in
21 my testimony, yes.

22 JUDGE McCARTNEY: Okay. So, where is

1 Exhibit 15 referenced in this listing?

2 MS. POWELL: That is in the front of
3 my testimony right here.

4 JUDGE McCARTNEY: I see. You will
5 thank me for this later.

6 MS. POWELL: Oh, I do.

7 JUDGE McCARTNEY: Because if I'm
8 confused, I assure you the reviewing Courts will
9 be confused. Because I'm here.

10 All right, so this is Exhibit 15. All
11 right. And this is the total number of Exhibits
12 that you are sponsoring. And they have been
13 offered and they have been admitted into
14 evidence.

15 MS. POWELL: That's correct.

16 JUDGE McCARTNEY: All right. Are
17 there any further questions for this witness?

18 (No response)

19 JUDGE McCARTNEY: All right. We are
20 right at the 10:30 mark. We have two choices
21 here. We can move forward depending on your
22 estimated time frame for examination.

1 Or we can pause and take a break and
2 reconvene. What time frame are we looking at
3 here for your examination?

4 I don't want to rush you. I just want
5 to bring to your attention the break point.

6 MS. SCHMAEDICK: I would say maybe ten
7 minutes.

8 JUDGE McCARTNEY: Do you want to
9 continue or break now? The witness would choose
10 to continue.

11 CROSS EXAMINATION

12 BY MS. SCHMAEDICK:

13 Q Melissa Schmaedick, USDA. Thank you
14 for your testimony. I do have a couple of
15 questions. Again, mainly for clarification and
16 then for substance.

17 Early on in your testimony, so this is
18 -- I'm referring back to Exhibit 9, your written,
19 prepared statement, you made a mention of nine
20 points. Can you tell me what nine points are?
21 And why they were developed?

22 A The nine points which are in the

1 Minutes of the Concurrent Admin Issue
2 Subcommittee and Raisin Administration Committee,
3 Exhibit 15.

4 Q Um-hum.

5 A And I believe those are the formal
6 rulemaking justification of the Proposals. So,
7 those -- we did nine points for each of the
8 Proposals that we're asking for.

9 Q And when you say justification, does
10 that justification include for example how those
11 Proposals might benefit the industry?

12 A Correct.

13 Q Okay. Do those Proposals also include
14 any type of consideration for small businesses
15 and potential impacts?

16 A I believe so.

17 Q Okay. Thank you. My other question
18 for clarification would be on the third page of
19 your testimony under Proposal Number Two, quality
20 regulation.

21 You mention the term okra toxin. Can
22 you just very briefly explain what okra toxin is?

1 For example is it a fungus or a --

2 A Yes.

3 Q Oh, okay. Thank you. So, in terms of
4 general questions, you mentioned this Workgroup.
5 Were you involved in all of the meetings of the
6 Workgroup?

7 A Yes, I was.

8 Q Okay. And what was your role at those
9 meetings?

10 A As the Interim President and General
11 Manager, just to put -- get the constituents in
12 the room and discuss what Mr. Durando had ask of
13 us, to put together any ideas we have of amending
14 the Marketing Order.

15 Q And in your opinion, were those
16 meetings proactive in terms of participation and
17 folks being engaged in exploring potential
18 amendments to the Order?

19 A Yes, very.

20 Q Okay. When you spoke about Proposal
21 Number One, which is nomination, separate
22 nominations for independent growers, the member

1 seats and then the alternate member seats, do you
2 have any direct experience in the process of
3 receiving nominations, processing those
4 nominations?

5 A Yes, I do.

6 Q And what is your role in that
7 capacity?

8 A I conduct the nominations.

9 Q You conduct the nominations. Okay.
10 So, in your experience, has there been -- has it
11 been challenging to find individuals who are
12 willing to participate?

13 A Yes.

14 Q And what types of things do you do to
15 seek out new folks?

16 A Well, first we put out a notice to all
17 the non-RBA, non-Sun-Maid growers. And we send
18 something to their house telling them that we're
19 going to have the nominations.

20 We put in the Fresno Bee. We put it
21 in the Business Journal. We put it on our
22 website. Put it out there as much as we can to

1 let them know that it's out there.

2 And then when we have our meeting
3 together we hold it for an hour. So, -- and we
4 give them plenty of time to get there. And then
5 conduct the nominee process.

6 Q Thank you. And as I understand what
7 you've explained in your statement here, is it
8 possible that the uncertainty of knowing whether
9 an individual would end up as a member versus an
10 alternate, is that uncertainty perhaps causing a
11 reluctance to participate?

12 A It could.

13 Q So, does this Proposal sort of explore
14 an option to alleviate that situation?

15 A Yes, it does. Because you would have
16 two separate ballots rather than one.

17 Q So, if I'm understanding correctly,
18 the Proposal would, if it were implemented,
19 someone would know in advance if they were going
20 to be a nominee for a member seat versus a
21 nominee for an alternate. They would know that
22 in advance?

1 A That's correct.

2 Q Rather then currently is it kind of an
3 unknown?

4 A Yes.

5 Q It depends on the votes?

6 A Um-hum.

7 Q Okay. Thank you. With regard to your
8 statement on Proposal Number Four, production
9 research. It's on page three of your statement.
10 You mentioned a memo by the CRMB. I believe
11 that's the California Raisin Marketing Board, is
12 that correct?

13 A Um-hum.

14 Q Why is this memo important?

15 A The resolution of that?

16 Q Yes.

17 A I think it's letting -- if the -- I
18 think it's letting everybody know that the CRMB
19 as it exists today is conducting that research.

20 But, if they go away or something
21 happens and they're not able to do it and don't
22 have the funds for it that the RAC could do it.

1 And it would continue the crop research that is
2 so important to the industry.

3 Q So, would this memo or the resolution
4 indicate that the State program is in support of
5 the RAC's Proposal to have this authority?

6 A I believe so, yes.

7 Q And they don't -- in your opinion,
8 they don't believe it to be a position of
9 competition?

10 A No. Because it would only happen if
11 the CRB did not have the funds or ceased to
12 exist.

13 Q Thank you. And will there be other
14 witnesses that speak to this issue?

15 A Yes.

16 Q Okay. Thank you. The last question
17 I have is regarding the continuance referenda.
18 And you explained that over the course of the
19 past couple of months there's sort of been a
20 switch from what the Workgroup had originally
21 proposed, the five years, too then a two years,
22 which was approved by the full RAC.

1 And then it was sort of switched back
2 to the five. And my understanding based on your
3 statement is that the switch back to the five, is
4 that because the industry believes that it needs
5 more time to see if these Proposals are working?

6 A That's correct.

7 Q In the event that they're accepted and
8 implemented?

9 A Yes.

10 Q Okay. And then again, just to
11 clarify, in your statement you do have some
12 alternate language. Is that the language that
13 you would like to see adopted?

14 A Yes.

15 MS. SCHMAEDICK: Okay. Thank you. I
16 have no further questions.

17 JUDGE McCARTNEY: Is there anything
18 further for this witness?

19 MS. CHILUKURI: Yes, Your Honor. So,
20 I'd just like to clarify for the record, I
21 understand the way that you've listed your
22 Proposals, it's different then what's in the

1 Notice of Hearing.

2 So, I think Ms. Schmaedick referred to
3 a Proposal One. But that's different then what's
4 in the Notice of Hearing. So, I wanted to
5 clarify that for the record.

6 MS. POWELL: I believe so.

7 MS. CHILUKURI: I also had another --

8 JUDGE McCARTNEY: Well, you clarified
9 it by muddying it. So, --

10 (Laughter)

11 JUDGE McCARTNEY: It's an excellent
12 point. And I want the witness too cross-
13 reference so that a reviewing authority can
14 follow which Proposals you were addressing.

15 MS. POWELL: When I talked about the
16 nominations, in my notes, that is number one.
17 And I don't remember what that was in the Federal
18 Register.

19 Okay. Number one in the Federal
20 Register is production research. In mine it's
21 number five.

22 COURT REPORTER: Excuse me, could you

1 speak into the mic.

2 MS. POWELL: In the Federal Register
3 the crop research is number one. In my testimony
4 it's number five. Number two is nominations. In
5 my testimony it's referred to as number one.

6 Number three is authority to regulate
7 quality. In mine it's number two, my testimony.
8 Number four is establish different regulations
9 for different markets. In mine it's number
10 three, my testimony.

11 And number five is the continuance
12 referenda. And in mine it's the continuance
13 referenda, number five. So, one out of five.

14 MS. CHILUKURI: Okay. Thank you.

15 JUDGE McCARTNEY: Thank you for that
16 clarification.

17 MS. CHILUKURI: And on page two of
18 your testimony, near -- this is the second
19 paragraph up. You say when tabulating the votes
20 according to Section 989.29(2)(ii), I just want
21 to clarify the section and make sure that it's
22 correct.

1 MS. POWELL: Yes.

2 BY MS. CHILUKURI:

3 Q So, can you take a look at the Notice
4 of Hearing, in that Proposal? I would think that
5 it would be 989.29(b)(2) and then (ii).

6 So, let me know if you agree with
7 that. And this is Proposal Number Two in the
8 Notice of Hearing, relating to independent grower
9 member seats and independent grower alternate
10 member seats.

11 A Right. Correct.

12 Q Okay. Thank you. And turning to
13 Proposal Number One, relating to production
14 research. That's on the next page of your
15 testimony.

16 You state the RAC would initiate
17 research only in the event the CRMB ceases to
18 exist or is not financially able to fund the
19 work. Can you talk a little bit more about
20 whether or not either of those situations, either
21 ceasing to exist or not being financially able to
22 fund the work, whether or not it's eminent?

1 A Well, we just went through the CRMB,
2 the California Raisin Marketing Board just went
3 through a referendum and it passed. So, for
4 another five years.

5 So, -- but what is also happening is
6 we have a few lawsuits pending. So, we have not
7 collected assessments in three years? In three
8 years. So, we're basically operating on our
9 reserve cash that we have in there.

10 So, with the passing of that, the
11 Committee -- or the Raisin Marketing Board will
12 meet again and decide what we're going to do
13 moving forward.

14 If the hearings that -- or the
15 lawsuits that go through, if we don't win, then
16 we'll appeal. If they win then, you know, appeal
17 back and forth.

18 So, it could be two to three years
19 from now when we do that. So, that's why we may
20 not have the funding. But, if that happens, the
21 RAC might have it and vote it in.

22 So, then that's what's meant by that.

1 Q Okay. Thank you. And just to
2 understand, you testified about RAC's Proposals.
3 And you mentioned USDA's Proposals as well. But,
4 I'm going to ask again.

5 What is your understanding of the
6 industry's position on USDA Proposal Six relating
7 to the removal of the reserve pool and volume
8 control authority?

9 A I think they're supporting that. To
10 eliminate it.

11 Q And what is your understanding of the
12 industry's position on Proposal Seven relating to
13 term limits?

14 A They are opposing that.

15 Q Okay. And are there any -- do you
16 have any idea as it relates to the industry's
17 position on Number Eight?

18 A No.

19 MS. CHILUKURI: Okay. Okay. Thank
20 you very much.

21 JUDGE McCARTNEY: Is there anything
22 further for this witness?

1 (No response)

2 JUDGE McCARTNEY: Hearing nothing
3 further, you're hereby excused. All right. So,
4 we're going to take a 15 minute recess. I'm just
5 going to make it 20 because no one's going to be
6 here in 15 minutes.

7 (Laughter)

8 JUDGE McCARTNEY: So, we will
9 reconvene at 11:00.

10 (Whereupon, the above-entitled matter
11 went off the record at 10:40 a.m. and
12 resumed at 11:00 a.m.)

13 JUDGE McCARTNEY: We're ready to move
14 forward with the next witness.

15 Would you please identify yourself,
16 sir.

17 MR. SPATE: I'm Steven Spate, a grower
18 and also Raisin Bargaining Association Grower
19 Representative.

20 JUDGE McCARTNEY: All right. And I
21 understand that you will be sponsoring several
22 exhibits today. Could you identify those for me?

1 MR. SPATE: Yes. Exhibit 18 is a copy
2 of my testimony.

3 Exhibit 19 is the Annual Report for
4 the California Raisin Marketing Board.

5 And the reason for these is to
6 reference crop production research as noted in
7 each of these reports in order that I'll mention.
8 So it gives you examples of the type of
9 production research that we're proposing to
10 implement at the RAC when needed.

11 So anyway, the Exhibit 20 would be the
12 2009-10 Annual Report for the California Raisin
13 Marketing Board.

14 The Exhibit 21 is the '10-'11 Annual
15 Report, Annual Report.

16 Exhibit 22 is the '11-'12 year.

17 Exhibit 23 is the '12-'13 year.

18 Exhibit 24 is the '13-'14 year.

19 And Exhibit 25 is the '14-'15 crop
20 year.

21 (Whereupon, the above-
22 referred to documents were

1 marked as Spate Exhibits 18
2 through 25 for
3 identification.)

4 JUDGE McCARTNEY: All right. Moving to
5 Exhibit 18, I understand that's your statement.

6 MR. SPATE: Yes, it is.

7 JUDGE McCARTNEY: Do you wish to
8 proceed with that?

9 MR. SPATE: Yes.

10 WHEREUPON,

11 STEVEN R. SPATE
12 having been previously duly sworn, was called as
13 a witness here, and was examined and testified as
14 follows:

15 TESTIMONY OF STEVEN R. SPATE

16 MR. SPATE: Again, I'm Steven Spate.

17 And this is my testimony in regards to the RAC
18 Formal Rule Proposal Number 1.

19 JUDGE McCARTNEY: And you have been
20 previously sworn?

21 MR. SPATE: Yes, I have.

22 JUDGE McCARTNEY: Continue.

1 MR. SPATE: And this is to allow for
2 production research at the RAC.

3 Again, I'm Steve Spate, currently the
4 Chairman of the California Raisin Marketing
5 Board, CRMB, the past Research Subcommittee
6 Chairman of the CRMB. I'm also a member of the
7 Raisin Administrative Committee. And also an
8 employee of the Raisin Bargaining Association,
9 the RBA, where my position as grower
10 representative has me in close contact with the
11 needs of our grower base. Also, and most
12 importantly, I'm a third generation raisin
13 grower, currently farming over 200 acres of
14 grapes for raisin production.

15 The purpose of this proposal, which I
16 support, is to give the RAC the ability to
17 conduct crop production research, not as the
18 primary source, but only in the event that the
19 CRMB either ceases to exist or is not in a
20 position financially to support that activity.
21 The raisin industry is in a situation where
22 important research projects are not being

1 proposed to the industry due to lack of funding
2 from the raisin industry as a whole.

3 The CRMB would be the normal funding
4 source for industry-wide support of important
5 crop production research up until approximately
6 three years ago when assessments were suspended
7 awaiting the results of litigations the Board is
8 currently undergoing.

9 Also, the CRMB currently has a
10 referendum every five years. If the CRMB ceases
11 to exist, the industry would lose the ability on
12 a collective effort to continue crop production
13 research. And, in fact, with no current budget
14 at the CRMB to fund projects, we are not able to
15 support important production research that would
16 be valuable to the industry as a whole.

17 One key item I believe you should
18 understand, research does not happen without some
19 financial support, and growers individually are
20 not in a position to support research.

21 What this proposal would allow is for
22 the RAC to set up similar criteria where requests

1 for proposals would be sent out in certain
2 categories of need such as development of
3 improved raisin grapes for mechanical harvest,
4 including types resistant to powdery mildew;
5 nematode-resistant rootstocks; early ripening
6 varieties; control of pests, including vine
7 mealybug; weed control; also water management,
8 fertilization, just to name a few.

9 Future research could potentially
10 impact growers in multiple ways, such as reduced
11 pesticide usage or possibly safer and more
12 economical products.

13 Also, in regards to labor, if a viable
14 new variety were discovered with the potential to
15 be harvested with fewer laborers needed, it would
16 help all growers farm the crop more economically
17 and also keep the price of raisins competitive in
18 the marketplace.

19 If this proposal were to be accepted
20 and went to implementation, I believe it would be
21 a very easy process to transition, since many of
22 the CRMB Research Committee board members are

1 also on the current Raisin Administrative
2 Committee, and they are familiar with the
3 procedures of requests, budgets and
4 implementation of research projects. The RAC
5 would establish a budget for research and the
6 USDA would have oversight.

7 If assessment rate needed to be
8 increased to cover the costs, it would go through
9 the RAC Committee, then rulemaking as well as
10 public comment prior to implementation.

11 On April 14th, 2016, the California
12 Raisin Marketing Board voted and unanimously
13 passed a resolution supporting these efforts by
14 the RAC. This is the resolution:

15 The CRMB is in support of the efforts
16 of the Raisin Administrative Committee to include
17 a provision in the Federal Marketing Order 989
18 for approved production research in the event
19 that CRMB may cease to exist or does not have the
20 budget funding to support production research
21 efforts. The CRMB feels strongly the need to
22 have important production research funded into

1 the future on a collective, industry-wide basis,
2 and believe this will not take place without wide
3 industry support by either the CRMB in our
4 working capacity or the RAC, who is also an
5 organized industry group that could facilitate
6 the ongoing needed research efforts.

7 On a final point, the best way to
8 financially support production research is from a
9 broad-based group. And RAC is the best
10 alternative if CRMB is unable to fund the future
11 research.

12 Thank you.

13 JUDGE McCARTNEY: Did you have any
14 additional comments you wanted to make regarding
15 any of the other exhibits that you are
16 sponsoring?

17 MR. SPATE: I wanted to kind of go into
18 you have multiple items in here that are copies
19 or examples of the type of research that we would
20 like to have the ability to do and continue to do
21 for production research. But one I would like to
22 kind of expound on that I didn't put in my

1 comments is we currently have a new variety
2 that's recently been released; it's called
3 Sunpreme.

4 And it's really evident that the needs
5 of the industry for further research on that
6 item, on how it performs on different rootstocks
7 and different canopy management systems is very
8 important to the industry. And, in fact, it's,
9 it's not being funded right now. And so I
10 believe that growers could make mistakes in how
11 that is put on rootstocks or even potentially
12 overcropped. And it may not dry on its own as
13 it's been released to do.

14 So I believe that's one specific
15 instance where we're losing the ability currently
16 to fund an important project.

17 JUDGE McCARTNEY: Are there any further
18 questions for this witness?

19 EXAMINATION ON BEHALF OF USDA, AMS

20 MS. SCHMAEDICK: Melissa Schmaedick,
21 USDA. Thank you for your testimony. Thank you
22 for joining us today.

1 So in your statement you have made a
2 reference to the Raisin Bargaining Association,
3 RBA. Could you briefly explain what the RBA is
4 as an organization? I'm not familiar with it.

5 MR. SPATE: Well, the Raisin Bargaining
6 Association is a group of growers that joined
7 together to, one of the key focuses, to price the
8 raisin product each given year with the
9 processors that handle the product. And we also
10 sit on the various committees, including RAC and
11 CRMB, where other important decisions are made
12 that impact the industry.

13 MS. SCHMAEDICK: Okay.

14 MR. SPATE: We are a grower group, a
15 grower cooperative of growers just.

16 MS. SCHMAEDICK: And so you mentioned
17 that you're a grower representative.

18 MR. SPATE: Uh-huh.

19 MS. SCHMAEDICK: And that you, you
20 state that you are in close contact with the
21 needs of the grower base. What types of
22 activities? How does that happen?

1 MR. SPATE: Well, in communication with
2 growers as they call and referencing what items
3 are going on in the industry. And I'm also out
4 in the field meeting with our growers on
5 individual basis, as needed. I'm also in
6 recruitment of new growers who are independent
7 growers.

8 So my job is to basically take in
9 information from growers and bring back to our
10 board of directors anything that's important at
11 the time, so. That's more, take calls from
12 growers on their concerns.

13 MS. SCHMAEDICK: Thank you.

14 And so based on your interaction with
15 the grower base would you say that the growers
16 are aware of the proposal for production
17 research?

18 MR. SPATE: Yes.

19 MS. SCHMAEDICK: And how has, in your
20 opinion how has that proposal been received? Is
21 it supported?

22 MR. SPATE: Yes. It's been supported

1 based on the fact that growers are very concerned
2 that we, we are at a time right now without
3 funding on the CRMB side because of budget
4 concerns that we're, especially in regards to
5 certain items that need research right now that
6 we just don't have the ability to fund as an
7 industry group.

8 MS. SCHMAEDICK: Right. And on that
9 subject, I think you made some references but
10 just to clarify, are there current research
11 projects that have essentially been suspended
12 because of lack of funding?

13 MR. SPATE: Yes. They have just termed
14 out. So we just, I don't think we have any
15 current proposals going through on the research
16 side.

17 MS. SCHMAEDICK: And you mentioned a
18 new variety. I believe it was Sun Cream?

19 MR. SPATE: Sunpreme.

20 MS. SCHMAEDICK: Sunpreme?

21 MR. SPATE: Uh-huh.

22 MS. SCHMAEDICK: Could you spell that,

1 please?

2 MR. SPATE: S-U-N-P-R-E-M-E.

3 MS. SCHMAEDICK: P-R-E-M-E. Thank you.

4 And I'm just curious, you mentioned
5 something about a concern, a concern over the use
6 of this new research, but the potential for it to
7 be improperly used. Is that because of an
8 educational component that's lacking?

9 MR. SPATE: It is. The new variety was
10 developed to dry on its own without the need to
11 cane cut it. It was developed on its own root so
12 it hasn't been tried on rootstocks, nor has it
13 been tried on various canopy systems.

14 And so the issue is some growers may,
15 when it's available, put it on a rootstock that
16 then changes the trait and it doesn't dry on its
17 own. The whole reason for the new variety is to
18 try to reduce labor and make it an easier process
19 to dry the grape on its own. So if we put it on
20 either a larger canopy system it may have an
21 impact on how that functions, and it may not do
22 as it was, so to speak, as it was designed and

1 developed to do.

2 MS. SCHMAEDICK: So would it be
3 accurate to conclude that because this research
4 has been somewhat suspended midway and that the
5 outreach and educational process has not been
6 fully realized that if this proposal were to be
7 implemented it would have a very direct benefit?

8 MR. SPATE: It could have a very direct
9 impact depending on how quickly it could be
10 implemented. I mean I think even at today's time
11 there could be potential mistakes made by growers
12 in the industry if they put it on different
13 rootstocks or different trellis systems. But
14 that research still needs to be done.

15 MS. SCHMAEDICK: And another questions
16 I have is, on the first page of your statement it
17 says, "One key item I believe you should
18 understand, research does not happen without some
19 financial support. And growers individually are
20 not in a position to support research."

21 So to me this indicates some sort of
22 importance to the collective action that occurs

1 under this program. Can you give an opinion on
2 that?

3 MR. SPATE: That's absolutely. I mean
4 growers are not financially in a position to, to
5 devote dollars individually to this type of
6 research. It's costly and you need a grower
7 group with a funding mechanism in order to fund
8 that type of research.

9 MS. SCHMAEDICK: And in your opinion
10 does this type of collective action also have
11 very direct benefits to perhaps smaller business
12 entities who are perhaps more at a disadvantage?

13 MR. SPATE: It could. I mean because
14 it's, in this if it has impacts to the amount of
15 labor needed in the future it definitely could
16 have impacts to help both large and small
17 growers. But it potentially could have a greater
18 impact, in a positive way, to the small grower.

19 MS. SCHMAEDICK: Thank you.

20 And my last question is about the,
21 sort of the funding process. On page 2 of your
22 statement you say, "The RAC would establish a

1 budget for research. USDA would have oversight.
2 If assessment rate needed to be increased, it
3 would go through a process."

4 So is that currently how the
5 California Raisin Marketing Board operates?

6 MR. SPATE: Yes. We, we operate on an
7 assessment base and then go through budgets to
8 establish a certain amount of budget funding for
9 research proposals ongoing.

10 MS. SCHMAEDICK: And so in your opinion
11 this process, the process that you currently
12 follow under the state program would be the same
13 under the federal program?

14 MR. SPATE: I believe it would be very
15 similar, yes.

16 MS. SCHMAEDICK: Okay. So my question
17 is, there's a certain amount of awareness and
18 familiar -- well, not to be redundant, but
19 awareness about how assessments tie into the
20 budgeting process and, therefore, potential
21 funding of research. And that's well understood
22 in the industry. Is that correct?

1 MR. SPATE: Yes.

2 MS. SCHMAEDICK: So if in the event
3 that there was an increase in the assessment
4 rate, would the industry understand the
5 correlation between that increase and then the
6 use of those funds for research projects?

7 MR. SPATE: I think the industry would.
8 And, in fact, I mean when you talk about
9 potential funding we're not talking about a
10 massive change to the assessment rate. Currently
11 with potentially 300,000 ton of raisins, as an
12 example, if you had a dollar, one dollar increase
13 to the assessment rate it would generate \$300,000
14 on an annual basis. And that would be well over
15 a good amount of money to devote to this.

16 And I'm not saying that that's the
17 number, I'm just saying that would be a, a good
18 number to still have research ongoing.

19 MS. SCHMAEDICK: And in your opinion
20 there would be industry support for that increase
21 because of the potential value of the research?

22 MR. SPATE: Absolutely.

1 MS. SCHMAEDICK: Okay, thank you.

2 And my last question is about your
3 role with the state program. And I just wanted
4 to clarify again. Earlier under Ms. Powell's
5 testimony there was an exhibit that was entered,
6 I believe it was Exhibit Number 17, which was a
7 resolution passed by the California Raisin
8 Marketing Board in support of this proposal.

9 So just to clarify that in your
10 opinion and in your role with the state program
11 there, is there any sense of unease or
12 competition, or is there full support?

13 MR. SPATE: There was unanimous support
14 for in the event that we don't have funding to
15 continue this type program to have that ability
16 on the Raisin Administrative Committee.

17 MS. SCHMAEDICK: Okay. Thank you.
18 Those are all of my questions.

19 MR. SPATE: Thank you.

20 JUDGE McCARTNEY: Any further questions
21 for this witness?

22 EXAMINATION ON BEHALF OF USDA, OGC

1 MS. CHILUKURI: Rupa Chilukuri, USDA.

2 Mr. Spate, thank you for your
3 testimony. I had a question for you just about
4 just what is your understanding of the role of
5 USDA and the Secretary as it relates to this
6 proposal if the authority is in place?

7 MR. SPATE: I would say oversight I
8 mean is the basic role. To oversight the having
9 this implemented into the RAC program.

10 MS. CHILUKURI: Okay. And I also have
11 a question for you generally as it relates to the
12 other RAC proposals. What are your, what is your
13 position or opinion on those proposals?

14 MR. SPATE: I'm in support of all I
15 think except one. I don't remember the number.
16 I'm not in support of term limits.

17 And in regards to that issue I, I
18 truly believe that you have individuals that are
19 interested and impactful in the industry that are
20 involved in this industry. And there's ample
21 opportunity for others to get involved. You
22 don't have to term limit the individuals that are

1 interested in serving in order to try and get new
2 ideas in.

3 The potential is there for others to
4 get involved if they so choose. And I just don't
5 see the reason to implement a limit on a person's
6 term.

7 MS. CHILUKURI: Okay. And just to
8 clarify, so you're in support of all of the
9 proposals, both RAC's and USDA's proposals,
10 except for USDA's proposal in connection with
11 term limits?

12 MR. SPATE: If you could go over them
13 individually to refresh my memory?

14 MS. CHILUKURI: Certainly. Let me just
15 refer to my Notice of Hearing so I'm 100 percent
16 accurate.

17 So the first proposal is what you just
18 testified about, is to authorize production
19 research.

20 MR. SPATE: Uh-huh.

21 MS. CHILUKURI: The second proposal is
22 to separate nominations for independent grower

1 member and independent grower alternate member
2 seats.

3 MR. SPATE: Uh-huh.

4 MS. CHILUKURI: The third is to add
5 authority to regulate quality.

6 Proposal 4 is to add authority to
7 establish different regulations for different
8 markets.

9 Number 5 is to require continuance
10 referenda.

11 Number 6 is to remove volume
12 regulation and reserve pool authority.

13 And Number 7 is to establish term
14 limits.

15 And we also have a Proposal Number 8
16 that's to correct minor errors and to conform the
17 order as needed.

18 MR. SPATE: Yeah, I would, I would say
19 all except for the term limits I would support.

20 MS. CHILUKURI: Okay, thank you very
21 much.

22 JUDGE McCARTNEY: Anything further for

1 this witness?

2 EXAMINATION ON BEHALF OF USDA, AMS

3 MR. McFETRIDGE: Mark McFetridge, USDA.

4 In your testimony you stated that you
5 are a third generation raisin grower.

6 MR. SPATE: Yes.

7 MR. McFETRIDGE: Based on the Small
8 Business Administration that states that if you
9 have annual receipts for producing raisins of
10 less than \$750,000 annually you'll be classified
11 as a small grower. Would you say based on that
12 definition you are a small or large grower?

13 MR. SPATE: I think it varies on a
14 given year. But I'm probably right at that
15 number, so currently a large, so over that.

16 MR. McFETRIDGE: Would you say over
17 the, you know, span of 10, 15 years what would
18 you say on average, you would be large or small?

19 MR. SPATE: In past history probably
20 small.

21 MR. McFETRIDGE: Okay. Thank you.

22 A few more quick questions. I know

1 this was kind of discussed before. But just to,
2 just to make sure that the hearing record is
3 really fleshed out, for funding for the
4 possibility for the RAC to have this crop
5 production research, where do you think the
6 funding would come from?

7 MR. SPATE: From the assessment.

8 MR. McFETRIDGE: From the assessment.

9 MR. SPATE: Whatever assessment rate
10 that was voted on by the RAC.

11 MR. McFETRIDGE: Okay, thank you.

12 Do you see any possibility where
13 outside funding could be a possibility of it
14 being accepted? Is that part of the California
15 ability; do they have the ability to accept
16 outside funding also, or is it all from
17 assessment rates?

18 MR. SPATE: Currently from assessment
19 rates.

20 MR. McFETRIDGE: I will not pursue
21 that.

22 Based on your, your opinion, do you

1 feel that the possibility of an increased
2 assessment rate would outweigh, the negative
3 impact of an increased assessment rate would be
4 outweighed by any type of added benefit that this
5 research would possibly produce?

6 MR. SPATE: You're asking if we
7 increase an assessment would outweigh?

8 MR. McFETRIDGE: The need --

9 JUDGE McCARTNEY: Well, excuse me.
10 You're assuming a fact not in evidence, that
11 there would be a negative impact of the
12 assessment. And so far the witness has only
13 testified to de minimis assessments as an
14 example.

15 So assuming arguendo there were a
16 negative impact from a de minimis assessment, is
17 it your opinion that the benefits would outweigh?

18 MR. McFETRIDGE: Yes.

19 JUDGE McCARTNEY: Is that your
20 question?

21 MR. McFETRIDGE: Yes.

22 MR. SPATE: Yes, I believe the benefits

1 would outweigh because I think it would be a very
2 minimal increase in assessment in order to have a
3 budgetary item for production research annually.

4 MR. McFETRIDGE: Thank you.

5 Just one more quick question. Based
6 on your opinion, do you feel that the ability to
7 have crop production research helps to keep
8 raisins competitive in the dried fruit
9 marketplace domestically and worldwide?

10 MR. SPATE: Yes, I do.

11 MR. McFETRIDGE: Thank you.

12 I have no further questions.

13 MR. SPATE: Thank you.

14 JUDGE McCARTNEY: Any further questions
15 for this witness?

16 (No response.)

17 JUDGE McCARTNEY: Any objections to the
18 admissibility of Exhibits 18 through 25 which
19 this witness is sponsoring?

20 (No response.)

21 JUDGE McCARTNEY: There being no
22 objections, the exhibits are hereby admitted.

1 (Whereupon, the above-
2 referred to exhibits,
3 previously identified as
4 Spate Exhibits 18 through
5 25, were received in
6 evidence.)

7 And you are excused, sir.

8 MR. SPATE: Thank you.

9 JUDGE McCARTNEY: Thank you for your
10 testimony.

11 (Witness stands down.)

12 JUDGE McCARTNEY: You may proceed with
13 the next witness.

14 Please identify yourself for the
15 record and affirm that you have been previously
16 sworn.

17 MR. STARK: My name is Rick Stark.

18 And, yes, I have been previously sworn.

19 JUDGE McCARTNEY: Thank you.

20 WHEREUPON,

21 STEVEN R. SPATE

22 having been previously duly sworn, was called as

1 a witness here, and was examined and testified as
2 follows:

3 JUDGE McCARTNEY: Would you please
4 identify for the record the exhibits that you
5 wish to sponsor this morning?

6 MR. STARK: Yes. I have my prepared
7 statement as Exhibit 26.

8 And then I have an additional Exhibit
9 27 that is an outline of some additional remarks
10 I would like to make.

11 JUDGE McCARTNEY: All right. 27 is
12 this document?

13 MR. STARK: Yes.

14 (Whereupon, the above-
15 referred to documents were
16 marked for identification as
17 Stark Exhibits 26 and 27.)

18 JUDGE McCARTNEY: You may proceed. You
19 may proceed.

20 TESTIMONY OF RICK STARK

21 MR. STARK: Okay, thank you.

22 My name is Rick Stark. I am the

1 Manager of Grower Relations and the Secretary for
2 Sunmaid Growers of California. I have been with
3 Sunmaid for 28 years. I have served on the
4 Raisin Administrative Committee since 1998, and
5 the California Raisin Marketing Board since 2009.

6 I'm the past Chairman of the National
7 Grape and Wine Initiative, a grape industry
8 organization representing raisins, table grapes,
9 juice grapes and wine grapes, in developing,
10 overseeing, promoting and assisting in securing
11 research funding.

12 I serve on the California State
13 University Fresno Viticulture Oenology Research
14 Center Industry Advisory Board. And I am the
15 Raisin Commodity Chairman for the Fresno County's
16 Farm Bureau.

17 I have seen firsthand the importance
18 of crop production research in the raisin
19 industry. Research has led to improved water
20 efficiency and fertilization, integrated test
21 management, earlier ripening varieties, and
22 advanced high-yielding trellising systems that

1 benefit our growers every day. Such research has
2 been funded by the California Raisin Marketing
3 Board in the past. However, this new language
4 would give the Raisin Administrative Committee,
5 RAC, the authority to fund such crop production
6 research in the event that the CRMB, California
7 Raisin Marketing Board was unable to do so.

8 CRMB has been unable to fund crop
9 production research since 2012 due to ongoing
10 litigation. By giving the RAC the authority to
11 fund crop production research, critical issues
12 such as vine mealybug control, development of
13 mildew-resistant vines, and improved dried-on-
14 the-vine technology could continue uninterrupted.

15 Research programs are typically
16 ongoing and little is accomplished with on
17 again/off again efforts. Developments through
18 crop production research have made the California
19 raisin industry successful. With higher
20 efficiency, higher yields, and reduced pesticide
21 residues, producers have become economically
22 sustainable, while handlers and consumers have

1 benefitted from lower pesticide residues and
2 higher raisin quality.

3 Crop productions research can improve
4 grower returns by increasing yields through
5 reducing input costs or improving quality and
6 cleanliness.

7 Research is expensive and a long
8 process. Small businesses don't have the
9 resources to undertake such research. This is
10 why continuous industry effort is valuable.
11 Benefits of the research would be realized by
12 producers, handlers and consumers. The benefits
13 would include higher yields, lower input costs,
14 lower or more effective chemical use, and
15 improved raisin quality.

16 A crop production research program
17 would only be implemented if CRMB was unable to
18 do so. As a former member of the CRMB Research
19 Committee, I participated firsthand on an
20 industry process in soliciting and evaluating
21 research proposals and then making budget
22 recommendations to the full CRMB and prioritizing

1 these expenditures versus other marketing
2 efforts. Good industry consensus was reached. I
3 would expect the same if operated under the
4 proposed RAC authority.

5 Compliance would include USDA
6 oversight similar to all other RAC actions. USDA
7 would be included in the review and approval of
8 any proposed research project as part of the
9 budget review process.

10 At this point I'd like to make some
11 other comments on Exhibit 27.

12 The research that we're talking about
13 here are not gigantic projects that are very
14 expensive and take on a life of their own.
15 They're typically very targeted projects that
16 have grown from grower needs through the
17 University of California Cooperative Extensive
18 Field Farm Advisors. And so with just a minimal
19 amount of money we've been able to get a
20 tremendous amount of very effective research
21 done.

22 That's why we're here today: the

1 research is not continuing. And it's, like Steve
2 indicated, Sunpreme is something that we need
3 some research on to get it off the ground, and
4 that's not taking place.

5 You know, we looked back and estimate
6 that we've had 65 years of research between the
7 old CALRAB, California Raisin Advisory Board, and
8 CRMB. And during that time there have been, we
9 estimate, somewhere around 1,700 pages of
10 research that have been done. It's quite a
11 legacy, but it needs to continue.

12 Some of the projects that have been
13 done -- and I know Steve introduced some exhibits
14 -- but to show how targeted some of these
15 projects are:

16 The raisin maturity study; raisin
17 storage; studies on mold damage; bulk handling of
18 raisins; costs of production; development of new
19 raisin varieties; trellising, training and
20 pruning systems for new DOV raisin variety
21 production and mechanization; grapevine
22 nutrition; insect control; predator insect

1 reducers; nematode-resistant root stock.

2 JUDGE McCARTNEY: Remember, the court
3 reporter does not have this in front of him.

4 MR. STARK: Yeah, I just, I just
5 realized. Sorry.

6 Farm drying of boxed raisin; bud
7 studies and yield predictions; training and
8 trellising for mechanical harvesting; rodent
9 repellent study; development of airstream sorter;
10 water use in grapevines measured by weighing
11 lysimeter; study of pneumatic pruning; management
12 of vine mealybug. These are all, all, like I
13 said, not expensive projects, but very beneficial
14 to the growers and to the consumer at the other
15 end.

16 We've had a tremendous legacy of farm
17 advisors that have done a lot of work on these
18 projects. They were not only good researchers
19 but they were good communicators. And so they
20 were able to -- they had the trust of the grower
21 community and they were able to extend the
22 research and get it into the hands of the growers

1 that needed this information. And that's just as
2 important component of research as just the
3 research itself.

4 And so, you know, we are very thankful
5 and have been very fortunate to have people like
6 Pete Christiansen, Kent Dane, Walt Bentley, Bill
7 Peacock, George Levitz, Fred Jensen, Mick
8 Dekusian and Mike McHenry that have worked on
9 these projects.

10 JUDGE McCARTNEY: And, again, you're
11 referring to Exhibit 27?

12 MR. STARK: Yes.

13 JUDGE McCARTNEY: All right.

14 MR. STARK: And, you know, Steve
15 referenced Sunpreme as a new variety. And I
16 would do a disservice to Dave Ramming with the Ag
17 Research Service through the USDA for all the
18 work that he's done in creating that variety, and
19 also his work on DOVine and Sunpreme, and before
20 him, Fiesta.

21 Where I may differ just a, just a
22 teeny, tiny bit with Steve is, yeah, it's,

1 research is expensive to do as an individual but
2 we have had instances where a couple of growers
3 have taken projects and were able to bring them
4 to fruition. And I mentioned Earl Rocca with
5 continuous tray and Lee Simpson with overhead
6 DOV.

7 But the problem is when you have
8 growers that are undertaking these kinds of
9 projects is that A) because of the money and the
10 resources it takes a lot more time for them to
11 get a project to a point where you're going to
12 see industry adoption. And they don't have the
13 money for that extension component that you were
14 able to get through the university. But
15 nevertheless, it's research that's been done and
16 it's been very helpful to the industry.

17 And with that, thank you, and I'll
18 take any questions.

19 JUDGE McCARTNEY: Any questions for
20 this witness?

21 EXAMINATION ON BEHALF OF USDA, AMS

22 MS. SCHMAEDICK: Melissa Schmaedick,

1 USDA. Thank you for your testimony.

2 A couple of clarifications. When you
3 were speaking to Exhibit 27 with regard to the
4 research that Mr. David Ramming did, was that
5 DOVine?

6 MR. STARK: DOVine.

7 MS. SCHMAEDICK: Could you spell?

8 MR. STARK: D-O-V-I-N-E.

9 JUDGE McCARTNEY: Okay. And partly I
10 ask these questions so that we have the correct
11 spelling on the transcript.

12 MR. STARK: Certainly. And I think you
13 already got Selma Pete earlier.

14 MS. SCHMAEDICK: Selma Pete.

15 And then you mentioned a grower
16 researcher by the name of Lee Simpson that did
17 something with DOV?

18 MR. STARK: Right. He was the
19 gentleman that started using overhead DOV as a
20 drying system, as a trellising system.

21 MS. SCHMAEDICK: So DOV means what?

22 MR. STARK: Dried on the vine.

1 MS. SCHMAEDICK: Dried on the vine.

2 Okay, thank you.

3 With regard to your prepared
4 testimony, Exhibit 26, you mentioned that you are
5 the Manager of Grower Relations and Secretary for
6 Sunmaid Growers of California.

7 MR. STARK: Yes.

8 MS. SCHMAEDICK: In that capacity have
9 you had the opportunity to discuss this proposal
10 for crop production research with growers?

11 MR. STARK: Yes.

12 MS. SCHMAEDICK: What has been the
13 response that you've gotten?

14 MR. STARK: Growers have been
15 supportive of research, you know, all these
16 years. Through the CRMB's program they -- and
17 even CRMB, they actually gave the funding through
18 the assessment for that research.

19 The research that we're proposing here
20 would be through the packer assessment, so it
21 wouldn't, it wouldn't necessarily be a grower
22 assessment. So, but yes, they've been

1 supportive.

2 MS. SCHMAEDICK: So just to clarify if
3 I'm understanding what you just said, under the
4 state program the assessment is collected at the
5 grower level?

6 MR. STARK: Correct.

7 MS. SCHMAEDICK: But under the federal
8 program it's collected at the handler level?

9 MR. STARK: That's -- the, as I
10 understand it, there is no way to collect an
11 assessment from the grower through the federal
12 order.

13 MS. SCHMAEDICK: Okay. But in your
14 opinion, the discussions with other growers
15 regarding this proposal, the response has been
16 positive?

17 MR. STARK: Very supportive.

18 MS. SCHMAEDICK: Thank you.

19 And also in your -- on the first page
20 of your testimony you state that the CMRB(sic)
21 has been unable to fund crop research, crop
22 production research since 2012.

1 So again, I believe I asked this
2 question earlier, but are you aware of suspended
3 research? And has that had a negative impact on
4 the industry?

5 MR. STARK: The main -- there's two
6 really. We talked about Sunpreme and that any
7 research efforts had stopped there. But in
8 addition to that we had funded every year for
9 development of new varieties, and that, that has
10 stopped as best I know. It certainly isn't
11 continuing because we haven't funded it. So any,
12 any work that those scientists are doing, they're
13 targeting more for table grapes and for wine
14 grapes, I'm assuming.

15 MS. SCHMAEDICK: I see. Thank you.

16 So you also mentioned consumer
17 benefits and you directly link that to lower
18 pesticide residues and higher quality raisins.
19 And then later you refer to improved raisin
20 quality.

21 Could you explain, I'm not super
22 familiar with what makes a great raisin a great

1 raisin, could you explain that?

2 MR. STARK: Well, you might actually
3 get some differences of opinion on that. But,
4 you know, really there's a machine called the
5 airstream sorter that is --

6 JUDGE McCARTNEY: Can you speak a
7 little louder?

8 MR. STARK: Oh sure.

9 There is a machine that USDA developed
10 called the airstream sorter. And that measures
11 two things: it measures how many raisins are what
12 they call substandard, which would be a skin with
13 no sugar in it and/or a B grade and better raisin
14 which is the high quality raisins.

15 If you look at the watering methods
16 that we have today and the fertilization methods
17 that we have as a result of the research that's
18 been done, our quality continues to improve as
19 well as our yields.

20 MS. SCHMAEDICK: Thank you. So a
21 higher quality raisin would that have a higher
22 sugar content or is it related to size or?

1 MR. STARK: It's related to, if you go
2 back to the -- it was based on, used to be based
3 on a visual observation, okay. And then the
4 visual observation graded out A, B, C and
5 substandard. And B grade and better are those
6 that graded out higher. And the airstream sorter
7 -- I'm not the scientist on this -- but I believe
8 it's on the specific gravity and the amount of
9 wind resistance, it drops a measured amount of
10 raisins into an air chamber and the good ones
11 fall to the bottom and the less-than-good ones go
12 over to the other side, and they weigh them.

13 MS. SCHMAEDICK: Thank you.

14 And so, again I'm trying to focus in
15 on that consumer benefit resulting from potential
16 research, so in regards to the lower pesticide
17 residue, could you speak to that?

18 MR. STARK: Sure.

19 JUDGE McCARTNEY: Well, could I just
20 follow-up a moment on that question?

21 All right, so with respect to key
22 characteristics that a layperson could notice

1 with respect to better quality or B and over
2 rated, would they be considered plumper, juicier,
3 bigger? Yeah, I mean what, what kind of field
4 layperson benefits that manifest themselves in
5 the scientific measurement that you've just
6 described could one expect from the benefits of
7 the R&D?

8 MR. STARK: If I had to give it one
9 attribute, I would say plump. So it would be
10 plumper because the thin ones, the substandard
11 are pretty flat and they tend to fly like little
12 kites.

13 JUDGE McCARTNEY: So and what kinds of
14 attributes contribute to plumpness, in terms of
15 increased moisture retention?

16 MR. STARK: Sure could.

17 JUDGE McCARTNEY: The methodology for
18 drying it on the vine? What kind of things?

19 MR. STARK: Yeah, they would, they
20 would have higher sugar content and --

21 MS. SCHMAEDICK: Mr. Stark, I'm sorry
22 to interrupt, could you talk into the microphone.

1 MR. STARK: I'm sorry.

2 JUDGE McCARTNEY: You know, if you want
3 to move the microphone over here.

4 MR. STARK: Yeah, it might help.

5 JUDGE McCARTNEY: Just pick it up and
6 just put it right here. So that way you're
7 facing into it as well.

8 MR. STARK: Yeah.

9 JUDGE McCARTNEY: There we go.

10 MR. STARK: So anyway, they would have
11 a higher sugar content. They would have more
12 soluble solids, you know. Just the structure of
13 the, of the grape itself was stronger.

14 MS. SCHMAEDICK: Thank you.

15 And then with regard to lower
16 pesticide residues, I myself, I'm a consumer and
17 so I can understand the benefits of lower
18 pesticides, but could you explain how research
19 ties into resulting in a better quality product
20 for consumers in that way?

21 MR. STARK: Sure. By growers
22 understanding and getting the information from

1 the research about the different chemicals and
2 what have you, I've seen a change in 25 years
3 from harsher materials that were hard on
4 beneficial insects and, you know, a variety of
5 other problems shall we say, to a lot safer
6 chemistry, a lot more targeted, a lot easier on
7 beneficials. And so it's cut some of the need
8 for some of the pesticides down. And it's
9 changed to softer chemistries that are safer.

10 MS. SCHMAEDICK: Would the development
11 of different varieties that are maybe resistant
12 to pests or disease or those types of issues,
13 would that be another way to benefit the
14 consumer?

15 MR. STARK: Sure. And there's been a
16 tremendous amount of effort put into particularly
17 powdery mildew, probably the number one disease
18 that we have to treat for. And so there's been a
19 lot of effort put into developing a grapevine
20 that will be resistant. And that's not just with
21 raisin grapes but that's with all grapes.

22 MS. SCHMAEDICK: Thank you.

1 Jumping to the second page of your
2 testimony, you outlined the process that the
3 state program currently follows in terms of
4 identifying research and then incorporating the
5 potential costs of those research projects into
6 the budget and then, ultimately, into an
7 assessment recommendation. Is that correct?

8 MR. STARK: Uh-huh.

9 JUDGE McCARTNEY: The witness nodded.

10 MR. STARK: Yes. I'm sorry.

11 JUDGE McCARTNEY: That's in the
12 affirmative.

13 MS. SCHMAEDICK: Then you mentioned
14 compliance. Can you explain what you mean by
15 compliance? Is it, is it ensuring that the
16 budget numbers are adhered to or that the
17 research is executed successfully? What type of
18 compliance are we talking about?

19 MR. STARK: Compliance would be making
20 sure that the budget was adhered to.

21 MS. SCHMAEDICK: So and in your opinion
22 this process that is currently followed by the

1 state program, it would be followed by the
2 federal program?

3 MR. STARK: Yes.

4 MS. SCHMAEDICK: And is it your
5 understanding that if this authority were granted
6 under the raisin marketing order that ultimately
7 USDA would be responsible for overseeing and
8 approving selection of projects?

9 MR. STARK: You -- well, I would assume
10 that it would be similar to others. And as a, as
11 a committee we would make recommendations to the
12 Secretary. And the Secretary would have the
13 right to approve or disapprove any recommendation
14 that we made.

15 MS. SCHMAEDICK: Right. Thank you for
16 that.

17 My last question. And I did ask this
18 of the previous witness as well. But on the
19 first page of your testimony, towards the bottom,
20 you state that "small businesses don't have the
21 resources to undertake research. This is why a
22 continuous industry effort is valuable."

1 Are you speaking to the benefits of,
2 again, this, this concept of collective action,
3 the industry working together as a whole towards
4 an accomplishment?

5 MR. STARK: Yes. Because as a, as a
6 grower you may have one particular issue that
7 you, you want to work on. You probably don't
8 have the expertise to do that yourself. And you
9 would have to pay somebody to do that. And that
10 gets very expensive. And so a collective effort
11 would be able to bring a lot more resources that
12 were a lot more qualified or bring you quicker
13 results and more comprehensive.

14 MS. SCHMAEDICK: Thank you.

15 I have no further questions.

16 JUDGE McCARTNEY: Anything further for
17 this witness?

18 EXAMINATION ON BEHALF OF USDA, OIG

19 MR. McFETRIDGE: Marc McFetridge, USDA.
20 Just quick clarification question.

21 In your testimony you didn't state
22 that you were a grower. Are you currently a

1 raisin grower or no?

2 MR. STARK: No, I am not a grower.

3 MR. McFETRIDGE: Thank you.

4 Your testimony states that you're a
5 Manager of Grower Relations. Based on your
6 dealings with the growers for Sunmaid, would you
7 feel comfortable talking about their, their
8 definition, the Small Business Administration
9 definition if they would be small or large
10 growers, or would you not feel comfortable
11 stating that?

12 MR. STARK: We have a number of each.
13 You know, we have, Steve outlined the gamut of
14 growers, and our, our numbers would be similar to
15 that.

16 MR. McFETRIDGE: Thank you.

17 I guess would you say majority would
18 be small, majority would be large? What would
19 you say?

20 MR. STARK: I would say that the
21 majority of the actual -- the number of growers
22 would be small.

1 MR. McFETRIDGE: All right, thank you.

2 JUDGE McCARTNEY: Within the meaning of
3 that definition?

4 MR. STARK: Within the meaning of that
5 definition.

6 MR. McFETRIDGE: Thank you. Do you
7 need me to repeat the definition?

8 MR. STARK: No.

9 MR. McFETRIDGE: Just one more quick
10 question.

11 In your testimony you talked about
12 compliance, how USDA would have oversight. Is
13 this, would this be considered an additional step
14 comparative of how it's currently being run under
15 the California program?

16 MR. STARK: I don't think so. I think
17 that it would be very similar.

18 MR. McFETRIDGE: It would be very
19 similar.

20 So you don't see any issues with
21 having USDA as oversight for compliance?

22 MR. STARK: No.

1 MR. McFETRIDGE: All right, thank you.
2 Thank you very much.

3 EXAMINATION ON BEHALF OF USDA, OGC

4 MS. CHILUKURI: Rupa Chilukuri, USDA.

5 Mr. Stark, so I just want to clarify
6 if the authority were to be implemented, when it
7 would work. So if, if CRMB is in place and
8 exists as an entity and is funding research,
9 would the RAC also be funding research?

10 MR. STARK: No. It's, the intent is
11 that as long as CRMB is functioning and has the
12 funds and the ability to fund research and is
13 making those decisions then they would be the
14 primary funding agency. In the event that they
15 were unable to fund or ceased to exist, then the
16 RAC would have the option then to bring projects
17 forward and fund them.

18 MS. CHILUKURI: Okay. And how familiar
19 are you with the other proposals that RAC has
20 recommended?

21 MR. STARK: Pretty, pretty familiar.

22 MS. CHILUKURI: And what is your

1 position --

2 JUDGE McCARTNEY: That was a pretty
3 broad question. Do you have a time frame?
4 During his lifetime or?

5 MS. CHILUKURI: Well, it would be these
6 proposals that are in this Notice of Hearing.

7 JUDGE McCARTNEY: Oh fine. We'll get
8 specificity. These proposals.

9 MR. STARK: These proposals, okay.

10 JUDGE McCARTNEY: As set forth in the
11 Exhibit 1, Proposed Rules.

12 MS. CHILUKURI: And what is your
13 position on those proposals as set forth, by the
14 RAC?

15 MR. STARK: Okay. The only proposal
16 that we would not support would be on term
17 limits.

18 MS. CHILUKURI: Okay. And just to
19 clarify --

20 MR. STARK: We agree with --

21 MS. CHILUKURI: -- USDA proposed that.

22 MR. STARK: We would support then the

1 others.

2 MS. CHILUKURI: And do you think if
3 authority was put in place to support production
4 research, do you think there is a connection
5 between that and some of the other proposals that
6 RAC has put in place? For instance, the
7 authority to add quality or the authority for
8 different market regulation, could production
9 research help as it relates to those types of
10 proposals?

11 MR. STARK: You never say never. There
12 could be, there could be some ties there on
13 quality and figuring out some, some way to
14 measure quality or a quality that we aren't
15 currently measuring today that could need some
16 additional research. So, yeah, there, there
17 could be some ties.

18 MS. CHILUKURI: Thank you.

19 I think the previous witness had
20 mentioned ochratoxin. Do you think that is one
21 instance in which this type of research could
22 assist as it relates to that quality? I think

1 they had mentioned it in the quality regulation
2 setting.

3 MR. STARK: Right. Ochratoxin is a, I
4 think it's a fungus, but it's a food safety issue
5 is why it's so important. It's very, very
6 important in Europe. And so there could be some
7 research that would need to be done as to what,
8 what measurements we're getting compared to what
9 measurements are coming out of other, other
10 countries.

11 MS. CHILUKURI: Thank you.

12 JUDGE McCARTNEY: Anything further for
13 this witness?

14 (No response.)

15 JUDGE McCARTNEY: Any objections to the
16 admissibility of the sponsored Exhibits 26 and
17 27?

18 (No response.)

19 JUDGE McCARTNEY: There being none,
20 those are admitted.

21 (Whereupon, the above-referred to
22 exhibits, previously identified as

1 Stark Exhibits 26 and 27, were
2 received in evidence.)

3 This witness is excused.

4 (Witness stands down.)

5 JUDGE McCARTNEY: All right, so off the
6 record a moment.

7 (Whereupon, at 11:54 a.m., the above-
8 entitled matter went off the record, and went
9 back on the record at 11:55 a.m.)

10 JUDGE McCARTNEY: We're back on the
11 record.

12 All right, please identify yourself
13 and affirm that you have been previously sworn.

14 MS. VAN ZYL: My name is Sonet Van Zyl.
15 And, yes, I've been previously sworn.

16 WHEREUPON,

17 SONET VAN ZYL
18 having been previously duly sworn, was called as
19 a witness here, and was examined and testified as
20 follows:

21 JUDGE McCARTNEY: And does the court
22 reporter have your contact information?

1 MS. VAN ZYL: Yes, she does.

2 JUDGE McCARTNEY: All right, thank you.

3 You may proceed.

4 MS. VAN ZYL: I have one exhibit that's
5 been entered already as Exhibit 28, which is my
6 witness statement.

7 (Whereupon, the above-
8 referred to document was
9 marked as Van Zyl Exhibit 28
10 for identification.)

11 TESTIMONY OF SONET VAN ZYL

12 MS. VAN ZYL: My name is Sonet Van Zyl
13 and I am an Assistant Professor of Viticulture at
14 California State University Fresno. I have been
15 with the Department of Viticulture and Oenology
16 at Fresno State for five years.

17 Previously I worked at the University
18 of California Davis as a researcher while also
19 taking my Ph.D. degree in viticulture. I was
20 also employed as a researcher at the Agricultural
21 Research Counsel in South Africa where I was part
22 of the New Cultivar Development Team for Table

1 Grapes and Raisins. I have an extensive
2 background in table grape production, raisin
3 production, and processing, as well as grapevine
4 rootstock development, grapevine cultivar
5 development and grapevine genetics.

6 I have served as a Alternate Public
7 Member and later as the Public Member on the
8 California Raisin Marketing Board since 2012, and
9 recently as the Public Member on the Raisin
10 Administrative Committee, that's since 2014.

11 As a researcher I apply for research
12 funding on a regular basis to commodity groups,
13 federal and state agencies, and private industry
14 organizations. Performing crop research creates
15 a constant, a constant flow of new knowledge that
16 I can rely or relate to students in the
17 classroom. As a teacher, research activities
18 ensure that students learn about the newest
19 technologies for the future in the grape
20 industry.

21 Fresno State is the only university in
22 the United States that offers and extensive class

1 on raisin production and processing, and actively
2 involves undergraduate students to participate in
3 research activities.

4 Over the years, crop research has
5 benefitted the raisin industry by introducing new
6 and highly successful raisin cultivars, for
7 example Fiesta, DOVine, Selma Pete, and the most
8 recent cultivar, Sunpreme. Research has also
9 resulted in the development of new rootstocks,
10 hastened disease management strategies,
11 mechanization practices, and optimal cultivation
12 techniques for each specific raisin cultivar.

13 Crop research is an ongoing practice
14 to find solutions to problems, and will often
15 lead to new questions that need answering through
16 additional or expanded research projects.

17 Climate change also lead to questions about
18 drought and salt-tolerant rootstocks and
19 cultivars, water management strategies and
20 adaptive cultivar practices.

21 Any interruptions in these kinds of
22 research projects create gaps in data sets and

1 are impossible to fill in. In 2012, the CRMB
2 funded a joint research project between Fresno
3 State and U.C. Davis to investigate newly
4 released grapevine rootstocks, their performance
5 and affinity to Selma Pete raisins. This project
6 was funded for two years out of the requested
7 three years.

8 As with any crop research project, at
9 least three years of repeated research is needed
10 to develop statistically sound data. If the
11 Raisin Administrative Counsel was given the
12 authority to fund crop research, we will be able
13 to finish that project and give raisin growers
14 valuable information regarding which rootstocks
15 to use with Selma Pete to get optimum yield and
16 quality for the best possible price point.

17 Sunpreme, the newly released raisin
18 cultivar from the USDA created an exciting new
19 research path since it's the first nature dry-on-
20 the-vine, or DOV, cultivar. As the first natural
21 DOV cultivar a number of questions arose. For
22 example, how do growers cultivate Sunpreme for

1 optimum yield and quality? And what does the
2 training and trellising systems look like?

3 But since its release in 2013, the
4 CRMB was not able to fund any research projects
5 regarding Sunpreme. Although an initial lack of
6 plant material also contributed to the delay in
7 research opportunities, a new vineyard has been
8 established that will be able or will be ready
9 soon for research activities. If the RAC is
10 given the authority to fund crop production
11 research we, as the researchers, can initiate
12 trials sooner to answer grower questions
13 regarding Sunpreme.

14 As a researcher, I am involved in
15 research subcommittees for other commodity
16 groups. I have served as a member of the CRMB
17 Research Subcommittee in 2012. Past research
18 activities proved how the raisin industry has
19 adapted to new cultivars, technology and
20 cultivation practices. It will continue to
21 benefit all parties involved in the raisin
22 industry if the RAC is given the authority to

1 fund crop research while the CRMB is currently
2 unable to do so, or in the unlikely event that
3 the CRMB ceases to exist.

4 Thank you for your time. Any
5 questions?

6 JUDGE McCARTNEY: Any questions for
7 this witness?

8 EXAMINATION ON BEHALF OF USDA, AMS

9 MS. SCHMAEDICK: Melissa Schmaedick,
10 USDA. Thank you for your testimony.

11 You just mentioned that you are
12 involved with research for other commodities.
13 What other commodities are you involved with?

14 MS. VAN ZYL: Table grapes
15 specifically. I also work on rootstock
16 development and some wine grapes as well.

17 MS. SCHMAEDICK: Thank you.

18 You mentioned in your testimony that,
19 okay, there was a 2012 project funded by the
20 state program and you needed three years of data
21 but you only got two?

22 MS. VAN ZYL: Yes. That project was

1 funded through the CRMB. I came on board --
2 that's right after I started working at Fresno
3 State -- I came on board I believe in the second
4 year of funding. But at Fresno State we applied
5 for three years and got two of those years. I
6 was lucky to get some additional funding through
7 other sources to be able to finish the project,
8 but that third year of data is still lacking at
9 the moment for us.

10 MS. SCHMAEDICK: So my question is if,
11 if this authority were implemented under the
12 federal program would you have to start over
13 again and do three years or can you pick up?

14 MS. SCHMAEDICK: There will be a gap in
15 the data which makes it a little harder. But
16 since the block has been established, it's still
17 existing at the moment, the rootstocks are there,
18 the cultivar is there, Sunpreme -- or not
19 Sunpreme, sorry -- Selma Pete in this case, we
20 will be able to use the same block, the same
21 facility to continue another year on the
22 research. It's only in the event that the block

1 would be removed by the grower that we will have
2 to start over most probably.

3 MS. SCHMAEDICK: And the block refers
4 to a parcel of land?

5 MS. VAN ZYL: Yes. A block is like a,
6 like a orchard. It's a piece of land that's been
7 planted to grapes. We call them blocks usually.

8 MS. SCHMAEDICK: Okay, thank you.

9 And can you give any examples of
10 research that you've been involved with that
11 you've actually seen a really positive impact on
12 the industry? For example, you've mentioned the
13 development of new varieties, can you explain an
14 experience like that?

15 MS. VAN ZYL: Oh, for sure. In terms
16 of new varieties I, as I mentioned also in my
17 statement, I did work in South Africa for a
18 company that does the same type of breeding
19 techniques for grapes. And it's interestingly
20 enough that cultivars that's been developed in
21 the United States are out in other countries,
22 they're all sought after.

1 So for me, being here now, to see what
2 the industry here is actually accomplishing, it
3 actually spills over to other countries. And
4 that means the United States is at the forefront
5 of it. And to be able now to work with the
6 people who develop those, it is a great
7 experience at this point. But definitely
8 something like Fiesta is not only in the United
9 States but cultivars everywhere else as well.

10 MS. SCHMAEDICK: Thank you.

11 In your work as a --

12 JUDGE McCARTNEY: Pardon me. I'm sorry
13 to interrupt.

14 Could I ask a related question? So do
15 you have any opinion as to the benefits of these
16 proposals with respect to the competitiveness of
17 the U.S. raisin industry with regard to these
18 outside markets?

19 MS. VAN ZYL: I believe the U.S. is at
20 the forefront. And working as a researcher in
21 another country as well, okay, there's different
22 circumstances. Where I work in South Africa we

1 do not have the labor problem in South Africa so
2 no one ever went to mechanized raisin production
3 as they did here. So if anything would happen,
4 for instance, in South Africa, they would be far
5 behind.

6 The United States has already been
7 through all of that. They have systems in place.
8 They have training trellising systems for
9 something like mechanized viticulture.

10 I believe that it will take a long
11 time for a lot of countries to really pick up. I
12 know Turkey is -- U.S. still is the largest
13 producer of raisins in the world. Turkey is not
14 far behind. They sometimes talk that they might
15 overtake. But beyond that, all the other
16 countries are really far behind in production and
17 even in research projects.

18 JUDGE McCARTNEY: So am I to understand
19 your testimony correctly that a disruption, a
20 major disruption in research and development in
21 the U.S. raisin industry would have a negative
22 impact, not just in the U.S. but worldwide?

1 MS. VAN ZYL: For sure.

2 MS. SCHMAEDICK: Thank you.

3 In your experience with raisin
4 production research have you ever been involved
5 with research that might have an impact on
6 challenges that would fall under the umbrella of
7 food safety issues, so, for example, a
8 contaminant, control of a contaminant?

9 MS. VAN ZYL: Personally, no, I have
10 not worked with any of those.

11 MS. SCHMAEDICK: Okay. Would you,
12 again your opinion as a researcher and as a
13 scientist, would it be important to have the
14 ability to study those challenges and support the
15 industry's ability to control and minimize those
16 contaminations?

17 MS. VAN ZYL: Yes, definitely. You
18 never know what the next problem might be or the
19 next food safety problem is going to be. So
20 rather be prepared and get those research going,
21 especially on things that we know at the moment.
22 Yes, I definitely support that.

1 MS. SCHMAEDICK: So you mentioned on
2 things that we know at the moment. Can you give
3 an example? Are there --

4 MS. VAN ZYL: Any kind of contaminant.
5 For instance, we've read about instances where
6 spinach was contaminated at some point. There is
7 all kind of food safety issues. And since
8 raisins are also made out in the field, there is
9 dust out there. There is a way to process them
10 inside but we need to make sure that we take all
11 the actions to create a safe product.

12 MS. SCHMAEDICK: Thank you.

13 So in your opinion this, this
14 authority would help provide that tool to create
15 that type of research in the event that the state
16 program was not able to do that?

17 MS. VAN ZYL: Yes, it will.

18 MS. SCHMAEDICK: Okay, thank you.

19 I have no further questions.

20 EXAMINATION ON BEHALF OF USDA, OGC

21 MS. CHILUKURI: Rupa Chilukuri, USDA.

22 Ms. Van Zyl, you talked about I guess

1 the benefits that producers and handlers would
2 have as a result of this proposal. Can you talk
3 a little bit more about the impacts that maybe I
4 as a consumer would experience?

5 MS. VAN ZYL: There is a lot to say and
6 not too much time for that. In terms of you as
7 the consumer, I'm a consumer as well. Believe
8 me, I eat a lot of raisins. I believe sometimes
9 that consumers don't always know exactly where
10 their products come from. And for us to be able
11 to go out there as researchers, and especially
12 like the previous witnesses stated, with
13 extension people out there giving the results to
14 growers, people reaching markets, people going
15 out to the consumers relaying information about
16 the products is what we definitely will be able
17 to continue.

18 MS. CHILUKURI: Thank you.

19 JUDGE McCARTNEY: Anything further for
20 this witness?

21 (No response.)

22 JUDGE McCARTNEY: Any objections to the

1 admissibility of Exhibit 28?

2 (No response.)

3 JUDGE McCARTNEY: There being none, the
4 exhibit is hereby admitted and the witness is
5 excused.

6 (Whereupon, the above-
7 referred to exhibit,
8 previously identified as Van
9 Zyl Exhibit 28, was received
10 in evidence.)

11 (Witness stands down.)

12 JUDGE McCARTNEY: We are recessed until
13 1:30.

14 (Whereupon, the above-entitled matter
15 went off the record at 12:09 p.m. and resumed at
16 1:32 p.m.)

17 JUDGE McCARTNEY: We're on the record.

18 Please call the next witness.

19 MS. SCHMAEDICK: Kalem Barserian.

20 JUDGE McCARTNEY: Sir, please state
21 your name for the record, and affirm that you've
22 been previously sworn.

1 MR. BARSERIAN: My name is Kalem
2 Barserian. And I have been sworn in.

3 JUDGE McCARTNEY: Thank you.

4 WHEREUPON,

5 KALEM BARSERIAN

6 having been previously duly sworn, was called as
7 a witness here, and was examined and testified as
8 follows:

9 JUDGE McCARTNEY: And which exhibits
10 are you prepared to sponsor this afternoon?

11 MR. BARSERIAN: Well, mine started out
12 as Proposal Number 1 but I think it's now
13 something different.

14 JUDGE McCARTNEY: It's moved all the
15 time.

16 MR. BARSERIAN: It's moved.

17 JUDGE McCARTNEY: All right, sir.
18 Thank you.

19 MR. BARSERIAN: And I'm also doing the
20 one on term limits. And since I have just a
21 little bit to say about that I will give my
22 testimony on the independent grower nomination

1 first. And then when all the questions are
2 finished on that I'll, I'll talk on my position
3 on the term limits.

4 JUDGE McCARTNEY: Excellent.

5 MR. BARSERIAN: Which is very short.

6 JUDGE McCARTNEY: So to make sure we're
7 all on the same page, what exhibit numbers are we
8 looking at? Exhibit 29 would be your first
9 statement.

10 MR. BARSERIAN: Twenty-nine.

11 JUDGE McCARTNEY: Right. Is that the
12 only document that you are proposing?

13 MR. BARSERIAN: And what's the other
14 one then for the term limits?

15 JUDGE McCARTNEY: You didn't have it
16 prepared. But I have.

17 MR. BARSERIAN: Well, I did have. But
18 I don't know -- I did send it in but it's a short
19 statement on the term limits.

20 JUDGE McCARTNEY: All right, we'll have
21 you read it into the record.

22 MR. BARSERIAN: Okay.

1 JUDGE McCARTNEY: All right. So at
2 this point you only have Exhibit 29?

3 MR. BARSERIAN: Yes.

4 JUDGE McCARTNEY: All right.

5 (Whereupon, the above-
6 referred to document was
7 marked as Barserian Exhibit
8 29 for identification.)

9 You may proceed, sir.

10 TESTIMONY OF KALEM BARSERIAN

11 MR. BARSERIAN: Okay. My name is Kalem
12 Barserian and I reside in Fresno, California. I
13 am 78 years old and have been involved in the
14 California raisin industry my entire life.

15 For the past 50 years I have served in
16 several capacities within the California raisin
17 industry. My first paying job within the raisin
18 industry, if you don't count picking trays for
19 raisins on the family farm, was the auditor and
20 then controller of the Federal Raisin
21 Administrative Committee.

22 After four years at the RAC, I was

1 hired as the CEO of the Wine and Raisin
2 Bargaining Association, which was for 18 years.
3 In this capacity I served as a RAC Bargaining
4 Association member. In the early 1970s we held
5 elections in different districts and didn't
6 distinguish between Sunmaid, RBA and independent
7 growers. Whoever got the most growers out to the
8 district meetings won the member seat and
9 alternate seat.

10 This became very brutal for the
11 growers and they asked that they change it by
12 grower percentages so that each segment have the
13 rightful -- have their rightful share. If I'm
14 not mistaken, it was changed in 1976.

15 1978 I purchased 40 acres of open land
16 and planted a Thompson Seedless vineyard. In
17 1987, I left the RDA to become a raisin
18 processor, and have been doing the same ever
19 since, along with maintaining my status as a
20 raisin grower.

21 In 2001, the Lion Raisin Company hired
22 me as their G.M., where I remained until 2010.

1 Since then I've represented Lion as both grower
2 and processor.

3 Over the past 40 years bulk co-op
4 percentage of the industry has reduced to where
5 the independent grower now represents 16 votes,
6 Sunmaid 10 votes, and RBA 9 vote, grower votes of
7 the 35 seats available going into the 2016
8 elections of the RAC. The word "independent"
9 means just that: most growers do not wish to take
10 of their time to serve the industry.

11 The RAC does a very good job of
12 announcing the independent nomination meetings,
13 but to no avail. For example, we just held
14 nomination meetings for the three districts. I
15 attended the Fresno County meeting where there
16 were to be nominated -- nominations for 14 member
17 seats and 14 alternate member seats. A total of
18 five people showed up.

19 Due to the format of the nominations,
20 some of us would only nominate those willing to
21 serve as a member since any more than 14 names
22 nominated we'd be compelled competing for those

1 seats, and some growers only choose to be an
2 alternate. I believe the nine points of our
3 proposal is accurate in describing how we'd get
4 more independent growers involved in the
5 California raisin industry.

6 And I could speak to the nine points.

7 That is my testimony, Your Honor.

8 JUDGE McCARTNEY: All right. I wish
9 you would elaborate on the nine points.

10 MR. BARSERIAN: The nine points:

11 What is the purpose of the proposal?

12 And the proposal, as I stated in my testimony, is
13 to increase the participation on the committee
14 for independent growers.

15 Number 2, what problem is the proposal
16 designed to address? It's basically trying to
17 make sure that we get enough participation from
18 both the members and the alternates where the
19 alternates have been going vacant for several
20 years in a row.

21 Number 3, what are the current
22 requirements or industry practices relative to

1 the proposal? We hold a meeting. It's well
2 announced. Growers, independent growers are just
3 that, they're independent, they wish not to
4 participate. And it's very difficult to get
5 enough people to want to serve on the board.
6 They're busy on the tractor all day long or
7 taking care of their problems on the ranch, and
8 it's hard to get them away to come in for a 3 or
9 4 hour meeting once a month or whatever the time
10 frame is or whatever is going on.

11 Number 4, what are the expected impact
12 on producers, handlers and consumers? Basically
13 no impact on the consumer. But it would have an
14 impact on the industry because we'd have more and
15 a fuller representation of those that will be
16 serving as alternates who will get to see how the
17 system works and, hopefully, someday want to
18 serve as a member.

19 Number 5, how would the proposal tend
20 to improve returns to producers? Quantify.
21 Independent growers would benefit from full
22 representation on the RAC. Full representation

1 would give the independent growers their
2 represented voice in the RAC decision making
3 process and, therefore, equate to representative
4 judiciary participation.

5 Six, what are the expected effects on
6 small business? There are small independent
7 growers that are on the RAC as either members or
8 alternates. If independent growers were allowed
9 to run as alternate members only this could
10 increase the representation of small independent
11 grower businesses.

12 Number 7, would the proposed increase
13 or decrease cost to produce, as Handlers'
14 Committee and RAC; explain? And basically
15 there's no, you know, it's going to be no cost in
16 the proposal that's being proposed here.

17 Number 8, how would the proposal be
18 implemented? The proposal would result in a call
19 for nominations for both independent grower
20 members as well as their alternate members. It
21 would be the same way it's done now. We'd attend
22 a meeting called for by the RAC. In this case

1 it's at the RAC meeting -- I mean at their
2 offices. We would attend, nominate for members
3 and alternates separate and apart. Today it's
4 all under one slate. And we're trying to change
5 that to get that better representation.

6 How would compliance with the proposal
7 -- Number 9, how would the compliance the
8 proposal be effected? USDA oversees the
9 nomination process, reviews background and
10 acceptance statements and has selection
11 authority.

12 JUDGE McCARTNEY: All right. Let's
13 take questions on Exhibit 29 and that testimony,
14 then we'll turn your attention to that portion of
15 your testimony that you wish to read into the
16 record from the other document.

17 Are there any questions relative to
18 Exhibit 29?

19 MS. SCHMAEDICK: Yes, Your Honor.

20 EXAMINATION ON BEHALF OF USDA, AMS

21 MS. SCHMAEDICK: Melissa Schmaedick,
22 USDA. Good afternoon.

1 MR. BARSERIAN: Good afternoon.

2 MS. SCHMAEDICK: Thank you for your
3 testimony.

4 So I just wanted to clarify that you
5 mentioned in your prepared statement the
6 reference to the nine points. And then you read
7 the nine points for this particular proposal.

8 MR. BARSERIAN: Yes.

9 MS. SCHMAEDICK: And I believe that
10 those nine points are included in Exhibit 15,
11 which was submitted earlier today by Ms. Debbie
12 Powell.

13 MR. BARSERIAN: That's correct.

14 MS. SCHMAEDICK: Okay, thank you.

15 So just to make sure I'm understanding
16 your statement correctly and sort of the history
17 that you've laid out, you state that prior to
18 1976 there -- the seats were not allocated to
19 your three segments that you identified: Sunmaid,
20 RBA and independents; is that correct?

21 MR. BARSERIAN: Yes, that's correct.

22 MS. SCHMAEDICK: Okay. And then you

1 state that -- I'll just paraphrase -- this became
2 very brutal for growers and they asked that the
3 process be changed so that each segment had their
4 rightful share. Is that correct?

5 MR. BARSERIAN: That's correct.

6 MS. SCHMAEDICK: Okay. So I'm
7 wondering if you could describe to us, you
8 mentioned that independents, you described them
9 as independents means just that, most growers do
10 not wish to take of their time to serve at the
11 industry.

12 But what I'm wanting to ask you about
13 is what is the independent perspective that is
14 represented by independent grower members? And
15 how is it different from Sunmaid and RBA?

16 MR. BARSERIAN: Explain. Two, it's
17 easy to explain. Okay.

18 MS. SCHMAEDICK: Please.

19 MR. BARSERIAN: Sunmaid is a marketing
20 processing cooperative. Their membership is made
21 up of those growers that have a membership in the
22 organization. Even though Sunmaid does buy on

1 the outside from independent growers and also the
2 RBA, which is a bargaining association. The
3 bargaining association acts as, one, to negotiate
4 for a fair and reasonable price once a year.
5 That's their main, main reason for being in
6 existence.

7 So the independent grower chooses not
8 to be a member of Sunmaid and chooses not to be a
9 member of RBA. Could be a member of Fresno Co-
10 op, so there's more than just one co-op in the
11 business, and they're a marketing co-op, but a
12 very small one, maybe 1 or 2 percent of the
13 industry. Where Sunmaid is near 30 percent, RBA
14 is a little bit less than that.

15 And then what's made up of the rest,
16 roughly about 46 percent of the industry, are
17 these independent growers. And they choose not
18 to be associated with either one. But they could
19 sell to Sunmaid for cash. They could sell to one
20 of 20-some-odd packers for cash or terms or
21 whatever. And they choose to take that position
22 and not join the different organizations within

1 the industry.

2 MS. SCHMAEDICK: Thank you for that
3 clarification.

4 So does that explain, again in your
5 statement you indicate that the independent
6 growers represent 16 votes?

7 MR. BARSERIAN: Yes.

8 MS. SCHMAEDICK: Sunmaid 10, and RBA 9.
9 So with that 16 votes I'm wondering if that
10 equates to 16 member seats. Is that correct?

11 MR. BARSERIAN: Yes.

12 MS. SCHMAEDICK: And that is --

13 MR. BARSERIAN: And alternate seats: 16
14 and 16.

15 MS. SCHMAEDICK: Okay. And then so
16 that 16 represents the roughly 45 percent that
17 you just mentioned?

18 MR. BARSERIAN: Take 16 and divide it
19 into 35, 35. You get your percentage. I might
20 be off a half a percent.

21 MS. SCHMAEDICK: I see. Thank you for
22 that clarification.

1 So in your opinion this independent
2 voice, is it fairly significant?

3 MR. BARSERIAN: Well, it's significant
4 as a percentage of the industry of Kalem
5 Barserian speaking for them. Okay. Because some
6 of us are out there representing the entire
7 industry, whether independent, Sunmaid or RBA.
8 So my position in most cases, probably 90 percent
9 of the time, maybe 100, I'm in support of what
10 everybody else is in support of. You know, the
11 viable industry, making a decent return to
12 growers, processors being healthy and making a
13 profit in the market.

14 We've used this marketing order since
15 1949. A lot of things have changed in that 70
16 years since it started. We're here today with
17 another hearing to make some dramatic changes. I
18 might agree with them, I might not, but we're
19 making it, for whatever reason.

20 But we still have to work together.
21 We're in a 50-mile radius of where we sit is
22 where the majority of all of our producers are

1 and where all of our processors are. So whatever
2 happens in Madera -- I say you heard it through
3 the grapevine -- all know about it in Selma, you
4 know, immediately.

5 So we're very close, we're a very
6 close knit organiz -- today we're all together,
7 we're all on the same page. We're Sunmaid.
8 We're RBA. We're independent growers. We're
9 processors. We're dehydrators. We're all
10 functioning on the well-being of this industry.
11 No one really is at advantage or disadvantage
12 unless they place themselves in that position.

13 MS. SCHMAEDICK: Thank you.

14 I'm wondering -- let me just draw on
15 previous statements that have been made by other
16 witnesses in that the member, independent member
17 grower seats may be filled but the alternate
18 seats are not always filled. But there are
19 regularly vacancies for the alternate member
20 seats. Is that correct?

21 MR. BARSERIAN: That's correct.

22 MS. SCHMAEDICK: And so in your opinion

1 would this proposal help fill in those vacancies
2 and, therefore, further substantiate or round out
3 the representation of independent growers and
4 their voice?

5 MR. BARSERIAN: Well, people like me
6 that is well integrated within the industry and
7 talking to independent growers, I can't get them
8 to serve as a member, which would basically
9 require every time that we send out a notice of a
10 meeting, they're to attend. Okay. They don't
11 want to, at this point in their life they don't
12 want to do it. But they would be willing to be
13 an alternate in case Kalem couldn't be there next
14 Tuesday at 3:00 o'clock. I could call up Glenn
15 and Glenn will be there taking my place.

16 Because of the way it's now, if you
17 nominate one more than what seat is open, that
18 person who wanted to just be an alternate we
19 don't nominate him, he just gets eliminated. By
20 this change we'll now put a slate on the table of
21 both the member and when that nomination is
22 closed then we'll open up the alternate and

1 nominate the alternate.

2 This was my proposal because I saw
3 what had happened in the last several years how
4 it's eroded to not enough people want to serve.
5 It's just gotten worse instead of better. We've
6 had so many growers go out, out of the business
7 and into other things, either selling their land,
8 planting almonds or pistachios or Clementines.
9 We were at one time 5,800 growers in the
10 industry. We're probably under 3,000 today, and
11 still declining.

12 MS. SCHMAEDICK: Thank you.

13 JUDGE McCARTNEY: I'd like to ask a
14 follow-up question about that.

15 In your opinion does this modification
16 of the process to permit alternates provide a
17 more skilled applicant pool for when you are
18 seeking positions on the main, the main board so
19 that you have experience and people who are more
20 connected to the process?

21 MR. BARSERIAN: That's a tough question
22 because if you say a more skilled, I think all of

1 them are skilled just by being on a farm.

2 JUDGE McCARTNEY: In the process?

3 MR. BARSERIAN: But in the process, you
4 know, a lot of them really don't know the
5 function of the marketing order and what it means
6 to their well-being. This is really more of an
7 educational thing, in my opinion. I mean I've
8 been at this, I've been on the RAC maybe 40 of
9 the 50 years that I've been in the business. And
10 I've worked at the RAC and got my education
11 there. So I've got this well-rounded background
12 within the industry, like my colleagues here
13 today.

14 Everybody in this room today took of
15 their time to be here. Can't get everybody to do
16 that. One of the fellows here had to go back on
17 the ranch because he's spraying today for the
18 sizing of his Zante currant raisins. That's how
19 critical "right now" is to get people, you know,
20 to do that.

21 So all this is, in my opinion, is a
22 learning curve for those members that, or these

1 alternate members that are now going to come on
2 the RAC and see how it functions, why it
3 functions, why we do the things that we do.

4 MS. SCHMAEDICK: Thank you for that,
5 that statement.

6 And if I'm understanding you
7 correctly, this proposal to allow individuals to
8 select to be alternates could also be seen as a
9 very progressive step towards creating a
10 training, if you will, a member-in-training.

11 MR. BARSERIAN: That's correct. That's
12 basically what I told our judge is that, you
13 know, I'm looking at nominating new people that
14 are just coming in to the farm side or they're
15 second generation, they've now taken over from
16 dad or grandpa. They're now going to stay in the
17 raisin business for whatever, you know, reason
18 they want to stay in it. And these are the new
19 people that we could get introduced to take over
20 for us.

21 I mean I, I'm on the last lap so to
22 speak. So somebody's got to take my place. I've

1 got a lot of experience, you know. I get laughed
2 at a lot for being so old, but.

3 JUDGE McCARTNEY: I have to say you
4 look pretty good for 78. Now that was very
5 courageous of you to offer that.

6 (Laughter.)

7 MR. BARSERIAN: Thank you.

8 MS. SCHMAEDICK: Thank you for your
9 statement.

10 You did mention that this was your
11 proposal; is that correct?

12 MR. BARSERIAN: Yes.

13 MS. SCHMAEDICK: And you were involved
14 with the workgroup; is that correct?

15 MR. BARSERIAN: Yes.

16 MS. SCHMAEDICK: And have you had an
17 opportunity to talk about this proposal with your
18 fellow industry growers, handlers?

19 MR. BARSERIAN: Every day.

20 MS. SCHMAEDICK: Yes.

21 MR. BARSERIAN: Yes.

22 MS. SCHMAEDICK: And what has been the

1 reception?

2 MR. BARSERIAN: Very good.

3 MS. SCHMAEDICK: Good.

4 MR. BARSERIAN: Matter of fact, I
5 proposed some write-ins for this one that we're
6 waiting for approval on for, not for this
7 amendment but for going, you know, what our new
8 board is. And so I think we'll see -- I've got
9 about five, six names that should be included on
10 the alternate this coming year.

11 But this makes it cleaner. Instead of
12 having to have a write-in, this makes it you
13 separate because the guy that wants to serve as a
14 member will get to serve and the guy that wants
15 to serve as an alternate will get to serve.

16 MS. SCHMAEDICK: Well, thank you very
17 much for your testimony, for your expertise.

18 JUDGE McCARTNEY: Any further questions
19 for this witness?

20 EXAMINATION ON BEHALF OF USDA, AMS

21 MR. McFETRIDGE: Marc McFetridge, USDA.
22 Just a few quick questions.

1 Based on your testimony you said that
2 you had 40 acres of Thompson Seedless; is that
3 correct?

4 MR. BARSERIAN: Just say NTS, Marc.
5 It's easier.

6 MR. McFETRIDGE: NTS. Is that correct?

7 MR. BARSERIAN: Yes.

8 MR. McFETRIDGE: So based on the Small
9 Business Administration definition of having
10 annual receipts of less than \$750,000 would
11 classify you as a small grower, would you say
12 you're a small or a large grower?

13 MR. BARSERIAN: Small.

14 MR. McFETRIDGE: Small.

15 You also stated that you worked for
16 Lion Raisin Company. Is that correct?

17 MR. BARSERIAN: Yes.

18 MR. McFETRIDGE: Based on the Small
19 Business Association's definition of a large
20 handler of having greater than \$7.5 million,
21 would you feel comfortable classifying Lion as a
22 large or small handler?

1 MR. BARSERIAN: Large.

2 MR. McFETRIDGE: Large. Thank you.

3 One more quick question. Just I know
4 we discussed about having the alternates being
5 able to vote them in would be kind of an
6 educational process. Do you see is that a way to
7 open the door for, you know, kind of come in,
8 kind of get used to the system, kind of wet their
9 feet so to speak, and then possibly down the road
10 they'd become more interested in serving as a
11 member on the, on the board?

12 MR. BARSERIAN: We would hope so.

13 MR. McFETRIDGE: Okay.

14 MR. BARSERIAN: No guarantee that that
15 will happen. And the same, you know, that's kind
16 of a lead-in to the term limit situation. I
17 don't want to get hooked by my friends from USDA.

18 But one of the problems is that you
19 also have processors, dehydrators that, you know,
20 they are proprietary. You know, they're not a
21 corporation. They're not big like Lion is a
22 family operation but it's big. You know, we have

1 a lot of employees. And a lot of times we can't
2 -- family members don't want to serve on the RAC,
3 we have to get guys like me, you know, the G.M.
4 or someone within the organization that would
5 serve on the board.

6 But with proprietary companies they
7 have a hard time getting away. So when you find
8 a good one you want to keep them on there. You
9 don't want to throw them out. Because we're
10 working for nothing. We're getting paid nothing
11 to do this. I mean I should be overseeing our
12 eight sales staff at Lion Raisins today but I'm
13 here because this is important. Somebody had to
14 do it. And everybody in this room is giving of
15 their time in one capacity or another to be here
16 for one, two or whatever number of days it takes.

17 So we're hoping that down the road
18 that educational process is going to work.

19 MR. McFETRIDGE: Right. Well, thank
20 you very much for your time. And no more
21 questions.

22 JUDGE McCARTNEY: I have a question.

1 MR. BARSERIAN: Yes.

2 JUDGE McCARTNEY: And it may not be a
3 popular one. But I think the record should
4 reflect your opinion on what the negative
5 consequences would be with respect to the term
6 limit, given the situation you described of
7 having difficulty reaching out and recruiting and
8 retaining qualified people to serve.

9 MR. BARSERIAN: Yes.

10 JUDGE McCARTNEY: What is your opinion
11 on the immediate impact if that proposal were
12 adopted?

13 MR. BARSERIAN: Well, first of all, if
14 you read the USDA proposal it's terming us out in
15 eight years. I'll be 86. I don't know if I'll
16 still be around when I'm 86. But --

17 JUDGE McCARTNEY: That's taking it very
18 personal.

19 (Laughter.)

20 MR. BARSERIAN: Exactly. But you know,
21 again is somebody has to replace me. I feel I've
22 been a leader of this industry for a great number

1 of years. People rely on my expertise, my
2 ability to gather things and relay them.
3 Sometimes they say I spin it a little bit. Maybe
4 I do and maybe I don't. But I think impact-wise
5 eight years termed out in political life where
6 you're getting paid for your services is
7 different than this where we're giving of
8 ourselves.

9 And I just feel that the term limit is
10 not a good proposal for this industry because
11 it's so small.

12 JUDGE McCARTNEY: You may not be able
13 to answer my question, but I'm wondering does
14 this term -- this term limit doesn't apply to
15 alternates; --

16 MR. BARSERIAN: No.

17 JUDGE McCARTNEY: -- isn't that true?
18 So an alternate can serve in
19 perpetuity?

20 MR. BARSERIAN: Well, I don't know why
21 that because I mean --

22 JUDGE McCARTNEY: I mean if you get --

1 MR. BARSERIAN: -- I would say my own
2 opinion of that is I don't see much why it
3 wouldn't be the same.

4 JUDGE McCARTNEY: Uh-huh. But it's not
5 though, is it?

6 MR. BARSERIAN: No, it's different.

7 JUDGE McCARTNEY: All right. So in
8 your opinion does the fact that the term limit
9 does not apply to alternates a good thing?

10 MR. BARSERIAN: That is a real tough
11 question. I don't want to -- you know, it's
12 good. We'll carry it the other way, too, and --

13 JUDGE McCARTNEY: But it could be
14 better if it doesn't apply to anybody?

15 MR. BARSERIAN: It would be better if
16 it wasn't applied to --

17 JUDGE McCARTNEY: To anybody.

18 MR. BARSERIAN: Yeah.

19 JUDGE McCARTNEY: All right, yes. I
20 understand.

21 Thank you.

22 All right, any further questions

1 regarding Exhibit 29?

2 (No response.)

3 JUDGE McCARTNEY: All right. Any
4 objections to the admissibility of Exhibit 29?

5 MS. CHILUKURI: Your Honor, I have one
6 or two questions.

7 JUDGE McCARTNEY: Oh, I'm sorry.

8 MS. CHILUKURI: It's okay.

9 EXAMINATION ON BEHALF OF USDA, OGC

10 MS. CHILUKURI: Rupa Chilukuri, USDA.

11 So, Mr. Barsarian, I just wanted to
12 ask you as it relates to this proposal,
13 independent, separate nominations for independent
14 grower members and alternates, is there any cost
15 that you, that would be associated with it?

16 MR. BARSERIAN: No.

17 MS. CHILUKURI: And would the timing of
18 the nominations change at all?

19 MR. BARSERIAN: No.

20 MS. CHILUKURI: Okay. And during your
21 testimony I think you said that you might agree
22 with certain of the proposals and you might not

1 agree with certain of the proposals. So I want
2 to walk through each of the proposals and just
3 have on the record your opinion.

4 MR. BARSERIAN: Are you talking the 1
5 through 9 or the other five proposals?

6 MS. CHILUKURI: I understood it to be
7 what's in the Notice of Hearing, those proposals.

8 MR. BARSERIAN: Okay.

9 MS. CHILUKURI: So I'll --

10 JUDGE McCARTNEY: Counsel, he hasn't
11 finished his testimony. It was bifurcated.

12 MS. CHILUKURI: Yes.

13 JUDGE McCARTNEY: So you might want to
14 reserve that until he's completed his testimony
15 on all the points.

16 MS. CHILUKURI: Okay, I will do that.

17 JUDGE McCARTNEY: Okay.

18 MS. CHILUKURI: That's all I have for
19 now then.

20 JUDGE McCARTNEY: No objections to
21 Exhibit 29; it's hereby admitted.

22 (Whereupon, the above-

1 referred to exhibit,
2 previously marked as
3 Barserian Exhibit 29, was
4 received in evidence.)

5 So if you would turn your attention
6 now, sir, to the second portion of your
7 testimony.

8 FURTHER TESTIMONY OF KALEM BARSERIAN

9 MR. BARSERIAN: Okay. My second
10 testimony is, relates to term limits. I have a
11 very short statement on that.

12 Once again, my name is Kalem
13 Barserian. I am testifying against term limits.

14 First of all, we receive no pay for
15 taking time out of our busy lives to attend
16 several meetings during the course of a year. I
17 am a member of the RAC and have been appointed by
18 the Chairman to sit on seven subcommittees. Most
19 of us have been in a leadership role, having to
20 go begging to get enough people, whether they are
21 grower representatives or packer representatives,
22 to participate as members or alternate members of

1 the RAC.

2 Over my 50-plus years in the
3 California raisin industry I have represented the
4 RAC as an employee, CEO of the RBA, RBA raisin
5 grower, independent raisin grower, and a raisin
6 processor. It doesn't matter, it's always a
7 handful of dedicated people willing to take of
8 themselves to serve for the betterment of the
9 entire industry.

10 Anyone new who wishes to serve on the
11 RAC has never been told he or she can't. By
12 splitting up the percentages of each group it
13 brings a fairness to the system. Therefore, if
14 it isn't broken, don't try and fix it.

15 End of testimony.

16 JUDGE McCARTNEY: All right. Any
17 follow-up questions with respect to that portion
18 of the witness' testimony?

19 All right, counsel.

20 EXAMINATION ON BEHALF OF USDA, OGC

21 MS. CHILUKURI: Mr. Barserian, I think
22 I mentioned this at the outset of the hearing

1 that USDA has modified the proposal that was
2 initially in the Notice of Hearing. And you have
3 had a chance to look at that modified language?
4 And you have discussed in part --

5 JUDGE McCARTNEY: Let the record
6 reflect that was a question, not a directive.

7 MR. BARSERIAN: Yes, I -- Yes, I read
8 this.

9 MS. CHILUKURI: Okay. So you
10 understand that --

11 MR. BARSERIAN: Yes.

12 MS. CHILUKURI: -- alternates would
13 now be exempt from the --

14 MR. BARSERIAN: Yes.

15 MS. CHILUKURI: -- term limits
16 requirements? Okay.

17 JUDGE McCARTNEY: And I believe your
18 testimony was that's a good thing.

19 MR. BARSERIAN: Yes.

20 MS. CHILUKURI: Okay. And now back to
21 I think you had mentioned in your earlier
22 testimony that you might agree with certain of

1 the changes and you might not. So I just want to
2 go through the list. I imagine that you --

3 MR. BARSERIAN: Well, can I save you
4 time?

5 MS. CHILUKURI: Yes, you can save me
6 time.

7 MR. BARSERIAN: I'm in favor of
8 everything but the term limits.

9 MS. CHILUKURI: And you're in favor of
10 everything but the term limits. And you looked
11 at the term --

12 MR. BARSERIAN: Yeah. Even the USDA's
13 proposal to eliminate the sections of the order
14 that pertain to reserve pools.

15 MS. CHILUKURI: Okay. As it relates to
16 volume control -- or, I'm sorry, as it relates to
17 --

18 MR. BARSERIAN: Reserve pool, volume
19 controls, to me the same terminology.

20 MS. CHILUKURI: Right. I misspoke.

21 As it relates to term limits, you are
22 opposed to what's in the Notice of Hearing and

1 you're also opposed to --

2 MR. BARSERIAN: Yes.

3 MS. CHILUKURI: -- the modification?

4 MR. BARSERIAN: Yes.

5 MS. CHILUKURI: You have said that

6 eight years was too short of a --

7 JUDGE McCARTNEY: Counsel, so that the
8 record is clear, I believe the witness testified
9 that he did endorse the modification eliminating
10 term limits as to alternates, but he continues to
11 object to term limit application to other
12 members. Is that correct?

13 MR. BARSERIAN: That's correct.

14 JUDGE McCARTNEY: So he doesn't object
15 to all of the modifications.

16 MS. CHILUKURI: Okay. Thank you for
17 that clarification, Your Honor. I may have
18 misunderstood that. So I appreciate that.

19 And I have no further questions then.
20 Thank you.

21 MR. BARSERIAN: Thank you.

22 JUDGE McCARTNEY: Anything further for

1 this witness?

2 (No response.)

3 JUDGE McCARTNEY: All right. You are
4 hereby excused.

5 MR. BARSERIAN: Thank you.

6 JUDGE McCARTNEY: Thank you very much
7 for your time and your testimony.

8 (Witness stands down.)

9 JUDGE McCARTNEY: All right. Are we
10 ready to move forward to the next witness?

11 Please state your name for the record
12 and affirm that you have been previously sworn.

13 MR. MILINOVICH: My name is Jeff
14 Milinovich. And I have been previously sworn.

15 WHEREUPON,

16 JEFF MILINOVICH
17 having been previously duly sworn, was called as
18 a witness here, and was examined and testified as
19 follows:

20 JUDGE McCARTNEY: All right. Do you
21 have any exhibits that you are prepared to
22 sponsor?

1 MR. MILINOVICH: Exhibits 30 and 31 are
2 being handed out.

3 JUDGE McCARTNEY: All right.

4 MR. MILINOVICH: And they are my
5 testimony too.

6 JUDGE McCARTNEY: Both documents?

7 MR. MILINOVICH: Both documents.

8 (Whereupon, the above-
9 referred to documents were
10 marked as Milinovich
11 Exhibits 30 and 31 for
12 identification.)

13 JUDGE McCARTNEY: Thank you.

14 All right, you may proceed.

15 TESTIMONY OF JEFF MILINOVICH

16 MR. MILINOVICH: All right. My name is
17 Jeff Milinovich. I work at Central California
18 Raisin Packing Company in Delray, California, a
19 family-owned raisin processing plant that has
20 been in operation for the past 60 years.

21 I have been working within the raisin
22 industry for six years, and have been serving on

1 the RAC board for three of those -- three of the
2 past six. Prior to working in the raisin
3 industry I worked two years with the USDA in the
4 Marketing Orders Administrative Branch, currently
5 named the Marketing Order Administrative
6 Division.

7 Today I am here to talk about the
8 proposal going before the USDA concerning changes
9 to add the language into the marketing order to
10 insert the word "quality" to the list of
11 attributes that can be regulated under the order.

12 This proposal would also clarify the
13 intent of Section 989.53, Research and
14 Development; 989.54, Marketing Policy; 989.73,
15 Reports; 989.107, Inspection and Certification;
16 Quality Control Section 989.157 through 989.160;
17 and Form FV-146, Certificate of Quality and
18 Condition, which all refer to the regulation of
19 quality under the order.

20 Currently, the Sections 989.58 and
21 989.59 of the order state that the committee has
22 the authority to recommend the grading condition

1 standard regulation under the order. The
2 attribute "quality" is not specifically
3 mentioned.

4 However, other current sections of the
5 order indicate that quality is in fact a current
6 regulated attribute, as is stated clearly on the
7 Inspection Certificate FV-146, Certificate of
8 Quality and Condition.

9 The committee believes it is very
10 important for us to explain the difference
11 between quality and grade. We believe this to be
12 important, as it has always been implied in the
13 order we could regulate quality, as many other
14 orders already regulate. Much of the language
15 within the existing order makes reference to
16 quality being implied in it.

17 As our industry moves forward, we
18 believe the inclusion of the language will
19 benefit our ability to adjust based on future
20 issues that may come up in FDA regulation or
21 anything else pertaining to customer concerns.
22 This regulation would concretely insert this

1 authority into the order and allow us to apply
2 new regulation that seems fit.

3 The committee sees value in doing
4 quality checks on the product to ensure the
5 safety of the consumer. We think there could be
6 many benefits that come under doing residual
7 testings for such items as herbicides, pesticides
8 or fungicide residues. In an issue that is
9 already taking effect, we are regulating
10 ochratoxin, which was previously stated, a
11 naturally-occurring fungus.

12 A tolerance limit for this fungus is
13 in place for products entering many markets. And
14 the ability for the industry to meet those
15 markets' import requirements are vital to
16 continued trade. By implementing regulation
17 under the order, the industry would be certain
18 that this requirement would be equally applied to
19 all handlers of raisins within the U.S.

20 Many of our growers are prohibited to
21 use chemicals and are regulated in the field, but
22 this would give our products a validation that

1 there are no residual problems on incoming or
2 outgoing from the packers.

3 Furthermore, in the event that the
4 industry desires to implement further regulation
5 to conform to forthcoming FDA guidelines under
6 the Food Safety and Modernization Act, those
7 regulations may not fall within the traditional
8 framework of grading condition standards. Thus,
9 the authority to regulate quality would improve
10 the committee with the flexibility to meet future
11 regulatory needs of the industry.

12 The impact of this is very minimal.
13 This attribute would give the board the authority
14 to make changes in new regulation. Any new
15 regulation would need to be vetted as a proposal
16 approved and recommended by the RAC, published by
17 the USDA as a proposed rule, receive public
18 comment and USDA approval prior to being
19 implemented.

20 This language in the order could
21 create new regulations which would benefit the
22 industry by creating more confidence in

1 California raisins from the buyer -- from buyers
2 around the world. In effect, small business
3 owners and growers alike would benefit from the
4 new regulation the industry finds to be important
5 to enforce.

6 From the raisin community standpoint,
7 we need to be able to market our product as a
8 superior product to many of our foreign
9 competitors based on the extra effort we put into
10 these products. With California growers and
11 handlers being held to new higher standards by
12 our customers and by our government with the Food
13 Safety and Modernization Act, we should promote
14 and identify how our superior quality is a
15 benefit to the consumer by not only being a
16 better product and taste, but also for the safety
17 of the families around the world enjoying our
18 raisins.

19 If approved by the voters, the
20 authority would allow the committee to make
21 recommendations for regulations at the USDA. Any
22 new regulations will need to be developed and

1 vetted as a proposal approved and recommended by
2 the RAC, published by the USDA as a proposed
3 rule, receive public comment and USDA approval
4 prior to being implemented. But as of now,
5 because it is giving no authority, no new
6 compliance, impacts or cost.

7 That's the end of my first testimony.

8 JUDGE McCARTNEY: Do you wish to
9 bifurcate with respect to Exhibit 31 and take
10 questions now or do you want to do them both at
11 the same time? It's up to you.

12 MR. MILINOVICH: I'll do the next.
13 I'll do the rest.

14 JUDGE McCARTNEY: All right.

15 MR. MILINOVICH: I mean they pertain to
16 each other, so.

17 JUDGE McCARTNEY: Testimony on Exhibit
18 31.

19 MR. MILINOVICH: Okay. I'm going to
20 now get to Exhibit 31. Add authority to
21 establish different regulation for different
22 marketing destinations.

1 This proposal would add authority for
2 the committee to establish, subject to the USDA
3 approval, different grade, quality or condition
4 regulation for different market destinations.

5 The California raisin industry has customers in
6 many different countries. The consumers in these
7 countries vary significantly.

8 Currently, the order does not allow
9 for different quality or grade standards to be
10 applied to those markets. The current standards
11 are a one-size-fits-all. This authority would
12 allow the committee to develop regulation for
13 product that is best suited for a particular
14 market destination. Current order language
15 establishes grade and condition standards for two
16 classifications only: Grade A and Grade B.

17 This proposal would result in the
18 addition of the authority to establish different
19 regulations for different market destinations
20 under the order. No new grades or regulations
21 would actually be made and the existing would
22 still be the norm. If any such regulation were

1 to be implemented as a result of the authority,
2 the anticipated negative impacts on growers would
3 be minimal, if any.

4 Different regulation for different
5 market destinations would not prevent product
6 from being sold into the markets. Instead, it
7 would match product attributes to the consumer
8 profile and consumer -- and customer demands of
9 each market. Similarly, the negative impact on
10 handlers would be minimal, if any. While the
11 potential for a positive impact would be high, as
12 handlers will be better able to meet customer
13 demand.

14 Consumers would likely benefit from
15 the proposal, as its intent is to customize
16 product standards to specific markets, thereby
17 providing customers with products that meet their
18 demand. The sale of a good would be received by
19 the country, by other countries with the
20 assurance that they meet their country's specific
21 regulations.

22 If regulation were implemented, it is

1 plausible that returns to growers would increase
2 as regulation for higher quality products in some
3 markets could result in higher prices paid for
4 that product. Small businesses are expected to
5 benefit from this committee's ability to
6 proactively regulate product, thereby ensuring
7 that the domestic consumers and foreign markets
8 are confident in California raisins.

9 This proposal would result in the
10 addition of the authority to develop regulations
11 for different market destinations. Its
12 implementation would not result in any specific
13 regulation per se. Therefore, the proposal does
14 not have an economic impact at this time. If
15 approved by voters in the referendum, this
16 authority would allow committees, or allow the
17 committee to make recommendations for different
18 regulations for different market destinations to
19 the USDA.

20 Any new regulations would need to be
21 developed and vetted as a proposal, approved and
22 recommended by the RAC, published by the USDA as

1 a proposed rule, receive public comment and USDA
2 approval prior to being implemented.

3 The proposal itself does not have
4 compliance impacts at the time.

5 And that's the rest of my testimony.

6 JUDGE McCARTNEY: All right. Are there
7 any questions for this witness?

8 EXAMINATION ON BEHALF OF USDA, AMS

9 MS. SCHMAEDICK: Melissa Schmaedick,
10 USDA. Good afternoon, Mr. Milinovich. Thank you
11 for your testimony.

12 MR. MILINOVICH: Thank you.

13 MS. SCHMAEDICK: I will start with
14 questions on your statement with regard to
15 quality and then I'll move on to your statement
16 with regard to different regulations.

17 MR. MILINOVICH: Okay.

18 MS. SCHMAEDICK: Different markets.

19 So, to begin with just a brief recap
20 of your Exhibit 30, your statement on quality,
21 you indicate that the term "quality" exists
22 throughout the order, yet the order does not

1 specify the actual authority to regulate quality.

2 Is that correct?

3 MR. MILINOVICH: Yes.

4 MS. SCHMAEDICK: In your opinion, does
5 that imply that it has been a long term intent of
6 the industry to be regulating quality?

7 MR. MILINOVICH: Yes. I think that the
8 intent was to, is to use quality within the
9 order. It is in other orders actually regulated.
10 It is just not stated in the, in the section to
11 give it the authority. And it has been the
12 intent of the committee to regulate based on
13 quality.

14 MS. SCHMAEDICK: So would it be, would
15 it be accurate to say that in part this proposal
16 is to clarify an intent that currently exists and
17 has existed for quite some time within the
18 industry?

19 MR. MILINOVICH: Yes.

20 MS. SCHMAEDICK: Okay, thank you.

21 I wanted to talk to you a little bit
22 about your statement about the difference between

1 quality and grade. You mentioned that they're
2 two different things. Can you describe a little
3 bit in more detail what the difference is between
4 quality and grade?

5 MR. MILINOVICH: The grade, grade and
6 quality is specified under -- if we're looking at
7 it from passing and failing fruit, the quality of
8 the fruit could be the higher B&B or the quality
9 of the product going out in the market, that
10 would be the sugars and those attributes to it.

11 Grade is specific to the size -- or
12 the amount of maybe the sugars. So the quality -
13 - Sorry, let me back up.

14 The quality could be concerning -- or
15 the grade is more so the B&B and the sugars and
16 whether the product is failing because it's low
17 maturity product.

18 The quality could be if the product
19 itself has a specific attribute to it, such as we
20 put in there, potentially ochratoxin. It is
21 passing that quality test that we would
22 potentially perform if we enacted that regulation

1 with an order.

2 MS. SCHMAEDICK: Okay.

3 JUDGE McCARTNEY: I have a follow-up
4 question about that.

5 MR. MILINOVICH: Okay.

6 JUDGE McCARTNEY: Am I correct in
7 understanding that grade is a term of art and
8 there are now two grades, A and B; and quality is
9 a characteristic or trait with many nuances and
10 is not a term of art as specifically defined in
11 the regs?

12 MR. MILINOVICH: Yes.

13 JUDGE McCARTNEY: Thank you.

14 MS. SCHMAEDICK: Thank you.

15 And to pick up on that question, you
16 referred to a Grade A and a Grade B. In
17 referencing those two grade classifications are
18 you referring to the USDA grade and size
19 regulations for raisins?

20 MR. MILINOVICH: It's the, it's the
21 bricks regulation, the B&B, which is B or better.
22 So B standard or better. So Grade A or B usually

1 regulates the airstream.

2 So we went over it earlier where the
3 airstream sorter it gives an evaluation of the
4 meat or the solids within the product.

5 MS. SCHMAEDICK: Okay. So if you had
6 authority to regulate quality you would be
7 regulating different attributes that are
8 currently -- different attributes from what are
9 currently regulated under grade and size
10 authority; is that correct?

11 MR. MILINOVICH: Yes.

12 MS. SCHMAEDICK: Okay. Is that what
13 you mean when you state those regulations may not
14 fall within the traditional framework of grade
15 and condition standards?

16 MR. MILINOVICH: Yes.

17 MS. SCHMAEDICK: Okay. So currently
18 under the traditional grade and condition
19 standards that exist there isn't a tolerance for
20 ochratoxin; --

21 MR. MILINOVICH: Yes.

22 MS. SCHMAEDICK: -- is that one of

1 your examples? Okay.

2 You also mentioned that having
3 authority to regulate quality would be important
4 in the context of the Food Safety Modernization
5 Act. Can you speak more to that subject?

6 MR. MILINOVICH: As we talked about it,
7 if there were guidelines or things that were
8 actually implemented towards this in Food Safety
9 and Modernization, we could potentially use the
10 order to inspect for some of those things, if
11 that ever came into effect.

12 I'm not exactly sure on all the cross
13 that could occur between the two. But just for
14 us to be a little bit more I guess adjustable,
15 flexible.

16 MS. SCHMAEDICK: So, for example, if
17 under the Food Safety and Modernization Act there
18 were a need to, let's say, have a testing,
19 sampling protocol for salmonella contamination,
20 for example, if that were applicable to raisins
21 at some point in the future, is it your opinion
22 that this quality authority, the authority to

1 regulate quality would then allow you to develop
2 a regulatory program to address that?

3 MR. MILINOVICH: That could potentially
4 be something that was looked at. It would have
5 to be vetted through the board and through the
6 USDA, obviously.

7 MS. SCHMAEDICK: Right.

8 MR. MILINOVICH: But, yes.

9 MS. SCHMAEDICK: But that's one --

10 MR. MILINOVICH: Yes.

11 MS. SCHMAEDICK: -- potential usage;
12 is that correct?

13 MR. MILINOVICH: Yes.

14 MS. SCHMAEDICK: Thank you.

15 Your Honor, I would like to take a
16 pause and before I ask questions on Exhibit 31.
17 And I'd like to ask my colleague if he has any
18 questions on this particular issue.

19 JUDGE McCARTNEY: All right. Off the
20 record for a moment.

21 (Whereupon, the above-entitled matter
22 went off the record at 2:20 p.m. and resumed at

1 2:21 p.m.)

2 JUDGE McCARTNEY: Any further
3 questions for this witness?

4 MS. SCHMAEDICK: On Exhibit 30?

5 JUDGE McCARTNEY: On Exhibit 30. No?
6 Turning our attention to Exhibit 31,
7 any questions with respect to that testimony?

8 MS. SCHMAEDICK: Yes, thank you.
9 Melissa Schmaedick, USDA.

10 BY MS. SCHMAEDICK:

11 Q On Exhibit 31, Mr. Milinovich, you
12 talk about the need to create, or potential need
13 to create regulation that might be driven by a
14 specific customer demand in a different country;
15 is that correct?

16 A Yes.

17 Q And you specifically state it would
18 match product attributes to the consumer profile
19 and the customer demands of each market. Can you
20 give us some examples?

21 A I think this could -- if we're talking
22 about quality, it could go into the future of the

1 idea of, if a pesticide was banned in a certain
2 area, we could potentially test for it and sync
3 up that type of quality inspection to that area,
4 if we needed to. Or, in terms of grade, if there
5 was a higher grade spec or a specific region had
6 a desire for an attribute of a raisin specific,
7 we could, hopefully, create a grade that would go
8 into that area that would give a more -- would
9 give more confidence in the consumer, the
10 purchaser of that raisin.

11 Q Currently, are there different product
12 demands in different markets? Do you already see
13 that?

14 A Yes. I mean, we see raisin purchasers
15 who only want DOV products. We see raisin
16 purchasers who want just traditional tray-dried.
17 Some are okay with any and everything. A lot of
18 it depends on the consumer themselves, and some
19 regions have specific habits. I couldn't speak
20 to exact ones right now, but we see specific
21 customers with very stringent specs.

22 Q And, in your opinion, is there a

1 benefit to creating a regulatory structure then
2 that would ensure that product that is going to
3 that market destination is consistently being
4 subject to the same quality or grade
5 requirements?

6 A Yes, it would be very beneficial.

7 JUDGE McCARTNEY: Can I ask a follow-
8 up question about that?

9 Counsel has been asking you about
10 foreign markets, but I'm wondering about the
11 application to our domestic markets, for example,
12 raisins for children's lunches. Do you have an
13 opinion as to whether quality standards would
14 facilitate the marketing and servicing of
15 particularized groups within the domestic market?

16 THE WITNESS: I definitely think it
17 could. We haven't spoken of that within the
18 industry. It would have to be vetted by
19 everybody, that we wanted to hit a target market
20 with a type of raisin. I think it would be
21 driven potentially by the USDA or somebody.

22 But, for a lot of this, I think it's

1 consumer-driven more so than from the packer
2 side. It's what we would see as packers coming
3 from an area and letting them know. So, if
4 somebody demanded a certain -- it's sort of --
5 specs are already out there, so the USDA has a
6 spec when they're purchasing fruit from us. So
7 we have to meet that spec.

8 JUDGE McCARTNEY: Uh-huh.

9 THE WITNESS: What we would be doing
10 for the -- why we're saying in regions is you
11 could create a spec for a region that was all-
12 encompassing, so you didn't have a lot of
13 different specs within it.

14 JUDGE McCARTNEY: Right.

15 THE WITNESS: So it could be regional.

16 JUDGE McCARTNEY: Well, let me
17 rephrase my question to be -- that was a very
18 helpful response, though, however.

19 Drilling down to a higher level of
20 granularity, to ensure that a domestic consumer
21 has access to attributes and characteristics
22 relative to the grapes that they're interested

1 in, i.e., the lack of ochratoxins in their grapes

2 --

3 THE WITNESS: Yes.

4 JUDGE McCARTNEY: -- at the current
5 time, how would a consumer group buying large
6 quantities of grapes be reassured if Grade A and
7 Grade B are not speaking to the regulation of
8 traces of that substance?

9 THE WITNESS: If it's not specifically
10 -- if it's not something that we're testing for
11 and traces for, then it wouldn't be in there.
12 But, normally -- and for some of this, in terms
13 of the pesticides and some other things that we
14 already are -- they are actually illegal within
15 us. We're not applying them. And what we're
16 trying to do is make a match to say -- it's kind
17 of a certification to some degree --

18 JUDGE McCARTNEY: Exactly.

19 THE WITNESS: -- with some of these
20 situations.

21 JUDGE McCARTNEY: A consistent
22 standard certification --

1 THE WITNESS: Yes.

2 JUDGE McCARTNEY: -- for all
3 consumers, domestic and foreign, to be alerted
4 that the product has been screened for these
5 things.

6 THE WITNESS: Yes.

7 JUDGE McCARTNEY: Is that correct?

8 THE WITNESS: Yes.

9 JUDGE McCARTNEY: All right. Thank
10 you.

11 MS. SCHMAEDICK: Melissa Schmaedick,
12 USDA.

13 BY MS. SCHMAEDICK:

14 Q And are there some industry members
15 who are currently testing for ochratoxin, for
16 example?

17 A We'd have to open that up.

18 Q Okay.

19 A And I'd probably have to go to our QA
20 department and talk to them about specifics. But
21 a lot of these things are tested for at different
22 levels. We just want more of a solid foundation

1 to go off of.

2 Q Would it be accurate to say that this

3 --

4 A Barry is going to probably say
5 something.

6 JUDGE McCARTNEY: Well, Barry can wait
7 until your testimony is through.

8 MR. KRIEBEL: I was just going to try
9 to address his specific question.

10 JUDGE McCARTNEY: All right. And, as
11 soon as he's through with his testimony, you can
12 take the stand.

13 MR. KRIEBEL: Okay. No problem.

14 JUDGE McCARTNEY: Because, right now,
15 I'm exploring your understanding and appreciation
16 of your exhibit at 30. And you indicated that
17 initiative the board is looking toward is to
18 regulate traces box for a toxin.

19 THE WITNESS: Yes.

20 JUDGE McCARTNEY: So counsel is asking
21 you about your understanding about that.

22 THE WITNESS: Yes. And mine is that

1 we would look towards that specific certification
2 in the future. It's one of the examples of
3 something -- it's not found within our region and
4 we don't have that fungus here, so it can be
5 certified by us testing for it. But, right now,
6 there are no traces of it, so --

7 BY MS. SCHMAEDICK:

8 Q So, essentially, having the authority
9 to establish these regulations would also --
10 would it ensure that everybody is playing by the
11 same set of rules?

12 A Yes.

13 Q Yes, okay. Thank you. My last
14 question for you is, again, in relation to
15 Exhibit 31. At the very bottom, you explain that
16 this authority would allow the committee to make
17 recommendations for different regulations, and
18 any new regulation would need to be developed and
19 vetted as a proposal approved and recommended by
20 the RAC, published as a proposed rule, public
21 comment, and USDA approval.

22 So my question is, if this authority

1 were implemented and let's say the RAC wanted to
2 develop a program, a regulatory program, for
3 ochratoxin, in your opinion, would that process
4 require a very sort of thoughtful and technical,
5 scientifically-based process to be created and
6 then approved through the --

7 A Yeah.

8 Q -- the rule review process?

9 A Yes, I would think that that's the
10 process that we would go through.

11 Q Okay. So, again, to clarify, your
12 proposal is to create the authority to initiate
13 that process. You're not necessarily
14 recommending ochratoxin regulation at this point?

15 A No, not at all. That's just an
16 example of something that we could do in the
17 future.

18 MS. SCHMAEDICK: Okay. Thank you. I
19 have no further questions.

20 JUDGE McCARTNEY: Any further
21 questions for this witness?

22 MR. McFETRIDGE: Marc McFetridge,

1 USDA. A couple of quick questions.

2 BY MR. McFETRIDGE:

3 Q You stated that you worked for Central
4 California Raisin Packing Company?

5 A Yes.

6 Q And that is a handler; is that
7 correct?

8 A Yes.

9 Q Based on the Small Business
10 Administration definition of being a small or
11 large handler, of having annual receipts greater
12 than or less than \$7.5 million, how would you
13 classify Central California Raisin Packing
14 Company? Would it be a small or a large handler,
15 would you say?

16 A Larger handler.

17 Q All right. Thank you. A couple of
18 questions on your testimony for different
19 regulations for different market destinations.

20 Do you see this as a possibility of
21 relaxing regulations for different destinations
22 or more stringent regulations for different

1 destinations?

2 JUDGE McCARTNEY: Sir, in light of the
3 fact that this individual is not represented by
4 counsel, I would have to ask you to rephrase your
5 question because I think that you have a valid
6 question, but the way that you've currently
7 phrased it could be confusing. So would you mind
8 rephrasing?

9 MR. McFETRIDGE: All right. Let me
10 see.

11 BY MR. McFETRIDGE:

12 Q So the proposal as you see it, do you
13 see it as --

14 JUDGE McCARTNEY: Well, all right.
15 Let me clarify my concern. I don't think the
16 witness testified to different regulations for
17 different markets. I think, unless I
18 misunderstood the witness' testimony, he's
19 talking about regulations that would permit them
20 to ascertain, identify, and to designate
21 attributes and characteristics to the raisins in
22 response to different markets, not different

1 regulations; is that correct?

2 MR. MILINOVICH: It wouldn't be
3 changing any of the regulation that we have
4 currently. It would just be providing specific
5 attributes of raisins to specific markets, so
6 creating the different consumer spec based on
7 maybe quality or size, or something like that,
8 for a region if they -- if that's the type of
9 raisin they purchase at this time.

10 So it wouldn't be changing any
11 standard to pass a raisin or quality standard as
12 of now. It would just be more so an attribute in
13 creating a regional raisin, or type of raisin.

14 JUDGE McCARTNEY: Did that go to your
15 concern? I didn't mean to cut you off, but I
16 think that the way the question was previously
17 phrased, it could lead one to assume that you
18 were asking about different regulations for
19 different markets, and I just wanted to be sure
20 that I understood that the witness was not
21 testifying to that.

22 MR. MILINOVICH: No.

1 JUDGE McCARTNEY: Did you get your
2 question answered, though, sir?

3 MR. McFETRIDGE: I believe so.

4 BY MR. McFETRIDGE:

5 Q So it sounds -- your answer,
6 basically, sounds to me that it would be -- you
7 have a destination, and it could be possibly your
8 -- would be able to cater to that specific
9 consumer by possibly adding stricter regulations,
10 possibly, to --

11 A For something such as maybe B or
12 better, or cap stems, or something that they --
13 that's within a spec that they generally have, so
14 it would be considered cleared through the USDA.

15 Q Okay. All right. Thanks. Based on
16 your knowledge of the proposal, do you see this
17 as a positive impact on future exports?

18 A Yes.

19 Q And do you feel that this would make
20 the U.S. raisin industry more competitive on the
21 world market?

22 A Yes.

1 Q Now the term designation, do you see
2 that as a country or could it be like an
3 individual importer?

4 A I saw it within this as a country, but
5 I guess it could be to a specific importer, if
6 necessary, if they've created their own -- if
7 they were a large enough consumer, maybe we would
8 do something like that. But I don't think we
9 would. I mean, it's generally referred to as
10 countries and regions.

11 MR. McFETRIDGE: Okay. Thank you. I
12 just wanted clarification on that, to see if it
13 was possible to have it specific for individual
14 importers, like you said, if they're big that it
15 may warrant to even look into.

16 I think that's all the questions I
17 have. Thank you.

18 JUDGE McCARTNEY: Any further
19 questions?

20 MS. SCHMAEDICK: Melissa Schmaedick,
21 USDA.

22 BY MS. SCHMAEDICK:

1 Q In an effort to clarify the waters
2 here a bit, Mr. Milinovich, could you look at
3 your Exhibit 31?

4 A Okay.

5 Q And I'll have you read the second
6 sentence on that exhibit, please.

7 A The consumer -- all right -- the
8 California raisin industry has --

9 Q I'm sorry. The second sentence,
10 beginning with this proposal.

11 A Oh, this -- that's -- okay. This
12 proposal would add authority for committee to
13 establish, subject to USDA approval, different
14 grade quality and condition regulations for
15 different market destinations.

16 Q Okay. So, based on the previous
17 questions and the previous testimony, I want to
18 make sure I'm understanding correctly that this
19 proposal would allow the creation of regulation
20 that is supplementary to existing regulations for
21 grade, for example, and that those supplementary
22 regulations could be designed for a specific

1 target market; is that correct?

2 A Yes.

3 MS. SCHMAEDICK: Okay. That's all I
4 have. Thank you.

5 JUDGE McCARTNEY: Any further
6 questions for this witness?

7 (No audible response.)

8 JUDGE McCARTNEY: All right. There
9 being nothing further, you are hereby excused.

10 Now, Mr. Kriebel, I do have you
11 indicated here as a witness. Do you prefer to be
12 taken out of order so that you can respond to the
13 question, or do you -- are you going to be able
14 to tell me all about it when you come up?

15 MR. KRIEBEL: Actually, I'd like to
16 respond while Jeff is still present.

17 JUDGE McCARTNEY: All right. Well, we
18 are going to hold him here then until such time
19 as you're comfortable that he can leave. But my
20 question remains. You're not the next witness on
21 the witness list, but if there are no objections
22 and you want to be taken out of order, I don't

1 have a problem with that either.

2 MR. KRIEBEL: Could I just be taken
3 out of order just for this one issue on quality
4 standards?

5 JUDGE McCARTNEY: I know I'm going to
6 be sorry for this but, yes, I'm going to permit
7 you. And I can just see a very confused record
8 here, but --

9 MR. KRIEBEL: So would you care for me
10 to sit up here?

11 JUDGE McCARTNEY: Yes. If you're
12 giving testimony, I want you to identify
13 yourself, affirm that you've been sworn in, and
14 then -- is a question pending or do you just have
15 something you want to opine to those who are
16 present?

17 MR. KRIEBEL: Well, there was a
18 question pending.

19 JUDGE McCARTNEY: Okay. So restate
20 the question that you are going to be sharing
21 your --

22 MS. CHILUKURI: Your Honor, before we

1 go into Mr. Kriebel's testimony, I wanted to
2 check on the status of Mr. Milinovich's
3 testimony, whether it had been entered. I wasn't
4 sure if --

5 JUDGE McCARTNEY: Thank you for that.

6 MS. CHILUKURI: -- it had been.

7 JUDGE McCARTNEY: Were there any
8 objections to the admissibility of Exhibits 30
9 and 31?

10 (No audible response.)

11 JUDGE McCARTNEY: There being none,
12 they are hereby admitted.

13 (Whereupon, the above-referred to
14 documents were received into evidence as Exhibit
15 Nos. 30 and 31.)

16 JUDGE McCARTNEY: Thank you for the
17 reminder, Counsel.

18 MS. CHILUKURI: Thank you.

19 JUDGE McCARTNEY: All right. So are
20 there any objections to taking Mr. Kriebel out of
21 order for this specific purpose?

22 MS. CHILUKURI: No.

1 JUDGE McCARTNEY: All right. Name and
2 affirmation that you've been previously sworn,
3 please, sir.

4 MR. KRIEBEL: Have I?

5 (Simultaneous speaking.)

6 JUDGE McCARTNEY: Well, then --

7 WHEREUPON,

8 BARRY F. KRIEBEL

9 was called for examination, having been first
10 duly sworn, assumed the witness stand, was
11 examined and testified as follows:

12 THE WITNESS: So my name is Barry F.
13 Kriebel. If it's Kriebel, I'll take it, too.
14 That's fine. I've served as president of Sun-
15 Maid Growers of California since 1986, and I've
16 been to virtually every raisin administrative
17 committee meeting, work group, subcommittee in
18 the last 30 years.

19 The question that was pending to Jeff
20 was, do other packers test for ochratoxin, and
21 the answer is yes. And we do, and we have an
22 over 10-year history of testing for ochratoxin

1 for those customers, particularly in Europe, that
2 are concerned about ochratoxin. And that creates
3 pretty much random testing to validate that the
4 entire California raisin industry does not have a
5 problem with ochratoxin based on international
6 standards.

7 So I just wanted to get that point
8 across.

9 JUDGE McCARTNEY: Right. Well, so let
10 me ask the impacted parties here. He's up here
11 now. Do you want to take him out of turn or do
12 you want to move forward with the witness list as
13 currently proposed?

14 MR. SAHATJIAN: Are you asking me?

15 JUDGE McCARTNEY: Well, you're one of
16 the next ones up. How do you feel about it?
17 Let's ask you first.

18 MR. SAHATJIAN: I'd actually prefer to
19 go in front of you unless --

20 THE WITNESS: That's right. That's
21 what I assume.

22 MR. SAHATJIAN: -- unless you have a

1 preference to go first.

2 JUDGE McCARTNEY: All right, Mr.

3 Kriebel.

4 THE WITNESS: No, go right ahead.

5 JUDGE McCARTNEY: Okay. You're

6 temporarily excused.

7 MR. SAHATJIAN: And I have not been

8 sworn in.

9 JUDGE McCARTNEY: All right.

10 WHEREUPON,

11 RICHARD SAHATJIAN

12 was called for examination, having been first

13 duly sworn, assumed the witness stand, was

14 examined and testified as follows:

15 JUDGE McCARTNEY: Please state your

16 name for the record.

17 THE WITNESS: My name is Richard

18 Sahatjian.

19 JUDGE McCARTNEY: And what exhibits do

20 you intend to sponsor first?

21 THE WITNESS: I believe just one

22 exhibit, Exhibit 32.

1 JUDGE McCARTNEY: And is that your
2 statement?

3 THE WITNESS: It is my statement.

4 JUDGE McCARTNEY: All right. You may
5 proceed.

6 THE WITNESS: As I mentioned, my name
7 is Richard Sahatjian. I am executive vice
8 president at Victor Packing, a raisin producer
9 and handler. I also serve as a board member of
10 the Raisin Administrative Committee, and I have a
11 vested interest in United States agriculture and,
12 more specifically, in the California raisin
13 industry.

14 My family has farmed in California San
15 Joaquin Valley since 1928 and started Victor
16 Packing in 1963 to handle, process, pack, and
17 ship California raisins throughout the world.

18 Much has changed in the world of food
19 safety, food quality, and specification standards
20 since my father and great-uncle and grandfather
21 started Victor Packing. Adapting to a changing
22 global commodities landscape is critical to our

1 industry to remain relevant, viable, and vibrant.

2 The proposed changes to the federal
3 marketing order to add quality to the list of
4 attributes that can be regulated under the order
5 will benefit the industry in two major ways.

6 First, adding quality will help the California
7 raisin industry maintain its position as the
8 global leader for quality by setting baseline
9 outgoing standards that all handlers must meet.

10 One such example is that the RAC is contemplating
11 the need for -- I'm sorry -- the need to
12 implement a testing and regulation program for
13 ochratoxin that we've already beat to death, it
14 seems like.

15 A tolerance limit for this fungus is
16 in place for products entering into the European
17 Union markets, and the ability of the industry to
18 meet that market's import requirements are vital
19 to continue trade with that market. Foreign
20 markets sensitive to ochratoxin levels will be
21 assured that California raisins are adequately
22 regulated against it. This type of regulation

1 would assure customers of the industry's
2 oversight of product quality. By implementing
3 regulations under the order, the industry would
4 be certain that this requirement would be equally
5 applied to all handlers of raisins.

6 Second, adding quality will help the
7 industry implement further regulation to conform
8 to forthcoming FDA guidelines under the Food
9 Safety Modernization Act, also known as FSMA.
10 These regulations may not fall within the
11 traditional framework of grade and condition
12 standards. Thus, the authority to regulate
13 quality would provide the RAC with the
14 flexibility to meet future regulatory needs of
15 the industry.

16 And I've got a couple of the two
17 issues, the market-specific regulations and
18 quality standards, so I'm going to speak briefly
19 here to the market-specific regulations.

20 The proposed changes to the federal
21 marketing order to add authority to establish
22 different grade quality and condition regulations

1 for different market destinations will benefit
2 the industry. Adding authority to establish
3 different regulations for different market
4 destinations will help allow the industry to
5 tailor products to different products, depending
6 the demands of those markets.

7 The California raisin industry has
8 customers in many different countries.
9 Currently, the order does not allow for different
10 quality or grade standards to be applied to those
11 markets. The current standards are a one size
12 fits all. Yet the consumer bases in these
13 countries vary significantly.

14 Current order language establishes
15 grade and condition standards for two
16 classifications only, Grade A and Grade B. This
17 authority would allow the committee to develop
18 regulation for product that is best suited for a
19 particular market destination.

20 The proposed changes simply add the
21 authority to regulate quality and establish
22 different regulations for different market

1 destinations under the order. No specific
2 regulations are being proposed at this time.

3 Any new regulation would need to be
4 developed and vetted as a proposal, approved and
5 recommended by the RAC, published by USDA as a
6 proposed rule, receive public comment and USDA
7 approval prior to being implemented. The
8 anticipated negative impact on producers and
9 handlers, if any such regulation were to be
10 implemented as a result of this authority, are
11 minimal, while the potential positive impact
12 would be as high as handlers -- would be high, as
13 handlers would be able to better meet customer
14 demand.

15 With regard to quality regulations,
16 there is the potential for increased cost to
17 producers and handlers if new regulations were
18 implemented -- I'm sorry -- while there is the
19 potential for increased cost to producers and
20 handlers if new regulations were implemented,
21 these are expected to be minimal. California
22 raisins are currently inspected, and the addition

1 of another inspection parameter is unlikely to
2 result in significant costs.

3 With regard to market-specific
4 regulations, it is plausible that returns to
5 growers would increase as regulation for higher
6 quality product in some markets could result in a
7 higher price paid for that product. Consumers
8 would likely benefit from this proposal as its
9 intent is to customize product standards to
10 specific markets, thereby providing customers
11 with product that meets their demand.

12 Different regulations for different
13 market destinations would not prevent product
14 from being sold into the market. Instead, it
15 would match product attributes to the consumer
16 profile and customer demands of each market.

17 In conclusion, adding authority within
18 the order to regulate quality and to establish
19 market-specific regulations will help strengthen
20 the California raisin industry. Not only will
21 the authority to regulate quality help the
22 California raisin industry maintain its position

1 as a global leader for quality, it also will
2 allow the industry to more adeptly adapt to the
3 changes in food safety laws, foreign standards,
4 and customer requirements.

5 Further, adding authority to establish
6 market-specific regulations will help allow the
7 industry to tailor products depending on the
8 demands of different markets, thereby helping the
9 industry to be more competitive against foreign
10 producers in those markets. I urge the USDA to
11 move forward with the changes set forth above.

12 And, actually, I'll note that I had a
13 couple of comments I wanted to make about another
14 one of the proposals, but we can take these
15 initially and then we'll -- kind of like Kalem
16 had a little side note about the term limits, I
17 believe. I wanted to speak a little bit about
18 the continuation referenda.

19 JUDGE McCARTNEY: All right. So you
20 prefer to bifurcate on the --

21 THE WITNESS: Yeah, I'll bifurcate.
22 Yeah.

1 JUDGE McCARTNEY: All right. Any
2 questions for this witness regarding his
3 statement, as codified at Exhibit 32?

4 MS. SCHMAEDICK: Yes, Your Honor.
5 Melissa Schmaedick, USDA.

6 BY MS. SCHMAEDICK:

7 Q Thank you, Mr. Sahatjian, for your
8 statement, your testimony.

9 So my question is about the awareness
10 of this proposal among industry members, growers,
11 and handlers. Can you speak to that? Are folks
12 that you're in contact with generally aware of
13 these proposals?

14 A Yeah, I believe they are. There has
15 been publication sent out to growers. Actually,
16 as I mentioned, we're a processing facility, so
17 we buy raisins from many different independent
18 growers, and we've had some inquiries from some
19 of those growers that have received notice that
20 these -- actually, about this hearing and about
21 the proposed changes. And they've asked whether,
22 you know, they need to be doing anything with

1 regard to them.

2 So I'd say yes, they've been notified,
3 as long as they're reading their mail and as long
4 as they're somewhat involved in the industry.
5 There's ample opportunity to have known about it
6 if they don't.

7 Q Thank you. And, with regard to the
8 two specific proposals that you spoke to, the
9 addition of quality and the authority for
10 different regulations, have you had any feedback
11 from your fellow growers and handlers on those
12 specific proposals?

13 A Probably not from growers. You said
14 fellow handlers. I have discussed this with
15 fellow handlers, and it seems as though it's a
16 pretty non-confrontational issue. It's something
17 that seems like it can help if we want it to.
18 And, if not, it's not going to hurt anything.

19 Q Right.

20 A So I probably just -- I probably
21 answered more than you asked, but --

22 Q No, no. I like those kind of answers.

1 It gives me more to work with, so --

2 A Okay.

3 Q -- thank you. So, just to continue
4 with your last statement, you said that it
5 wouldn't hurt if you chose not to use it. Does
6 that mean that you understand that this is just
7 the addition of an authority and not necessarily
8 regulation in itself; is that correct?

9 A Yeah. So, as I mentioned, as you just
10 mentioned, this proposal is not to make any
11 actual changes to our order, other than to grant
12 authority for us as an industry to make changes
13 down the line with regard to quality and market-
14 specific regulations.

15 Q Thank you. And I also wanted to talk
16 to you a little bit about -- so, in your
17 statement, page 2 of your statement, you state
18 that there is the potential for increased cost to
19 producers and handlers, but that the potential
20 benefits would likely outweigh those costs.

21 What I'm just wondering, what types of
22 additional costs could there be? For example,

1 would it be additional testing? Would you need
2 to potentially adapt a production or a handling
3 method to conform with a future regulation? If
4 you could, just give me some examples. That
5 would be helpful.

6 A Okay. Sure. I mean, as you kind of
7 pointed out, this is a very broad authority, so
8 it can be taken either way. It can heighten or
9 lower standards. In the event that we decide as
10 an industry to heighten standards, whether that
11 be residue testing or maximum residue limits,
12 changing those or just simply doing more testing
13 for different chemicals, then, yes, that always
14 is going to cost more money. That's going to --
15 you know, every test that we do costs money.

16 So that would potentially cost us more
17 money to produce or to confirm that we're meeting
18 those levels or those additional requirements.

19 But, if it's something that we've decided that we
20 want to do, it's probably consumer-driven. So
21 there's probably a customer base out there that
22 is willing to pay more for the product that is --

1 you know, has lower levels of certain chemicals
2 or pesticides or ochratoxin or whatever it might
3 be. There's probably some sort of consumer
4 demand for it.

5 So, yes, it may cost us more money
6 but, in turn, we may be getting more return for
7 the product that maybe some other origins may not
8 be able to meet for one reason or another.

9 Q So you just stated that this authority
10 for different market regulations may result in a
11 lesser stringent regulation for certain markets.
12 Is that the intent of this proposal?

13 A Well, I think the proposal is very
14 broad, so it allows for it, is what -- and that's
15 what I mean. I don't know if there's an end goal
16 right now for us. But, yes, I guess, you know,
17 if you look at the scope of the authority that
18 we're requesting, then it would allow for both.

19 Q Currently, under the order, is it
20 correct that there's authority for grade, size,
21 and condition; is that correct?

22 A I believe it's just grade.

1 Q Just grade?

2 A Yeah. As a grade, yes.

3 Q Okay.

4 A But I don't know for sure, so I
5 wouldn't want to be quoted on the record.

6 Q Is it currently allowable to, let's
7 say, ship product to a country that does not meet
8 grade?

9 A So my understanding is that it has to
10 meet grade, okay. A or B is what we ship.

11 Q Uh-huh.

12 A Now it doesn't mean that -- if it's C
13 or D or whatever else quality, it doesn't mean
14 that the product is unsafe.

15 Q Uh-huh.

16 A So, for example, I believe that, to
17 meet B grade raisins, you can't have any more
18 than 15 cap stems per pound, okay. Every raisin
19 originally -- or, initially, has a cap stem,
20 okay. It's grown on a -- grapes are grown on a
21 vine, and every grape that turns into a raisin
22 has a cap stem. But, if you have a grade that

1 is, for example, 20 or 25 cap stems per pound,
2 it's not that it's unhealthy to eat. In fact, I
3 think cap stems have fiber in them and, you
4 know -- I mean, there's whatever. It's not like
5 it's an inferior product from a health
6 perspective.

7 Of course, some regions have different
8 standards. They want to see, you know,
9 essentially, zero cap stems on raisins. But that
10 would be on the other end. That would be the
11 heightened, you know, regulatory standards or
12 grade standards.

13 But back to the lower one. Yeah, I
14 mean, there might be a market that doesn't care
15 about it, that doesn't care that there is 25 cap
16 stems per pound. And it would be more economical
17 for processors to pack raisins that had a lower
18 standard for that market if they had no aversion
19 toward additional cap stems.

20 Q Uh-huh.

21 A So I guess, in theory, that could make
22 us more competitive, whereas, you know,

1 currently, we wouldn't be able to even ship that
2 product if it doesn't meet, you know, the USDA
3 minimum standard.

4 Q I see. And so, connecting that
5 statement with your statement that said different
6 regulations for different market destinations
7 would not prevent product from being sold into
8 the market, so, if I'm to extrapolate from that,
9 essentially, you want to be able to use all
10 raisins that are produced and ship them to
11 whatever market accepts them in the condition
12 that they're sent; is that correct?

13 A Can you repeat what you said earlier?

14 Q Sure. Sure. So, in your statement,
15 you said that different regulations for different
16 market destinations would not prevent product
17 from being sold into the market.

18 Okay. So, extrapolating from what you
19 just described about the ability to, let's say,
20 have a lower grade for a particular market versus
21 a higher grade for a particular market, is the
22 intent to be able to utilize all raisins and

1 channel them to the markets that they match up to
2 in terms of customers?

3 A Yeah. Now, I mean, when I gave the
4 example about 25 cap stems per pound, it doesn't
5 mean that we can't get more of those out. I
6 mean, it's just that it's more efficient, maybe
7 you can run more product, you know, through your
8 equipment and maybe, you know, sell that product
9 to the appropriate market at a lower cost because
10 it's costing the producers less money to product
11 that. And you'd sort of match the grades for
12 those markets, you know, that want the different
13 grades.

14 So it's more of a tailored approach
15 rather than, here's -- like all of our California
16 raisins or either A or B standard. You take them
17 or leave them like that. It's more of a tailored
18 approach to looking at different, you know,
19 regional differences and demands, and matching
20 the product and the costing for that product to
21 those markets.

22 Q So would it be correct to say that

1 these authorities combined could make the
2 California raisin industry more competitive?

3 A Yes. On a global scale, yes.

4 Q Uh-huh. I wanted to ask you for some
5 clarification about the references to Grade A and
6 Grade B. And that's on the first page of your
7 Exhibit 32.

8 Now are Grade A -- are the
9 classifications of Grade A and Grade B, are they
10 specific to the marketing order or are they USDA
11 grades and standards?

12 A I believe those are USDA grades and
13 standards.

14 Q Okay. So my question is, if USDA
15 grades and standards create the lower bar
16 threshold, in your opinion, would this ability to
17 create different market regulations for different
18 destinations, does that allow you to go below
19 that minimum threshold, or are we looking at that
20 as a minimum and you work up above that minimum?

21 A I believe it would allow us the
22 authority to go either way, up or down.

1 MS. SCHMAEDICK: Okay. All
2 right. Thank you for that clarification. I have
3 no further questions.

4 JUDGE McCARTNEY: And, before you
5 commence your questions, I would like to
6 apologize to you for making the record even more
7 muddy. I think that you were using the language
8 that the witnesses were using in their
9 statements, and I hope that you're going to ask
10 follow-up questions because, if you don't, I have
11 a few about why the witnesses are choosing to
12 articulate their desire for regulation authority,
13 which reflects more granulated standards of
14 product attributes, why they're choosing to refer
15 to it as different regulations for different
16 market destinations.

17 So I hope your questions will so to
18 that, sir.

19 MR. McFETRIDGE: You put me on the
20 spot a little bit.

21 JUDGE McCARTNEY: You're up to it.

22 MR. McFETRIDGE: This is Marc

1 McFetridge, USDA.

2 BY MR. McFETRIDGE:

3 Q First, two questions. You've probably
4 heard me talk about the Small Business
5 Administration definitions for small and large
6 growers and handlers. For growers, it would be a
7 cutoff at 750,000.

8 You stated in your testimony that you
9 work for a raisin producer and handler. Would
10 you say the producer would fall under the small
11 or large definition for a grower under Small
12 Business Administration?

13 A It would be large.

14 Q Large? How about for the handler side
15 of it, at the cutoff at 7.5 million, would you
16 say large or small?

17 A Also large.

18 Q All right. Thank you. I had a quick
19 question on the authority to establish different
20 regulations for different destinations. Do you
21 see this as a possibility -- I can see it as
22 opening up, you know, a possibility to create a

1 higher quality product that you can possibly
2 charge more money for, which could possibly, you
3 know, trickle down to the grower.

4 Would you say that that's a
5 possibility?

6 A Yeah, absolutely.

7 Q Do you also see that it possibly could
8 open up whole new markets, you know, countries or
9 regions that you're not able to sell to
10 currently?

11 A Yes.

12 Q All right. Back to -- I know we've
13 talked about ochratoxin a lot. And, just for my
14 own personal interest, I know it's been stated
15 that the European countries have been very
16 interested in ochratoxin. Are countries in the
17 Pacific Rim like China and things like that, have
18 they not been as concerned about ochratoxin, or
19 are they just --

20 A I think the focus has been in Europe,
21 but I can imagine some of the Pacific Rim
22 countries as well having potential issues with

1 high levels. I mean, specifically, Japan
2 probably. I mean, that's a country with
3 typically high spec requirements, so -- and, you
4 know, as far as the, you know, organic levels of
5 pesticide residue, they're right up there with
6 Europe in terms of their tolerance for residue
7 levels.

8 MR. McFETRIDGE: Thank you. Your
9 Honor, I'll turn it over to you. I'm not sure
10 which questions you were going to ask, so --

11 JUDGE McCARTNEY: Well, thank you. I
12 think you did cover it pretty much.

13 But I did want to clarify in my own
14 mind the point that has been made repeatedly by
15 all of the witnesses, including yourself, that
16 any -- that regulations, as we're using that term
17 of art, any new regulation would need to be
18 developed and vetted as a proposal approved and
19 recommended by RAC, published by USDA as a
20 proposed rule, receive public comment and USDA
21 approval prior to being implemented.

22 So, when you're talking about

1 regulations, using that as a term of art, you're
2 talking about APA rulemaking notice and comment
3 in accordance with the existing practice,
4 procedures, and protocols for regulations; isn't
5 that correct?

6 THE WITNESS: That's correct.

7 JUDGE McCARTNEY: All right. So where
8 my confusion came in -- and, again, I apologize -
9 - is that those regulations, assuming that you've
10 gone through this process and you've made
11 recommendations to the secretary that have been
12 implemented in a regulatory form pursuant to this
13 process, those regulations are not destiny
14 market-specific in the sense that these
15 regulations only apply to China, and these
16 regulations only apply to Japan.

17 No, they are regulations that apply to
18 the entire raisin industry in the United States,
19 but they are regulations that have been
20 granulated to higher degrees of standard
21 specificity of product attributes, so that the
22 grapes -- I'm sorry -- the raisins can be

1 demarked and identified for specific markets; is
2 that correct?

3 THE WITNESS: That's correct.

4 JUDGE McCARTNEY: So, where my
5 confusion got in, got me in trouble was different
6 regulations for different market destinations.
7 All of my red flags went up. No, we don't have
8 different regulations for different market
9 destinations. We have the same regulations that
10 are modified and granulated to reflect standards
11 and attributes that may be delineated with
12 respect to market destinations, correct?

13 THE WITNESS: Yes.

14 JUDGE McCARTNEY: All right. I just
15 wanted to make sure I was understanding what's
16 going on here. And all of those regs would be
17 pursuant to rulemaking notice and comment, as
18 already established practice and procedure.
19 Okay. Thank you.

20 I apologize for the confusion. I
21 interjected into the record. But I think this
22 will be helpful in the long run.

1 Any further questions of this witness?

2 (No audible response.)

3 THE WITNESS: Okay. I'll jump into my
4 next topic then, if you guys don't mind.

5 JUDGE McCARTNEY: Well, why don't we
6 move to admit Exhibit 32, so I don't drop the
7 ball like I did last time.

8 THE WITNESS: Okay.

9 JUDGE McCARTNEY: Any objections to
10 Exhibit 32?

11 (No audible response.)

12 JUDGE McCARTNEY: There being none, it
13 is hereby admitted.

14 (Whereupon, the above-referred to
15 document was received into evidence as Exhibit
16 No. 32.)

17 JUDGE McCARTNEY: Now you may move
18 forward, sir.

19 THE WITNESS: Okay. So I just want to
20 speak to the continuation or continuing -- or
21 continuation referenda proposal and just voice
22 some concern I have about it, not that I'm taking

1 a position on it one way or another.

2 But I'm an advocate for our marketing
3 order, and I believe that it's a vital regulatory
4 framework that we are privileged to have as an
5 industry, and it's a great tool for us as an
6 industry to use to our advantage.

7 We compete on a global vine fruit
8 market with many other countries, producing
9 countries, and, as it's noted on the AMS website,
10 marketing orders are industry-driven programs
11 that help producers and handlers achieve
12 marketing success. By working together, industry
13 members leverage their own funds to design and
14 execute programs that they would not be able to
15 do as individuals. These programs operate on the
16 local to regional to global scale and provide a
17 comprehensive set of tools to build markets,
18 drive increased consumer demand, and improve
19 profitability for producers. And, as we've
20 talked about a lot today, help in research and
21 development as well.

22 The marketing order will not be a

1 savior to a mismanaged industry or an industry
2 that loses consumer demand, but it can be used as
3 a tool for an industry that should be used wisely
4 if it's fortunate enough to have one in place.

5 My concern, I guess, with regard to
6 setting up an continual referenda will be to put
7 the existence of our marketing order in the hands
8 of one-third of the industry. And, in our
9 industry, as I think it's previously been alluded
10 to, we're basically split up in three camps.
11 It's the Sun-Maid camp, the RBA camp, and the
12 independent producers and packing camp, okay. So
13 the requirements for the continuation referenda
14 every six years would be to, essentially, have
15 two-thirds or more of the group, of the industry,
16 be in support of it to continue the marketing
17 order.

18 And, whether it's one camp or another
19 in this case, because we're split up, basically,
20 in three camps -- and I think that's probably
21 somewhat unique to our industry. I guess other
22 industries might have more or less. But I just

1 think that it's putting the marketing order in
2 jeopardy by having it up for a referendum every
3 six years.

4 And I don't know if anyone in
5 this -- I mean, I would assume that everyone in
6 this room would be in support of continuing the
7 marketing order, but I just think it's unsafe for
8 us as an industry to have it up on the ballot
9 every six years.

10 Now, if it would be the other way
11 around and have a discontinuation referendum, I'd
12 be more in favor of that because then you'd have
13 to have two-thirds in support of the
14 discontinuation. But, by putting it -- by making
15 it a continuation referendum, you can basically
16 jeopardize the whole marketing order, and the
17 success of the industry hinges upon that to a
18 certain extent.

19 You put that in the hands of one-third
20 of the whole industry, which, to me, doesn't
21 sound right. I mean, it should be the other way
22 around, I would think, where, you know, if two-

1 thirds of the industry wants the marketing order
2 to stay, then it should stay. But it doesn't
3 seem like that's the way it would be.

4 So I just wanted to voice my concern
5 about it, just as a person interested and vested
6 in the industry, to make sure that people are
7 aware of what this proposal is going to do.

8 And that's my comment on it. If you
9 guys have any questions, I'm happy to answer
10 them.

11 JUDGE McCARTNEY: Do we have any
12 questions of this witness?

13 MS. SCHMAEDICK: Yes, Your Honor.
14 Melissa Schmaedick, USDA.

15 BY MS. SCHMAEDICK:

16 Q Mr. Sahatjian --

17 A Yeah, you pronounced it perfectly.

18 Q Thank you. Do you happen to have
19 access to Exhibit 1, the notice of hearing?

20 A I do now.

21 Q Okay. Thank you. So, if you were to
22 turn to the third page, it'll have the number

1 23654 at the very top.

2 A 23654.

3 Q At the very top.

4 A Okay.

5 Q Okay. And so you'll see in that first
6 column there, I'll read it from the exhibit. It
7 says, me, add a new paragraph C, the addition, to
8 read as follows. And then it says Section
9 989.91, suspension or termination.

10 I'm going to move down to about
11 halfway through that paragraph C there, and it
12 says, the secretary may terminate the provisions
13 of this part at the end of any crop year.

14 And then I'll skip down to say, crop
15 year in which the secretary has found that
16 continuance of this part is not favored by two-
17 thirds majority of voting producers or two-thirds
18 majority of volume represented thereby.

19 So, based on that statement, I want to
20 ask you if your understanding of the two-thirds
21 requirements, is that attached to the entire
22 industry or only to those participating in the

1 vote?

2 A I don't think I understand your
3 question, but --

4 Q Okay.

5 A Can you rephrase, please.

6 Q Sure. Sure. So let me read this
7 phrase again.

8 The secretary may terminate the
9 provisions of this part at the end of any crop
10 year in which the secretary has found that
11 continuance of this part is not favored by two-
12 thirds majority of voting producers.

13 A Yeah.

14 Q So is there a difference between
15 voting producers and the entire universe of
16 producers?

17 A Well, I think so. But, again, this
18 would be more in line with what I'm kind of
19 talking about. This would require -- well, this
20 would not -- I mean, it's not requiring, but the
21 secretary can, basically, terminate the order if
22 two-thirds of the producers did not favor

1 continuance. And that's what I think is more
2 reasonable, versus the other way around, where
3 you have one-third that doesn't support the
4 continuation.

5 Q Uh-huh.

6 A In that case, it would be terminated.

7 Q And your understanding -- so let me go
8 back to the very --

9 A This is actually different than what
10 the proposal is, right? This is not -- is that
11 right?

12 Q No, this --

13 JUDGE McCARTNEY: This is the final.

14 BY MS. SCHMAEDICK:

15 Q This is the proposal.

16 A Okay.

17 Q As it was submitted by the RAC.

18 A Okay.

19 Q But I also wanted to draw your
20 attention to the very beginning words of that
21 sentence. It says, the secretary may terminate.

22 A Yeah.

1 Q In your opinion, does may -- is may an
2 absolute?

3 A No, it's not.

4 Q Okay. So, if the secretary was unsure
5 about whether or not termination was immediately
6 needed, would the secretary, in your opinion,
7 have the authority to maybe take a closer look?

8 A Yeah. I mean, the may means just
9 that, so --

10 MS. SCHMAEDICK: Okay. I just wanted
11 to ask you for your understanding on those points
12 of clarification. Thank you.

13 THE WITNESS: Okay. Thank you.

14 JUDGE McCARTNEY: Any further
15 questions for this witness?

16 MS. CHILUKURI: Rupa Chilukuri, USDA.

17 BY MS. CHILUKURI:

18 Q Mr. Sahatjian, I've asked other
19 witnesses this same question. I just want to run
20 through all of the proposals that you haven't
21 discussed and hear your opinions about them.

22 So, as it relates to Proposal 1, to

1 authorize production research, are you in favor
2 of that proposal?

3 A Yes.

4 Q As it relates to Proposal 2, separate
5 nominations for member and alternate independent
6 grower member and independent grower alternative
7 member seats, what is your position on that
8 proposal?

9 A Yeah, I would favor that as well.

10 Q And you discussed Proposals 3 and 4
11 and 5.

12 A Uh-huh.

13 Q What is your position on Proposal 6,
14 to remove volume regulation and reserve pool
15 authority?

16 A I think our position is to comply with
17 the law and the ruling set forth by the Supreme
18 Court. So I think whatever that that may be,
19 then I'll say that we'll support that.

20 Q Okay. And then, finally, for Proposal
21 7, to establish term limits, what is your
22 position on that?

1 A I'm against the term limits they are
2 proposing to -- I'm against the proposal to set
3 term limits.

4 MS. CHILUKURI: Okay. Thank you.

5 THE WITNESS: Thank you.

6 JUDGE McCARTNEY: Any further
7 questions of this witness?

8 (No audible response.)

9 JUDGE McCARTNEY: All right. And my
10 records reflect that Exhibit 32 is your sole
11 exhibit, and it has been admitted.

12 THE WITNESS: Thank you.

13 JUDGE McCARTNEY: You may be excused.

14 THE WITNESS: Thank you.

15 JUDGE McCARTNEY: Are we ready for the
16 next witness? Now I --

17 MS. CHILUKURI: Your Honor --

18 JUDGE McCARTNEY: I'm showing that we
19 are nearing break time, so I think that a recess
20 would be in order unless the parties insist on
21 moving forward because they're so anxious to hear
22 this next witness.

1 All right. 15-minute recess to 3:30.

2 (Whereupon, the above-entitled matter
3 went off the record at 3:16 p.m. and resumed at
4 3:32 p.m.)

5 JUDGE McCARTNEY: We have a witness
6 who was having so much fun that he has asked to
7 be re-called. So we are going to accommodate
8 that request.

9 Please identify yourself for the
10 record, sir.

11 THE WITNESS: Richard Sahatjian.

12 JUDGE McCARTNEY: And you've been
13 previously sworn?

14 THE WITNESS: Yes.

15 JUDGE McCARTNEY: All right. And so
16 you had some clarification comments that you
17 wished to make with respect to your testimony; is
18 that correct?

19 THE WITNESS: Yes, that's correct.

20 JUDGE McCARTNEY: You may proceed.

21 THE WITNESS: So I just wanted to
22 clarify that I do not support the language as set

1 forth in the proposal for the continuation
2 referenda, and I actually read it incorrectly.
3 And I think my understanding previously was
4 correct, that only a third would be needed to not
5 support it in order for the marketing order to
6 possibly be terminated. And you did clarify that
7 the secretary may terminate. It's not a
8 requirement upon that vote. But I, nonetheless,
9 would not support that.

10 JUDGE McCARTNEY: Yes, opening to
11 questions.

12 MS. SCHMAEDICK: Melissa Schmaedick,
13 USDA.

14 BY MS. SCHMAEDICK:

15 Q So, Mr. Sahatjian, is it the two-
16 thirds/one-third that you're opposed to, or the
17 concept of having a continuance referendum in
18 general? For example, if the terms were
19 different, if it was required two-thirds opposed,
20 as I believe you recommended --

21 A Yes.

22 Q -- that would be your ideal situation;

1 is that correct?

2 A Well, I don't think we should have a
3 situation where one-third of the industry can
4 take down a marketing order. So, yes, to answer
5 your question, a discontinuation referendum in
6 this -- under the framework that's set forth
7 where two-thirds is required to pass the
8 referendum, I would not support a continuation
9 referendum, but a discontinuation referendum, I
10 would be okay with.

11 In that event, two-thirds would be
12 required to -- you know, if two-thirds of the
13 body wants to take the marketing order out, then
14 that means that it's not serving the majority.

15 Q Uh-huh.

16 A In this case, you can have a situation
17 where the majority is being served properly by
18 the order, and one-third wants to take it down,
19 and they, in effect, can.

20 Q Uh-huh.

21 A So I wouldn't support that.

22 Q Okay. What is your opinion of the

1 general concept of a, in layman's terms, sort of
2 a periodic checking-in with the growers, do you
3 like that concept?

4 A Yes, that'd be great.

5 MS. SCHMAEDICK: Okay. Thank you. I
6 have no further questions.

7 JUDGE McCARTNEY: All right. Any
8 further questions for this witness?

9 (No audible response.)

10 JUDGE McCARTNEY: All right. And let
11 me make clear that, when I asked that, I mean
12 from the audience as well. If there's anyone
13 from the audience that wishes to ask a question,
14 they're free to do so. My reaction to Mr.
15 Kriebel was simply because I knew he was going to
16 be a witness and he was going to be testifying
17 shortly. So I don't mean to in any way
18 discourage questions from members of the
19 audience.

20 Anything for this witness?

21 (No audible response.)

22 JUDGE McCARTNEY: All right. You may

1 be excused.

2 THE WITNESS: Thank you.

3 JUDGE McCARTNEY: So, Mr. Kriebel, I
4 believe it's your turn. And you have been
5 previously sworn?

6 THE WITNESS: Yes.

7 WHEREUPON,

8 BARRY F. KRIEBEL

9 was recalled for examination, having been first
10 duly sworn, assumed the witness stand, was
11 examined and testified as follows:

12 JUDGE McCARTNEY: Please state your
13 name for the record and give a brief description
14 of the exhibits you'll be sponsoring today?

15 THE WITNESS: Yes. My name is Barry
16 F. Kriebel and, as I mentioned previously, I've
17 served as president of Sun-Maid Growers of
18 California since 1986. And throughout this time,
19 I've been a voting member of the Raisin
20 Administrative Committee.

21 So the first exhibit is Exhibit 33.

22 JUDGE McCARTNEY: And that's your

1 prepared statement; is that correct?

2 THE WITNESS: Yes.

3 JUDGE McCARTNEY: Okay.

4 THE WITNESS: Sometimes I have a bad
5 philosophy of ad-libbing a little bit on my
6 prepared statement.

7 JUDGE McCARTNEY: It works for me.
8 So, and Exhibit 34 would be?

9 THE WITNESS: Exhibit 34 is a letter
10 that, on behalf of Sun-Maid, is dated November
11 17th, 2014, directed to The Honorable Tom Vilsack
12 as Secretary of Agriculture.

13 JUDGE McCARTNEY: Okay. And Exhibit
14 35?

15 THE WITNESS: Is a table of statistics
16 actually prepared by the Raisin Administrative
17 Committee, covering 10 years of history.

18 JUDGE McCARTNEY: All right. You may
19 proceed.

20 THE WITNESS: Just as a little bit of
21 background on myself, I have an undergraduate
22 degree in economics from Stanford University and

1 a law degree from Georgetown University Law
2 School in Washington, DC. I've been a member of
3 the California Bar since 1975, although I do not
4 provide professional legal advice in my capacity
5 as Sun-Maid president.

6 Prior to becoming president of Sun-
7 Maid in 1986, I provided Sun-Maid with legal
8 advice, including that on the federal marketing
9 order on raisins since 1978.

10 Since its establishment in 1912 and
11 each and every year thereafter, Sun-Maid has been
12 the largest processor and marketer and, thereby,
13 handler of California raisins. Sun-Maid operates
14 as an agricultural marketing cooperative
15 organized under the laws of the State of
16 California.

17 We continue to be the largest
18 processor or handler of California raisins today.
19 Between our grower memberships' investment in
20 raisin acreage and Sun-Maid's ownership and
21 processing and marketing facilities, we reflect
22 the greatest amount of investment in the

1 California raisin industry. As a cooperative,
2 many of our growers would be classified as small
3 businesses and, as such, are owners of Sun-Maid.

4 While we are known first and foremost
5 for our retail Sun-Maid brand, we market
6 approximately 50 percent of our raisin volume to
7 ingredient customers who reflect principally the
8 same as every other handler in the raisin
9 industry, primarily in the cereal, baking, and
10 confectionary business.

11 We market our raisins in 50 countries,
12 and our interests generally reflect the interest
13 of the entire California raisin industry. In the
14 30 years I've served as Sun-Maid president, we
15 have marketed three million tons of raisins,
16 generating over \$3 billion of revenue for Sun-
17 Maid, Raisin Bargaining Association, and the
18 Independent California Raisin Growers.

19 Today, I wish to comment on several
20 topics. One, against the department's proposal
21 on term limits; two, in favor of the department's
22 proposal to eliminate all raisin reserve language

1 from the marketing order; three, favor of the
2 addition of quality language; and four, in favor
3 of authority to differentiate outbound standards
4 for different countries.

5 I was not going to comment on the
6 continuation referendum, but I thought at the end
7 of my testimony, I will do so later.

8 First, regarding term limits, the
9 Raisin Administrative Committee voted unanimously
10 on January 27th, 2016, against the USDA proposal
11 for term limits for RAC members. There are many
12 reasons for this, and many of these points have
13 already been addressed by prior presenters, or
14 will be presented by future testimony.

15 First, with 46 producer and handler
16 seats and their alternates, it's common for us to
17 have meetings with 100 persons in attendance.
18 Even the subcommittees have diverse, large and
19 active participation. Since we all operate
20 within an hour's drive of the RAC offices in
21 Fresno, it's easy for members and alternates to
22 attend meetings.

1 Second, with large committee and
2 subcommittee structures, it is easy for
3 individuals who wish to participate to be elected
4 or appointed to a seat, or to attend meetings and
5 be head, even if not as an appointed member or
6 alternate. I have personally attended hundreds
7 of RAC meetings and subcommittee meetings and
8 work groups, and discussion is never cut off
9 until everyone who wishes to participate has had
10 an opportunity to be heard.

11 As a result, there is no reason to set
12 term limits, which would arbitrarily force a
13 changeover of committee participation.

14 Second, regarding the department's
15 proposal to eliminate all reserve authority and
16 language from the marketing order, Sun-Maid is in
17 complete agreement. The fundamentals of the
18 California raisin industry have changed
19 substantially since its formation in 1949. To
20 demonstrate this point, I refer to the November
21 17, 2014, letter, which is numbered as Exhibit 34
22 -- and I assume that's been -- that will be

1 introduced at some point -- which Sun-Maid filed
2 with the Secretary of Agriculture.

3 This petition was filed before the
4 U.S. Supreme Court decision in Horne. This
5 petition requested the secretary either to hold a
6 hearing, as is being done today, or, in the
7 alternative, for the secretary to suspend the
8 reserve or volume regulation provisions of the
9 marketing order.

10 The secretary has the legal authority
11 to make the changes the department is now
12 proposing by suspending this language, without
13 requiring the raisin industry to go through this
14 hearing and referendum process. And Sun-Maid
15 still believes that this would be a more
16 appropriate procedure.

17 Sun-Maid's petition is still pending
18 in the Matter of Sun-Maid Growers of California
19 v. The United States Department of Agriculture,
20 with case reference number 1:15-cv-00496 KBJ,
21 United States District Court for the District of
22 Columbia.

1 In the almost 40 years that I've been
2 involved in marketing order and the California
3 raisin industry, it's very difficult for
4 petitioners to get the secretary to take action,
5 even when, in this particular case, the United
6 States Supreme Court has directed that the
7 reserve pool should not be the law of the land.
8 And, still, the secretary refuses to take action
9 without the committee going through this
10 referendum process.

11 That indicates also the willingness,
12 or unwillingness, of the secretary to take action
13 on other things such as holding a continuation
14 referendum. The California raisin industry has
15 not held a continuation referendum ever since its
16 original formation in 1949. And so the
17 industry's request to add language for a
18 continuation referendum is that, if it's not
19 added at this point, since 1949, it'll never be
20 added again.

21 We haven't had a hearing on a
22 marketing order since, I believe, 1989. So this

1 is why we've worked so closely with the rest of
2 the industry, to get the language for a
3 continuance referendum put into the marketing
4 order. In fact, as much as I Mr. Richard
5 Sahatjian, he voted in favor of the continuation
6 language at the April 14th, 2016, RAC meeting, as
7 it was a unanimous vote.

8 MR. SAHATJIAN: I don't think I was
9 there.

10 THE WITNESS: You were there.

11 MR. SAHATJIAN: What's the date?

12 THE WITNESS: April 14th. And I
13 believe that was item 16 on the record.

14 JUDGE McCARTNEY: Well, unless we have
15 an admission against interest, that's extraneous
16 to --

17 THE WITNESS: I understand.

18 JUDGE McCARTNEY: -- the testimony.

19 THE WITNESS: But my only point is
20 that we in the industry have worked very hard
21 through the working group, through the process,
22 to create a consensus proposal that the industry

1 can support.

2 JUDGE McCARTNEY: So, on that point,
3 your opinion is very valuable to the Court to
4 understand the nature of the proposal and why
5 it's so important that it be phrased the way that
6 it is in the notice of proposed rulemaking.

7 THE WITNESS: Yes. Again, since it
8 was not built into the original framework in 1949
9 and, despite the USDA having guidelines on
10 marketing orders that were developed, I believe,
11 in what, the Nixon administration in 1982, there
12 has been no continuance referendum in the entire
13 history of the raisin order. And, unless it's
14 inserted, developed at this point, it's unlikely
15 it'll be included in the lifetime of anybody in
16 the room.

17 JUDGE McCARTNEY: All right. So let
18 me just follow up on a question on that.

19 You were in the hearing room during
20 the examination and the testimony that was
21 provided by previous witnesses on this proposal;
22 is that correct?

1 THE WITNESS: Yes.

2 JUDGE McCARTNEY: So do you agree --

3 THE WITNESS: Some of them.

4 JUDGE McCARTNEY: All right. Were you
5 here for today's testimony?

6 THE WITNESS: Not all. I arrived
7 about 2:00.

8 JUDGE McCARTNEY: Okay. So do you
9 agree or disagree with the mechanism regarding
10 the impact of the two-thirds majority as it's
11 currently stated in the suspension or termination
12 language under Proposal 5?

13 THE WITNESS: I agree with the precise
14 language that is in Proposal 5 yes.

15 JUDGE McCARTNEY: All right. And why
16 do you agree with the precise language with
17 respect to the two-thirds majority?

18 THE WITNESS: Several reasons for
19 that, okay. One, it's a standard protocol, as I
20 understand it, within the department. Nothing
21 special, unique developed by the California
22 raisin industry. It's common for marketing

1 orders generally.

2 Secondly, this has been an industry of
3 consensus-building. If you look at the history
4 of the votes at the RAC, in most cases, they are
5 virtually unanimous. Now, it may take us awhile
6 to get to that point but, generally, we work out
7 our differences in the working groups, the
8 subcommittees, at the full committee, even
9 bringing something back to the full committee,
10 and a second time.

11 The third thing is, I'll disagree
12 somewhat with Mr. Sahatjian's statement that the
13 industry is really broken down into three groups
14 in the terms of independents, Raisin Bargaining
15 Association, and Sun-Maid, because Sun-Maid, as a
16 cooperative, we're really half-processor,
17 handler, and we're half-grower. We're not 100
18 percent grower, and we're not 100 percent
19 handler. I don't own acreage. I mean, I work
20 for processors, but I -- I mean, for producers,
21 but I primarily work for global customers.

22 And, as a result, the interests of

1 Sun-Maid on behalf of global raisin customers,
2 are essentially affiliated the same way with the
3 other handlers, because we sell generally to the
4 same customers. We all want prosperity for
5 handlers. We all want prosperity for raisin
6 growers.

7 So I don't -- oftentimes, we have an
8 interest that can go as to looking at the
9 broadest scheme as to whether it's to the best
10 interest of the producer, best interest of the
11 handler, or it's a compromise position for the
12 best interest of the total industry.

13 And I think that is our viewpoint if
14 and when this referendum continuation language is
15 adopted. That's the way Sun-Maid, both producers
16 and as a cooperative, would look to the current
17 state of the industry, whether the marketing
18 order served the best interest of the totality of
19 the industry.

20 And, lastly, I think the two-thirds is
21 an appropriate vote. I mean, it's the basic
22 requirement for setting the marketing order up in

1 the first place. And, if the producers and the
2 handlers don't continue to support it to the same
3 degree every so many years, then they've done
4 something wrong.

5 I mean, one of the key things that
6 we're here today on the Marvin Horne Supreme
7 Court case, had we been more responsive to the
8 needs of producers, the matter would have never
9 made it to the Supreme Court in the first place.
10 And I believe, had we had a referendum during
11 that time frame, the industry would have been
12 more responsive to the needs of small producers.

13 And I apologize for getting off-track.

14 Three, regarding the proposal to
15 authorize quality regulation, this is primarily a
16 housekeeping item. We believe the current
17 language of the marketing order was always
18 intended to provide for quality regulation. We
19 do, however, recognize that the meaning of
20 quality regulation in 1949, when the marketing
21 order was established, was more limiting than
22 today in 2016. For this reason alone, we support

1 the addition of specific authority for quality
2 regulation.

3 Today, the term quality regulation
4 means any and all regulation that's important to
5 the customer, supply chain, end user, or the
6 public at large. This proposal will add the term
7 quality to a number of sections to make this
8 authority clear.

9 The purpose of this proposal for
10 quality standards is to clarify that the
11 marketing order has an ample range of authority
12 over both incoming natural condition raisins and
13 outgoing processed raisins. And this may have
14 been some confusion in the questioning back and
15 forth, because it's very much in the growers'
16 interest sometimes to lower the incoming quality
17 standards, and for customers to want to increase
18 the outgoing quality standards.

19 And us, as processors, we have to deal
20 with both, look at the beneficial interests of
21 the growers in getting product in, without the
22 need for reconditioning or additional cost and,

1 yet, meet the outgoing standards that customers
2 want around the world.

3 JUDGE McCARTNEY: Uh-huh.

4 THE WITNESS: There could be, in the
5 future, a need to implement regulation to meet
6 the requirements of different international
7 markets or the domestic market such as the Food
8 and Drug Guidelines for the Food Safety and
9 Modernization Act. The purpose of this proposal
10 is to provide the industry with this tool in its
11 toolbox if needed.

12 Since we believe the industry already
13 has this authority, the expected impact is
14 minimal. Any new regulation would be developed
15 by the industry, fully discussed, and most
16 assuredly only be implemented if it improved the
17 market conditions for California raisins by
18 addressing a customer or public interest concern.

19 As a result, any such use of this
20 authority would be intended to improve producer
21 and handler returns. If there were additional
22 inspection or regulatory cost, this should be

1 minimal and be offset by the marketing advantages
2 for small businesses and all stakeholders in the
3 industry.

4 As this proposed authority goes hand
5 in hand with the authority to establish different
6 outgoing standards for different markets, there
7 should be the most deliberate and cost-effective
8 use of this quality authority. If there's not a
9 value for regulation in a particular market, the
10 industry could differentiate market by market to
11 keep costs of implementation at a minimum.

12 Four, regarding the authority for
13 establishing different regulations for different
14 market destinations, this is a reality of the
15 global food business within private enterprise.
16 Most customers around the globe establish their
17 own individual specifications and define their
18 own key attributes of quality. This authority
19 would allow the marketing order quality
20 requirements to be more selective and precise for
21 individual markets.

22 Currently, the marketing order does

1 not allow for different standards for different
2 countries, and this would solve this deficiency.
3 The industry exports to over 50 countries.
4 Different markets have different criteria which
5 are now addressed handler by handler. This
6 authority would allow the industry to develop
7 differentiated standards if it determines there's
8 a marketing value to do so.

9 Unless the industry determines there
10 would be value to do so, the authority does not
11 add any further cost or regulation on the
12 industry or small businesses.

13 If approved, the committee could
14 develop new quality proposals by different market
15 destination, have these discussed within the
16 industry, published for public comment, and be
17 fully reviewed by the department and any other
18 necessary governmental authority before
19 implementation. Only then would there be
20 compliance impact upon implementation.

21 Lastly, I would like to refer to
22 Exhibit 35 and, in particular table 1, which

1 shows the varying acres of California raisin
2 variety grapes. And, from 2006, which is table
3 1, raisin variety bearing acres was 234,000 and,
4 as last reported in 2015, it was 190,000. And we
5 believe that this, again, demonstrates the shift
6 of economic factors since the marketing order was
7 formed in 1949, when we had very large surpluses.

8 And now we have an industry that is
9 very much responding to world economic
10 conditions, and we expect that, in the future,
11 supply will remain in better balance with demand
12 and, therefore, as a result, you don't need the
13 reserve pool and some of the provisions that the
14 secretary is proposing to be eliminated.

15 And there's many other statistics
16 through here but I think, for the record, this is
17 a good foundation to show the years that we had a
18 reserve pool, and the years beginning in 2010
19 when we have not had a reserve pool.

20 And that completes my prepared and
21 unprepared remarks.

22 JUDGE McCARTNEY: Are there any

1 questions for this witness?

2 MS. SCHMAEDICK: Melissa Schmaedick,
3 USDA.

4 BY MS. SCHMAEDICK:

5 Q Thank you, Mr. Kriebel, for your
6 testimony. I have a couple of questions for you.

7 So, with regard to the continuance
8 referendum language, so, in the notice of
9 hearing, we have a proposal from the RAC that
10 proposes having the first continuance referendum
11 within two years, and then the second and
12 subsequent between five and six.

13 Earlier today -- and I believe you
14 were not here when this witness gave their
15 testimony. But Ms. Debbie Powell gave testimony
16 with regard to modified language, proposal to
17 modify the language so that the first year would
18 be at five years, and subsequent years would be
19 between five and six. And that is captured in
20 Exhibit No. 9.

21 Are you familiar with that
22 modification?

1 A Yes. And I took the previous question
2 to me as to the mechanics of the two-thirds vote
3 and that, rather than the actual date of the
4 hearing itself.

5 Q Okay.

6 A Okay. Because, yes, and the proposal
7 that the acting president of the RAC testified to
8 was voted on at the April 14th RAC meeting
9 unanimously, and is the one that I support
10 verbatim today, and is the one that was reached
11 after a lot of debate and discussion within the
12 industry, and I think demonstrates the
13 willingness of the industry to work together to
14 come up with an approach that's for the best
15 interest of the entire industry and for future
16 generation of raisin growers and handlers.

17 JUDGE McCARTNEY: So, with reference
18 to Exhibit 9, you are familiar with that exhibit?
19 That's the statement that was provided by Ms.
20 Debbie Powell.

21 THE WITNESS: Yes.

22 JUDGE McCARTNEY: And you are in

1 agreement, and you endorse her testimony with
2 respect to the issue?

3 THE WITNESS: Correct.

4 BY MS. SCHMAEDICK:

5 Q Thank you. Now, Mr. Kriebel, were you
6 involved with the work group that developed at
7 the RAC proposals?

8 A Yes. I believe I attended every
9 meeting of the work group. I may have missed
10 one, but I don't remember missing any.

11 Q Okay. Thank you. And I was wondering
12 if you could describe to us sort of the process
13 of what happened. If I understood previous
14 testimony, there was an original proposal by the
15 work group for five years. And then, at the RAC
16 vote, it was switched to two years with regard to
17 the first vote. And then it was switched back to
18 five.

19 Can you tell me why -- first of all,
20 why did it go to two and then why did it go back
21 to five? And why is five better than two?

22 A Well, I believe that whole discussion

1 just shows the openness and the diversity of
2 opinion at the RAC. There were people who wanted
3 five. Some people wanted eight. Some people who
4 wanted two. As Richard said, maybe some people
5 wanted nothing, right.

6 And so the January meeting where it
7 was moved to two, that was probably the first
8 opportunity for a very deep discussion at the
9 RAC. And there were people then who were -- who,
10 I think, somewhat misunderstood the meaning of
11 that. And I don't know if it's in your -- Ms.
12 Powell's testimony, that I believe the minutes of
13 the January meeting even reflected that, had the
14 continuation referendum issue come up at the end
15 of the meeting rather than at the beginning of
16 the meeting, it was very likely that the vote
17 would have been different.

18 But that's just the way the RAC
19 operates. We have differences of opinions. We
20 have full and open debate. And people change
21 their mind, and we try to build for a consensus.
22 I bet some of the political candidates today have

1 changed their mind. So it's government in
2 process.

3 Q So, in your statement that, if the
4 subject had been brought up earlier in the
5 meeting, the result might have been different.
6 Is that an indication that there wasn't enough
7 time to fully vet the five-year versus two-year?

8 A No. I think the meeting had a number
9 of issues that were new to the group. Again,
10 like I said, the idea of a continuance referendum
11 we've never had since 1949, okay. So it's new.
12 It may seem unnerving to some because it's new.
13 But we have continuance referendums in other
14 California raisin industries, marketing orders.

15 We just have one in the state order.
16 I don't know if that result was put on the
17 record. They were put on the record? And they
18 were just -- they were overwhelmingly passed,
19 even despite the fact that we haven't been able
20 to collect any assessments in the state marketing
21 order because of litigation going on in that. We
22 still have overwhelming support for continuance

1 of the state marketing order.

2 That would tell you, to me, that the
3 industry is very thoughtful when it votes, and it
4 does value the tools in the toolbox because it
5 understands how hard it is to rebuild these in
6 case you ever do lose them.

7 But the debate was a joint work group,
8 wasn't it, and a full RAC. And so we don't
9 always hold them that way. I'm not the chairman.
10 The chairman gets to design the protocol for the
11 meetings, okay. And it may be we should have had
12 the full subcommittee first before we went into
13 that. But I think the final result that came out
14 by the April 14th meeting was a very sound, sound
15 result for the entire industry.

16 Q In your opinion, would waiting five
17 years for that first continuance referendum allow
18 the industry more time to ascertain whether or
19 not any proposals that might be implemented have
20 had the intended benefits? And would the five-
21 year period allow for a better assessment than
22 perhaps a two-year period, which would be

1 relatively shorter?

2 A Yes.

3 Q Thank you. I'd like to ask some
4 questions about the proposal to add quality
5 authority, quality regulation authority. As
6 you've heard earlier today, we have had other
7 witnesses speak to this issue, but I wanted to
8 hear from you.

9 In your opinion, what is the
10 difference between quality and grade? Your
11 statement says, the term quality regulation means
12 any and all regulation that is important to the
13 customer, supply chain, end user, or public at
14 large. In some ways, grade might find its way
15 into that definition as well.

16 So, for you, what is the difference
17 between grade and quality?

18 A Well, for me, grade is within quality.

19 Q Okay.

20 A And quality is broad enough to include
21 grade. But, for other people, it means something
22 different. Some people use them synonymously.

1 Other people use them to mean different things.

2 Q Uh-huh.

3 A And you ask a raisin grower, grade
4 means one thing. You ask a raisin buyer, grade
5 means something else. And what, again, is a
6 little confusing is because we have incoming
7 standards that are very important to the grower,
8 and we have outgoing standards that are very
9 important to the customer. So these words mean a
10 little bit different things to different people.
11 They probably have 10 different meanings to the
12 same person.

13 But, in each case, they really mean
14 specific standards or rules that the USDA, either
15 Processed Products Branch, or the USDA has
16 developed. And the last outbound standards that
17 I believe that the industry developed were last
18 developed in 1979. And so part of this is, okay,
19 if we were to go back and review the whole
20 outbound standards, okay, how would we look at
21 those in today's environment? And let's make
22 sure we can have as many tools in the toolbox to

1 define those.

2 But, in each case, there are a
3 specific set of promulgated standards or rules
4 that there's been ample debate, public comments,
5 standardization, review, and there's an official
6 document that is used within the department and
7 the industry.

8 Q So, if understand correctly, what
9 you're saying is the quality authority would
10 allow you to create standards that would exist
11 outside of the 1970 --

12 A Nine.

13 Q -- nine USDA grades and standards that
14 currently exist. So it would allow you to go
15 above and beyond that?

16 A Right.

17 Q Right. Okay. I want to ask your
18 opinion on another understanding of mine, based
19 on testimony. I'm wondering, would it be
20 accurate to say that grade is typically
21 associated with a visual attribute that's
22 constant, it doesn't change, whereas quality

1 might be associated with an attributed that's not
2 necessarily visible, for example, a contaminant
3 or a residue for an herbicide or fungicide or
4 something like that? Is that a --

5 A Well, I'm not going to agree with you
6 on that.

7 Q Okay.

8 A The fundamental difference within
9 raisins is flavor, and you can't see flavor.

10 Q Is that part of the grade standard?

11 A That's a standard.

12 Q Okay.

13 A I mean, as to the difference
14 between -- as to you can be caramelized, right.
15 That's a defect, right. Too much cooking in the
16 field is a defect. That's an incoming defect.
17 Did you know that?

18 JUDGE McCARTNEY: I did.

19 THE WITNESS: Right. And so, I mean -
20 - so I'm just -- and so, once you get -- just
21 with that, right, there are -- there can be
22 subjective differences. There can be ones that

1 you'd like to visualize. But we have customers,
2 and people in the room have customers, for
3 embedded stems.

4 Embedded stems. Can't see an embedded
5 stem because it's embedded. That's the
6 definition of it. I mean, so how do you see it,
7 right. You try to have -- you can't see by the
8 visual eye, so you're trying to develop laser
9 standards that may be mechanical can see it, or
10 an x-ray. Many people in the industry use x-ray
11 sorters.

12 So that's not visual. So there's
13 different, you know -- sorry to --

14 BY MS. SCHMAEDICK:

15 Q No.

16 A But there's -- the whole breadth
17 of -- and you're probably -- in the old, old
18 days, when people were referring to grade
19 standards, they were probably referring to things
20 they could see -- color, number of stems, number
21 of cap stems. But, as you get smaller and smaller
22 and you want fewer and fewer cap stems, fewer and

1 fewer stems, you know, it's becomes virtually
2 impossible for the eye to actually see it.

3 Q I see. Thank you. What I'm trying to
4 understand is the intent behind quality
5 regulation and how that authority is to be
6 interpreted at a future date when that authority
7 is used to create a set of standards. So that's
8 why I'm always asking this question, what is the
9 difference between quality and grade. What do
10 you mean by quality?

11 A Well, and just it's a poor comparison,
12 but the framers of the Constitution had certain
13 meanings when it was formed. 200 years later, it
14 was interpreted to mean something else. The same
15 thing with the word grade. If the creators of
16 the marketing order were still here from 1949 and
17 had lived through all of these things, I'm
18 confident that their definition of grade would
19 have kept up with what our customers are.

20 But we don't have anything necessarily
21 in the record that shows that, that shows that.
22 So I think us in the industry, we use them

1 synonymously, oftentimes grade and quality. But
2 that's what the purpose of this amendment is, to
3 make sure that we have the breadth of scope to
4 define them any way that makes sense from a
5 marketing and processing side for our customers
6 anywhere in the world.

7 MS. SCHMAEDICK: Okay. Thank you.

8 Those are all of the questions that I have.
9 Thank you.

10 JUDGE McCARTNEY: Any further
11 questions for this witness?

12 MS. CHILUKURI: Yes.

13 JUDGE McCARTNEY: Go ahead.

14 MR. McFETRIDGE: Rupa, you can go.
15 That's fine.

16 JUDGE McCARTNEY: But we always save
17 you for last. This is confusing. Thank you for
18 trying to be a gentleman, but we have a process.

19 MR. McFETRIDGE: Marc McFetridge,
20 USDA. Just a couple of quick questions.

21 BY MR. McFETRIDGE:

22 Q In your testimony, you stated that a

1 majority of the growers that supplied Sun-Maid
2 would be considered small growers; is that
3 correct?

4 A I think I was very careful to not use
5 the term majority.

6 Q Okay.

7 A Okay. I said a number of our --

8 Q A number.

9 A -- growers would be classified as
10 small businesses.

11 Q Okay.

12 A And I avoided that question
13 particularly because it kind of follows the 80/20
14 rule, not exactly, but, say, 70/30. We get 70
15 percent of our tonnage from the largest growers
16 and 30 percent of our tonnage from the smallest
17 growers. So we have a lot of small growers, but
18 they don't deliver the vast majority of tonnage.

19 Q Thank you for that clarification.

20 Based on being president of Sun-Maid, would you
21 said, based on the Small Business Administration
22 definition of having annual receipts from selling

1 raisins of greater than \$7.5 million, would you
2 say that Sun-Maid would be a large or a small
3 handler?

4 A A large handler.

5 MR. McFETRIDGE: All right. Thank
6 you. I think that's all I have for now.

7 MS. CHILUKURI: Rupa Chilukuri, USDA.

8 BY MS. CHILUKURI:

9 Q Mr. Kriebel, I'd like to ask you a
10 question about Proposal Number 4, the
11 establishment of different regulations for
12 different markets. And I'd like you to take a
13 look at Exhibit 1, the notice of hearing.

14 JUDGE McCARTNEY: Do you have it in
15 front of you? Let's make sure the witness has a
16 copy of that document.

17 BY MS. CHILUKURI:

18 Q And, if you could, turn to page 23653.

19 A Okay.

20 Q And that's Proposal Number 4.

21 A Right.

22 Q Okay. So, if you could, read into the

1 record 989.59. If you could read into the record
2 (a) Regulation, and then (1) and (2). And I'd
3 like to ask you a question about that after
4 you've done that.

5 A It begins, (a) Regulation. Unless
6 otherwise provided in this part, no handler shall
7 (1) ship or otherwise make final disposition of
8 natural condition raisins unless they at least
9 meet the effective and applicable minimum grade
10 quality and condition standards for natural
11 condition raisins; or (2) ship or otherwise make
12 final disposition of packed raisins unless they
13 at least meet such minimum grade quality and
14 condition standards established by the committee
15 with the approval of the secretary in applicable
16 rules and regulations, or as later changed or
17 prescribed pursuant to the provisions of
18 paragraph (b) of this section.

19 Provided that nothing contained in
20 this paragraph shall prohibit the shipment or
21 final disposition of any raisins of a particular
22 varietal type for which minimum standards are not

1 applicable or then in effect pursuant to this
2 part. And provided further that a handler may
3 grind raisins which do not meet the minimum grade
4 quality and condition standards for packed
5 raisins because of mechanical damage or sugar in
6 the raisin paste, the committee may establish,
7 with the approval of the secretary, different
8 grade quality and condition regulations for
9 different markets.

10 Q Okay. And, based on your reading of
11 that provision, is it your understanding that
12 different regulations for different market
13 destinations can be below applicable minimum
14 grade quality or condition standards? And take
15 your time to review, if you'd like.

16 A Well, I hate to say below because they
17 may just be different, right. They may be
18 different. They may be -- somebody may consider
19 them below, but --

20 JUDGE McCARTNEY: Well, would the
21 different be such that they would not have been
22 approved under Grade B as currently defined in

1 the regs? Let's use different in that way.

2 BY MS. CHILUKURI:

3 Q Would different mean below the
4 applicable minimum standards as set out per
5 (a) -- 989.59(a)(1) and (a)(2)?

6 A Well, in each case, I could see the
7 situation where you had different standards for
8 different attributes. So, for example, cap
9 stems, we've talked about cap stems a lot, right?
10 Actually, in the old days, people ate cap stems.

11 JUDGE McCARTNEY: Good fiber, as one
12 of the witnesses pointed out.

13 THE WITNESS: And they really are.
14 We've done nutrient analysis on cap stems. And
15 there's more nutrients in cap stems per gram than
16 in the raisins themselves.

17 JUDGE McCARTNEY: But they must not
18 taste as good because you reminded us that flavor
19 is the governing characteristic that people are
20 interested in; is that correct?

21 THE WITNESS: Well, a few cap stems
22 don't really interfere with the flavor, you know.

1 JUDGE McCARTNEY: Uh-huh.

2 THE WITNESS: A lot of cap stems
3 really do, you know. So, in that case, we have
4 customers in the industry who want virtually no
5 cap stems. And we've argued with them that
6 you're actually destroying some of the nutrient
7 value of the raisins in the first place.

8 JUDGE McCARTNEY: Pardon me. Counsel,
9 is it your -- are you -- is this in response to
10 your question, or is this unresponsive to your
11 question? I'm confused now. What was the
12 question?

13 MS. CHILUKURI: I was saying, based on
14 his reading of that provision, does he think that
15 different market regulations -- different
16 regulations for different markets can be below
17 the minimum standards that are in the order.

18 THE WITNESS: Well, we would change
19 the regulations in the order. It's not to avoid
20 the order. It's that, if we -- we used to have
21 Grade C, right? We used to have Grade C, so that
22 was in the order. Maybe we want to bring Grade C

1 back.

2 MS. CHILUKURI: Okay. Thank you for
3 that clarification.

4 JUDGE McCARTNEY: But it would be in
5 the order.

6 THE WITNESS: It would be in the order.

7 JUDGE McCARTNEY: Published pursuant
8 to rulemaking, notice, and comment.

9 THE WITNESS: Correct.

10 MS. CHILUKURI: Thank you for that
11 clarification. That is my only question.

12 JUDGE McCARTNEY: All right. Are
13 there any further questions for this witness?

14 MR. SAHATJIAN: I just want to make a
15 comment because --

16 JUDGE McCARTNEY: Well, first -- all
17 right. Before we take comments, are there any
18 objections to the admissibility of Exhibits 33,
19 34, and 35?

20 (No audible response.)

21 JUDGE McCARTNEY: No objections, they
22 are hereby admitted.

1 (Whereupon, the above-referred to
2 documents were received into evidence as Exhibit
3 Nos. 33, 34, and 35.)

4 JUDGE McCARTNEY: If you do not have
5 a question for the witness and you merely wish to
6 opine, then we need to adjourn this witness. Do
7 you have a question for him?

8 MR. SAHATJIAN: I do have a question.

9 JUDGE McCARTNEY: All right. You may
10 proceed.

11 BY MR. SAHATJIAN:

12 Q Mr. Kriebel, you were at the January
13 27, 2016, RAC meeting --

14 A Yes.

15 Q -- I'm assuming. And do you recall
16 the vote on the amendment, the continuation
17 referendum?

18 A Some of the votes, because there were
19 multiple votes.

20 Q Okay. Well, I have on record just
21 one, and it's regarding the continuation
22 referendum. And I don't know if you recall, but

1 there was a vote. Do you remember what the
2 results of that vote were for inserting the
3 language into the proposal of no less than two
4 years and no later than three year of the
5 effective date that we'd have a referendum?

6 A I've got the minutes and --

7 Q It's on page 7.

8 JUDGE McCARTNEY: Are you referring to
9 an exhibit that's been admitted into the record?
10 And what's the exhibit number? 15, page 7?

11 (Off mic comment)

12 JUDGE McCARTNEY: All right.

13 THE WITNESS: That was a vote, and
14 then there's another vote on page 8.

15 BY MR. SAHATJIAN:

16 Q Okay. I'm not sure what the
17 difference was, but they both say the same
18 language. Two years, no later than three years.
19 I don't know.

20 But, regardless, that was not a
21 unanimous vote. I voted against that. And, if
22 you recall, that was a motion to include in the

1 proposals here, that there would be a
2 continuation referendum. And that was a split
3 vote, so I just want -- I just want you to
4 confirm that you recall that this was not a
5 unanimous decision.

6 A My recollection, and I believe the
7 minutes state that there was a split vote on
8 January the 27th, and there was a unanimous vote
9 on April the 14th at a meeting that you attended.

10 MR. SAHATJIAN: I guess I'll just wait
11 for the comments section. All right. I don't
12 have any questions.

13 JUDGE McCARTNEY: Anything further for
14 this witness?

15 (No audible response.)

16 JUDGE McCARTNEY: All right. You're
17 excused, sir. Thank you for your testimony and
18 for attending.

19 All right. So we're at 4:30. Let's
20 go off the record.

21 (Whereupon, the above-entitled matter
22 went off the record at 4:26 p.m.)

A

- a.m** 1:12 6:2 77:12
77:13 105:11,12
158:7,9
- ability** 108:16
109:11 112:20
113:15 116:6
122:15 127:15,15
129:6 154:12
169:14,15 198:2
210:19 211:14
217:5 247:17
260:19 262:16
- able** 18:19 55:11
67:20 86:13 97:21
102:18,21 109:14
135:19 137:20,21
139:3,14 151:11
162:12 163:4,8
165:7,20 167:5
170:16 171:10,16
195:5 198:12
213:7 216:12
237:8 240:13
250:13 257:8
260:1,9,22 265:9
270:14 307:19
- above-** 29:6 33:22
34:7,16 36:6 40:4
40:14 48:7 61:13
62:12 66:2 73:1
75:17 78:11,17
79:1,7,14 80:9,18
81:7 106:21 130:1
131:14 158:7
159:7 172:6 175:5
201:22 208:8
- above-entitled**
77:11 105:10
172:14 224:21
280:2 325:21
- above-referred**
157:21 242:13
269:14 323:1
- absent** 18:17
- absolute** 277:2
- absolutely** 119:3
121:22 265:6
- accept** 127:15
- acceptable** 37:17
- acceptance** 181:10
- accepted** 90:1 99:7
110:19 127:14
- accepts** 260:11
- access** 34:22 35:3
35:15 55:6 60:2
228:21 273:19
- accommodate**
280:7
- accomplished**
133:16
- accomplishing**
167:2
- accomplishment**
151:4
- accountable** 24:14
- accurate** 118:3
124:16 178:3
219:15 231:2
311:20
- achieve** 270:11
- achievements**
56:16
- acknowledge** 38:8
- acquiescing** 24:13
- acre** 44:21 45:1,4,6
52:15
- acreage** 44:13
286:20 295:19
- acres** 44:5,6,6,8,10
44:11,12 45:13
52:14,15 108:13
176:15 194:2
302:1,3
- Act** 212:6 213:13
223:5,17 248:9
299:9
- acting** 304:7
- action** 118:22
119:10 151:2
291:4,8,12
- actions** 87:15 135:6
170:11
- active** 55:21 57:15
288:19
- actively** 161:1
- activities** 55:5,11
114:22 160:17
161:3 163:9,18
- activity** 108:20
- acts** 184:3
- actual** 152:21 219:1
255:11 304:3
- ad-libbing** 285:5
- adapt** 252:2 256:2
- adapted** 163:19
- Adapting** 246:21
- adaptive** 161:20
- add** 9:18,19,21
19:20 85:4 125:4
125:6 156:7 209:9
214:20 215:1
239:12 247:3
248:21 249:20
274:7 291:17
298:6 301:11
309:4
- added** 8:20 128:4
291:19,20
- adding** 237:9 247:6
248:6 249:2
251:17 252:5
- addition** 10:1,7
28:21 143:8
215:18 217:10
250:22 254:9
255:7 274:7 288:2
298:1
- additional** 5:13
81:22 112:14
131:8,9 153:13
156:16 161:16
165:6 255:22
256:1,18 259:19
298:22 299:21
- Additionally** 56:12
- address** 8:1,10,15
20:19,20 27:12
28:10,13 29:15
31:5,18 36:15
86:8 178:16 224:2
231:9
- addressed** 288:13
301:5
- addressing** 7:10
100:14 299:18
- adeptly** 252:2
- adequately** 247:21
- adhered** 149:16,20
- adjourn** 323:6
- adjust** 210:19
- adjustable** 223:14
- Admin** 93:1
- administration**
9:13 10:13 41:11
67:11 68:9 93:2
126:8 152:8 194:9
234:10 264:5,12
293:11 316:21
- administrative** 1:14
1:20 4:16 5:18
9:12 12:12,16,21
14:3 30:1 51:15
54:11,14 55:7
62:8 69:7 73:6,9
73:10 74:22 75:12
79:19 80:3 81:18
87:11 88:14 108:7
111:1,16 122:16
132:4 133:4
160:10 162:11
175:21 209:4,5
243:16 246:10
284:20 285:16
288:9
- admissibility** 24:1
81:2 129:18
157:16 172:1
200:4 242:8
322:18
- admission** 25:1
292:15
- admit** 42:13,16
269:6
- admitted** 28:9
35:22 36:5 48:6
66:1 71:20 81:6
90:1 91:13 129:22
157:20 172:4
201:21 242:12
269:13 279:11
322:22 324:9

- adopted** 99:13
197:12 296:15
- adoption** 139:12
- advance** 22:13,16
96:19,22
- advanced** 132:22
- advantage** 187:11
270:6
- advantages** 300:1
- advice** 286:4,8
- advised** 22:5 23:4
23:16
- advisors** 135:18
137:17
- Advisory** 132:14
136:7
- advocate** 270:2
- affiliated** 296:2
- affinity** 162:5
- affirm** 130:15
158:13 172:21
207:12 241:13
- affirmation** 243:2
- affirmative** 149:12
- Africa** 159:21
166:17 167:22
168:1,4
- afternoon** 71:10
173:10 181:22
182:1 218:10
- Ag** 138:16
- again/off** 133:17
- age** 8:13
- agencies** 160:13
- agency** 154:14
- ago** 109:6
- agree** 102:6 155:20
186:18 200:21
201:1 204:22
294:2,9,13,16
312:5
- agreement** 3:17
14:15,20 15:10
16:8 24:21,22
25:3 73:18 289:17
305:1
- agricultural** 2:9,10
2:15 3:15 10:1
11:19,21 14:21
15:13,14 39:6,9
39:10 40:13 41:15
159:20 286:14
- agriculture** 1:1 2:2
2:4,9,14 3:11,14
11:11 13:12 14:22
41:9,22 42:2
43:10 74:1 246:11
285:12 290:2,19
- ahead** 64:19 245:4
315:13
- air** 145:10
- airstream** 137:9
144:5,10 145:6
222:1,3
- alerted** 230:3
- alerts** 19:17
- alike** 213:3
- all-** 228:11
- alleviate** 96:14
- allocated** 182:18
- allow** 85:22 108:1
109:21 191:7
211:1 213:20
215:8,12 217:16
217:16 224:1
232:16 239:19
249:4,9,17 252:2
252:6 257:18
262:18,21 300:19
301:1,6 308:17,21
311:10,14
- allowable** 258:6
- allowed** 180:8
- allowing** 83:1 85:19
- allows** 257:14
- alluded** 271:9
- almonds** 57:21
189:8
- alternate** 9:18
82:10,13,15,17,19
82:21 83:2,8,12
83:18 84:1,11,12
84:16,18,22 95:1
96:10,21 99:12
102:9 125:1 160:6
176:9 177:17
- 178:2 180:9,20
185:13 187:17,19
188:13,18,22
189:1 191:1
193:10,15 198:18
202:22 278:5
289:6
- alternates** 178:18
178:19 179:16
180:8 181:3
189:16 191:8
195:4 198:15
199:9 200:14
204:12 206:10
288:16,21
- alternative** 112:10
278:6 290:7
- amend** 74:4 85:15
- amended** 54:12
87:15
- amending** 94:13
- amendment** 10:9
30:12 73:21 80:1
80:17 84:19 85:3
86:14,20 89:6
193:7 315:2
323:16
- amendments** 1:5
9:9,11,15 10:2,3
10:10 43:18 73:13
74:7,11 75:5,9,15
81:20 82:8 94:18
- amount** 119:14
120:8,17 121:15
135:19,20 145:8,9
148:16 220:12
286:22
- ample** 123:20 254:5
298:11 311:4
- AMS** 6:16 10:7 58:5
74:2 113:19 126:2
139:21 164:8
181:20 193:20
218:8 270:9
- AMS'** 28:10
- AMS-SC-16-011** 1:9
- analysis** 41:17
320:14
- analyzing** 43:17
- and/or** 22:22 26:5
31:12 74:17
144:13
- announced** 179:2
- announcing** 177:12
- annual** 5:6,7,8,9,10
5:11,12 55:2,16
62:20 67:13 68:10
106:3,12,14,15
121:14 126:9
194:10 234:11
316:22
- annually** 126:10
129:3
- answer** 18:4 20:22
163:12 198:13
237:5 243:21
273:9 282:4
- answered** 237:2
254:21
- answering** 161:15
- answers** 254:22
- anticipated** 216:2
250:8
- anxious** 279:21
- anybody** 67:12 68:9
68:12 199:14,17
293:15
- anyway** 106:11
147:10
- AO** 6:7
- AO-FV** 1:8
- APA** 267:2
- apart** 181:3
- apologies** 69:4
- apologize** 32:18
33:8 47:15 263:6
267:8 268:20
297:13
- appeal** 103:16,16
- appearance** 7:18
15:21 17:10 36:20
70:11,16,21
- appearances** 2:1
3:8 7:17 10:20
- applicable** 24:10
223:20 318:9,15

319:1,13 320:4
applicant 189:17
application 206:11
 227:11
applications 54:7
applied 54:8 85:21
 165:4 199:16
 211:18 215:10
 248:5 249:10
apply 160:11
 198:14 199:9,14
 211:1 267:15,16
 267:17
applying 229:15
appointed 202:17
 289:4,5
appreciate 206:18
appreciated 72:9
appreciation
 231:15
approach 35:16
 261:14,18 304:14
appropriate 21:8
 76:16 261:9
 290:16 296:21
approval 135:7
 193:6 212:18
 214:3 215:3 218:2
 232:21 239:13
 250:7 266:21
 318:15 319:7
approve 150:13
approved 98:22
 111:18 212:16
 213:19 214:1
 217:15,21 232:19
 233:6 250:4
 266:18 301:13
 319:22
approving 150:8
approximately
 52:13 109:5 287:6
April 27:13 29:5
 52:22 75:8 80:3
 80:14 89:1,5
 111:11 292:6,12
 304:8 308:14
 325:9

arbitrarily 289:12
area 51:13,21 226:2
 226:3,8 228:3
argued 321:5
arguendo 128:15
arises 24:1
arose 162:21
arrived 294:6
art 221:7,10 266:17
 267:1
articulate 52:8
 263:12
ascertain 87:6,8
 88:19,21 235:20
 308:18
Asia 56:17
Asian 56:22
asked 64:20 143:1
 176:11 183:2
 253:21 254:21
 277:18 280:6
 283:11
asking 7:16 11:11
 11:16,22 12:5
 20:2,5 93:8 128:6
 227:9 231:20
 236:18 244:14
 314:8
asleep 47:16
assessment 111:7
 120:2,7 121:3,10
 121:13 127:7,8,9
 127:17,18 128:2,3
 128:7,12,16 129:2
 141:18,20,22
 142:4,11 149:7
 308:21
assessments 60:13
 60:16 103:7 109:6
 120:19 128:13
 307:20
assist 156:22
assistance 72:7
Assistant 13:12
 15:17 159:13
assisting 132:10
associated 184:18
 200:15 311:21

312:1
association 13:2
 13:22 51:18 54:18
 62:3 105:18 108:8
 114:2,6 176:2,4
 184:2,3 287:17
 295:15
Association's
 194:19
assume 8:3 24:12
 35:19 150:9
 236:17 244:21
 272:5 289:22
assumed 38:15
 51:2 72:15 243:10
 245:13 284:10
assuming 128:10
 128:15 143:14
 267:9 323:15
assurance 216:20
assure 7:2 91:8
 248:1
assured 247:21
assuredly 299:16
ate 320:10
attached 274:21
attachments 75:14
attend 180:21
 181:2 188:10
 202:15 288:22
 289:4
attendance 288:17
attended 74:9
 177:15 289:6
 305:8 325:9
attending 325:18
attention 9:3 19:22
 24:15 26:10 27:3
 77:22 92:5 181:14
 202:5 225:6
 276:20
attorney 2:5 11:3
attorneys 23:9
attribute 146:9
 210:2,6 212:13
 220:19 226:6
 236:12 311:21
attributed 312:1

attributes 85:5
 146:14 209:11
 216:7 220:10
 222:7,8 225:18
 228:21 235:21
 236:5 247:4
 251:15 263:14
 267:21 268:11
 300:18 320:8
audible 240:7
 242:10 269:2,11
 279:8 283:9,21
 322:20 325:15
audience 19:9
 283:12,13,19
auditor 175:19
August 53:15 54:13
 74:8,8
authorities 262:1
authority 9:19,19
 10:4 85:8,17,22
 86:5 98:5 100:13
 101:6 104:8 123:6
 125:5,6,12 133:5
 133:10 135:4
 150:5 154:6 156:3
 156:7,7 162:12
 163:10,22 165:11
 170:14 181:11
 209:22 211:1
 212:9,13 213:20
 214:5,20 215:1,11
 215:18 216:1
 217:10,16 219:1
 219:11 222:6,10
 223:3,22,22 232:8
 232:16,22 233:12
 239:12 248:12,21
 249:2,17,21
 250:10 251:17,21
 252:5 254:9 255:7
 255:12 256:7
 257:9,17,20
 262:22 263:12
 264:19 277:7
 278:15 288:3
 289:15 290:10
 298:1,8,11 299:13

299:20 300:4,5,8
 300:12,18 301:6
 301:10,18 309:5,5
 311:9 314:5,6
authorize 9:16
 124:18 278:1
 297:15
avail 177:13
available 30:20
 35:18 43:20 72:3
 83:19 84:3 117:15
 177:7
Avenue 1:13 2:5,10
 2:16
average 44:16,18
 44:18,20,22 45:8
 46:3,5,9,15,19
 47:2,14 52:14
 126:18
aversion 259:18
avoid 64:18 321:19
avoided 316:12
awaiting 109:7
aware 115:16 143:2
 253:12 273:7
awareness 120:17
 120:19 253:9
awhile 295:5

B

b 144:13 145:4,5
 146:1 215:16
 221:8,16,21,22,22
 229:7 237:11
 249:16 258:10,17
 261:16 262:6,9
 318:18 319:22
B-A-R-S-E- 14:10
B-B-I-E 12:11
B-R-I-X 58:19
B&B 220:8,15
 221:21
Bachelor's 41:21
back 12:9 15:6
 18:18 22:4 23:22
 28:13 30:20 35:8
 42:15,17 43:3
 61:7 71:21 77:5

77:15 79:12 92:18
 99:1,3 103:17
 115:9 136:5 145:2
 158:9,10 190:16
 204:20 220:13
 259:13 265:12
 276:8 295:9
 298:14 305:17,20
 310:19 322:1
background 160:2
 181:9 190:11
 285:21
bad 285:4
baking 287:9
balance 302:11
ball 269:7
ballot 83:13 84:3,20
 272:8
ballots 83:14 84:22
 96:16
banned 226:1
bar 262:15 286:3
bargaining 13:2
 51:18 54:18 62:2
 105:18 108:8
 114:2,5 176:2,3
 184:2,3 287:17
 295:14
Barry 4:7,8 231:4,6
 243:8,12 284:8,15
Barserian 4:6 5:14
 14:1,2,10,10
 172:19 173:1,2,5
 173:11,16,19
 174:5,10,13,17,22
 175:3,7,10,11,12
 178:10 182:1,8,13
 182:21 183:5,16
 183:19 185:7,11
 185:13,18 186:3,5
 187:21 188:5
 189:21 190:3
 191:11 192:7,12
 192:15,19,21
 193:2,4 194:4,7
 194:13,17 195:1
 195:12,14 197:1,9
 197:13,20 198:16

198:20 199:1,6,10
 199:15,18 200:11
 200:16,19 201:4,8
 202:3,8,9,13
 203:21 204:7,11
 204:14,19 205:3,7
 205:12,18 206:2,4
 206:13,21 207:5
base 108:11 114:21
 115:15 120:7
 256:21
based 40:11 56:15
 61:11 67:17 99:2
 115:14 116:1
 126:7,11 127:22
 129:5 145:2,2
 152:5 194:1,8,18
 210:19 213:9
 219:12 234:9
 236:6 237:15
 239:16 244:5
 274:19 311:18
 316:20,21 319:10
 321:13
baseline 247:8
bases 249:12
basic 123:8 296:21
basically 78:9
 103:8 115:8
 178:16 179:12
 180:14 188:8
 191:12 237:6
 271:10,19 272:15
 275:21
basis 112:1 115:5
 121:14 160:12
bearing 44:5,6,6,9
 44:11 45:13 302:3
beat 247:13
becoming 286:6
Bee 95:20
begging 202:20
beginning 239:10
 276:20 302:18
 306:15
begins 52:16 53:15
 318:5
behalf 2:2 3:10 5:17

20:5 26:15 64:18
 73:11 113:19
 122:22 126:2
 139:21 151:18
 154:3 164:8
 170:20 181:20
 193:20 200:9
 203:20 218:8
 285:10 296:1
believe 24:20 59:9
 60:18 62:20 66:17
 72:21 75:16 76:3
 78:8 79:21 80:4
 93:5,16 97:10
 98:6,8 100:6
 109:17 110:20
 112:2 113:10,14
 116:18 118:17
 120:14 122:6
 123:18 128:22
 143:1 145:7 165:3
 167:19 168:10
 171:7,8 178:2
 182:9 204:17
 206:8 210:11,18
 237:3 245:21
 252:17 253:14
 257:22 258:16
 262:12,21 270:3
 281:20 284:4
 291:22 292:13
 293:10 297:10,16
 299:12 302:5
 303:13 305:8,22
 306:12 310:17
 325:6
believes 99:4 210:9
 290:15
beneficial 137:13
 148:4 227:6
 298:20
beneficials 148:7
benefit 8:20 57:3
 74:17 93:11 118:7
 128:4 133:1
 145:15 148:13
 163:21 179:21
 210:19 212:21

213:3,15 216:14
 217:5 227:1 247:5
 249:1 251:8
benefits 56:9
 119:11 128:17,22
 134:11,12 143:17
 146:4,6 147:17
 151:1 167:15
 171:1 211:6
 255:20 308:20
benefitted 134:1
 161:5
Bentley 138:6
best 26:19 86:2,16
 112:7,9 143:10
 162:16 215:13
 249:18 296:9,10
 296:12,18 304:14
bet 306:22
better 8:19 144:13
 145:5 146:1
 147:19 181:5
 189:5 199:14,15
 213:16 216:12
 221:21,22 237:12
 250:13 302:11
 305:21 308:21
betterment 203:8
beyond 68:1
 168:15 311:15
bifurcate 214:9
 252:20,21
bifurcated 201:11
big 19:1 195:21,22
 238:14
bigger 146:3
biggest 52:1
Bill 138:6
billion 287:16
bit 102:19 138:22
 171:3 173:21
 184:14 198:3
 219:21 220:3
 223:14 239:2
 252:17 255:16
 263:20 285:5,20
 310:10
bite 25:21

blame 65:2,5,9
block 165:16,20,22
 166:3,5
blocks 166:7
bloom 53:1,3
board 4:16 5:4,6,7
 5:8,9,10,11,12
 12:18 13:3,4
 51:20 62:8,17,20
 67:18 68:16 80:14
 80:16 89:7 90:6
 97:11 103:2,11
 106:4,13 108:5
 109:7 110:22
 111:12 115:10
 120:5 122:8 132:5
 132:14 133:3,7
 136:7 160:8 165:1
 165:3 179:5
 189:18 193:8
 195:11 196:5
 209:1 212:13
 224:5 231:17
 246:9
Bobbie 1:13,19
body 282:13
bolster 20:18
bother 18:13
bottom 145:11
 150:19 232:15
box 231:18
boxed 137:6
Branch 209:4
 310:15
brand 287:5
breadth 313:16
 315:3
break 16:21 18:13
 25:16,17 26:21
 92:1,5,9 279:19
breaks 24:17
breeding 166:18
bricks 221:21
brief 73:12 218:19
 284:13
briefly 77:19 93:22
 114:3 248:18
bring 7:6 26:9 92:5

115:9 139:3
 151:11,12 154:16
 321:22
bringing 295:9
brings 203:13
brix 53:10,11 58:14
 58:16,17 59:5
broad 155:3 256:7
 257:14 309:20
broad-based 112:9
broadest 296:9
broken 203:14
 295:13
brought 307:4
brutal 176:10 183:2
bud 137:6
budget 55:16
 109:13 111:5,20
 116:3 120:1,8
 134:21 135:9
 149:6,16,20
budgetary 129:3
budgeting 120:20
budgets 111:3
 120:7
buds 52:20
build 270:17 306:21
built 293:8
bulk 136:17 177:3
bunches 52:21
 53:3
Bureau 132:16
business 8:16
 41:22 67:11 68:8
 87:21 95:21
 119:11 126:8
 152:8 180:6
 184:11 189:6
 190:9 191:17
 194:9,19 213:2
 234:9 264:4,12
 287:10 300:15
 316:21
businesses 93:14
 134:8 150:20
 180:11 217:4
 287:3 300:2
 301:12 316:10

busy 179:6 202:15
buy 183:22 253:17
buyer 57:10 213:1
 310:4
buyers 213:1
buying 68:4 229:5

C

C 4:1 145:4 258:12
 274:7,11 321:21
 321:21,22
C-H-I-L-U-K-U-R-I
 11:2
CA 4:16 5:4
calculated 47:1
California 1:6,13
 3:16,20 5:5,6,7,8
 5:9,10,11 9:11
 12:17 13:4 16:2
 17:12 34:14 43:8
 51:20,21 56:15,21
 57:5,11 62:7,19
 80:14,16 89:7
 90:6 97:11 103:2
 106:4,12 108:4
 111:11 120:5
 122:7 127:14
 132:2,5,12 133:2
 133:6,18 135:17
 136:7 141:6
 153:15 159:14,18
 160:8 175:12,14
 175:16 178:5
 203:3 208:17,18
 213:1,10 215:5
 217:8 234:4,13
 239:8 243:15
 244:4 246:12,14
 246:17 247:6,21
 249:7 250:21
 251:20,22 261:15
 262:2 284:18
 286:3,13,16,18
 287:1,13,18
 289:18 290:18
 291:2,14 294:21
 299:17 302:1
 307:14

- California's** 44:3
call 18:4,10,11,20
 36:12,16 37:6
 38:10 78:8 115:2
 144:12 166:7
 172:18 180:18
 188:14
called 38:14 50:22
 56:13 57:15 58:14
 59:5 62:7 72:13
 107:12 113:2
 130:22 144:4,10
 158:18 173:6
 180:22 207:17
 243:9 245:12
calls 25:21 115:11
CALRAB 136:7
camp 271:11,11,12
 271:18
campaigns 55:22
 56:7,8,9
campus 271:10,20
candidates 306:22
cane 117:11
canopy 113:7
 117:13,20
cap 237:12 258:18
 258:19,22 259:1,3
 259:9,15,19 261:4
 313:21,22 320:8,9
 320:10,14,15,21
 321:2,5
capacities 175:16
capacity 8:9 95:7
 112:4 141:8 176:3
 196:15 286:4
captured 303:19
caramelized 312:14
cards 8:16
care 179:7 241:9
 259:14,15
careful 316:4
carry 199:12
Caruthers 51:13
case 34:14 74:11
 84:11 165:19
 180:22 188:13
 271:19 276:6
 282:16 290:20
 291:5 297:7 308:6
 310:13 311:2
 320:6 321:3
cases 83:22 186:8
 295:4
cash 103:9 184:19
 184:20
categories 110:2
cater 237:8
causing 96:10
cease 111:19
ceased 98:11
 154:15
ceases 86:12
 102:17 108:19
 109:10 164:3
ceasing 102:21
cell 17:19,21,21
 19:17
Center 132:14
Central 17:12 53:14
 208:17 234:3,13
CEO 13:21 176:1
 203:4
cereal 287:9
certain 29:17 110:1
 116:5 120:8,17
 200:22 201:1
 204:22 211:17
 226:1 228:4 248:4
 257:1,11 272:18
 314:12
certainly 124:14
 140:12 143:10
Certificate 4:11,12
 4:12 32:4 33:19
 34:5,12 209:17
 210:7,7
certification 209:15
 229:17,22 232:1
certified 232:5
certify 23:6
cetera 24:18 86:10
chain 298:5 309:13
chair 65:7
chairman 12:20
 13:3 51:14,17
 67:18 108:4,6
 132:6,15 202:18
 308:9,10
challenges 86:8
 169:6,14
challenging 95:11
chamber 145:10
chance 204:3
change 87:15 88:11
 89:2 121:10 148:2
 161:17 176:11
 181:4 188:20
 200:18 306:20
 311:22 321:18
changed 75:3
 148:9 176:14
 183:3 186:15
 246:18 289:18
 307:1 318:16
changeover 289:13
changes 10:8,11,12
 30:10 74:6,16
 117:16 186:17
 205:1 209:8
 212:14 247:2
 248:20 249:20
 252:3,11 253:21
 255:11,12 290:11
changing 68:2
 236:3,10 246:21
 256:12
channel 261:1
characteristic
 221:9 320:19
characteristics
 145:22 228:21
 235:21
charge 265:2
charts 40:11
check 25:20 242:2
checking-in 283:2
checks 211:4
chemical 134:14
chemicals 148:1
 211:21 256:13
 257:1
chemistries 148:9
chemistry 148:6
chewing 19:9
Chief 1:14,20
children's 227:12
Chilukuri 2:3 10:22
 11:1 27:10 28:17
 28:20 29:10,21
 31:8,14,17 32:3,9
 32:12,16,20 33:8
 33:13,15,18 34:4
 34:11 35:4,21
 36:11 37:8 38:11
 38:19 40:8,18,21
 47:19 50:11 51:7
 58:5 66:8,13,13
 66:20 81:4 90:8
 99:19 100:7
 101:14,17 102:2
 104:19 123:1,1,10
 124:7,14,21 125:4
 125:20 154:4,4,18
 154:22 155:5,12
 155:18,21 156:2
 156:18 157:11
 170:21,21 171:18
 200:5,8,10,10,17
 200:20 201:6,9,12
 201:16,18 203:21
 204:9,12,15,20
 205:5,9,15,20
 206:3,5,16 241:22
 242:6,18,22
 277:16,16,17
 279:4,17 315:12
 317:7,7,8,17
 320:2 321:13
 322:2,10
China 56:1 265:17
 267:15
choices 91:20
choose 92:9 124:4
 178:1 184:17,21
chooses 184:7,8
choosing 263:11
 263:14
Chorus 38:4
chose 18:20 255:5
Christiansen 138:6
circumstances

167:22
citrus 57:21
clarification 42:5
 58:12 62:6 92:15
 93:18 101:16
 151:20 185:3,22
 206:17 238:12
 262:5 263:2
 277:12 280:16
 316:19 322:3,11
clarifications 140:2
clarified 100:8
clarify 21:7 29:11
 30:9 49:11,16
 66:9 99:11,20
 100:5 101:21
 116:10 122:4,9
 124:8 142:2 154:5
 155:19 182:4
 209:12 219:16
 233:11 235:15
 239:1 266:13
 280:22 281:6
 298:10
class 160:22
classifications
 215:16 221:17
 249:16 262:9
classified 126:10
 287:2 316:9
classify 67:14
 194:11 234:13
classifying 194:21
classroom 160:17
clean 43:3
cleaner 193:11
cleanliness 134:6
clear 7:20 29:18,21
 35:17 42:21 71:20
 206:8 283:11
 298:8
cleared 237:14
clearly 52:9 210:6
Clementines 189:8
clerk 6:10
Climate 161:17
close 23:15,21
 108:10 114:20

187:5,6
closed 24:5 188:22
closely 292:1
closer 277:7
Clovis 1:13
CMRB(sic) 142:20
Co- 184:9
co-op 177:3 184:10
 184:11
codified 253:3
coffee 19:2,6
cold 57:7
colleague 224:17
colleagues 190:12
collect 142:10
 307:20
collected 60:13
 103:7 142:4,8
collective 25:2
 37:12,17 86:7
 109:12 112:1
 118:22 119:10
 151:2,10
color 313:20
Columbia 290:22
column 274:6
combined 262:1
come 17:8 22:4
 24:22 70:20 127:6
 171:10 179:8
 191:1 195:7
 210:20 211:6
 240:14 304:14
 306:14
comes 17:8
comfortable 65:19
 67:21 68:14 152:7
 152:10 194:21
 240:19
coming 18:11
 67:10 70:10 157:9
 191:14 193:10
 228:2
commence 263:5
comment 111:10
 212:18 214:3
 218:1 232:21
 250:6 266:20

267:2 268:17
 273:8 287:19
 288:5 301:16
 322:8,15 324:11
comments 112:14
 113:1 135:11
 252:13 280:16
 311:4 322:17
 325:11
committee 4:16
 5:18 9:12 10:5
 12:13,17,21 14:3
 30:2 51:15,16
 54:11,14 55:7
 62:8 69:8 73:6,9
 73:10 74:10,20
 79:20 80:3 85:17
 86:1 93:2 103:11
 108:7 110:22
 111:2,9,16 122:16
 132:4 133:4
 134:19 150:11
 160:10 175:21
 178:13 180:14
 209:21 210:9
 211:3 212:10
 213:20 215:2,12
 217:17 219:12
 232:16 239:12
 243:17 246:10
 249:17 284:20
 285:17 288:9
 289:1,13 291:9
 295:8,9 301:13
 318:14 319:6
committee's 217:5
committees 114:10
 217:16
commodities
 164:12,13 246:22
commodity 36:14
 132:15 160:12
 163:15
common 16:15
 17:16 20:3,12
 288:16 294:22
communication
 115:1

communications
 27:18
communicators
 137:19
community 137:21
 213:6
companies 196:6
company 166:18
 176:21 194:16
 208:18 234:4,14
comparative
 153:14
compared 44:13,15
 45:8 46:1,3,17,18
 47:13,14 157:8
comparison 314:11
compelled 177:22
compete 270:7
competing 177:22
competition 98:9
 122:12
competitive 110:17
 129:8 237:20
 252:9 259:22
 262:2
competitiveness
 167:16
competitors 213:9
compilation 89:13
complete 7:16 54:1
 289:17
completed 201:14
completes 54:8
 302:20
compliance 135:5
 149:14,15,18,19
 153:12,21 181:6,7
 214:6 218:4
 301:20
comply 278:16
component 117:8
 138:2 139:13
Compost 54:7
comprehensive
 151:13 270:17
comprised 54:15
compromise
 296:11

concept 151:2 281:17 283:1,3	confirm 256:17 325:4	213:15 216:7,8 225:18 226:9,18 228:20 229:5 236:6 237:9 238:7 239:7 249:12 251:15 257:3 270:18 271:2	292:3 293:12 303:7,10 307:10 307:13,22 308:17
concern 117:5,5 235:15 236:15 269:22 271:5 273:4 299:18	conform 10:9 30:11 125:16 212:5 248:7 256:3	confused 49:22 91:8,9 241:7 321:11	continuation 88:3 252:18 269:20,21 271:13 272:15 276:4 281:1 282:8 288:6 291:13,15 291:18 292:5 296:14 306:14 323:16,21 325:2
concerned 116:1 244:2 265:18	confusing 235:7 310:6 315:17	consumer-driven 228:1 256:20	continue 57:19 92:9,10 98:1 107:22 109:12 112:20 122:15 133:14 136:11 163:20 165:21 171:17 247:19 255:3 271:16 286:17 297:2
concerning 34:13 34:15 209:8 220:14	confusion 267:8 268:5,20 298:14	consumers 133:22 134:12 147:20 171:9,15 179:12 215:6 216:14 217:7 230:3 251:7	continued 211:16
concerns 10:16 17:6 24:9,18 27:5 54:3 115:12 116:4 210:21	connected 189:20	consuming 8:11	continues 144:18 206:10
concession 19:1	connecting 260:4	contact 8:4,10 108:10 114:20 158:22 253:12	continuing 136:1 143:11 269:20 272:6
conclude 118:3	connection 30:17 124:10 156:4	contained 318:19	continuous 53:18 134:10 139:5 150:22
concludes 58:1 89:14	consensus 88:2 135:2 292:22 306:21	contains 80:15	contribute 146:14
conclusion 251:17	consensus-build... 295:3	contaminant 169:8 169:8 170:4 312:2	contributed 163:6
concretely 210:22	consequences 197:5	contaminated 170:6	contribution 55:18
concurrent 75:12 79:19 81:18 87:11 88:13 93:1	consider 74:3 319:18	contamination 223:19	control 74:12 104:8 110:6,7 133:12 136:22 169:8,15 205:16 209:16
condition 85:18 209:18,22 210:8 212:8 215:3,15 222:15,18 239:14 248:11,22 249:15 257:21 260:11 298:12 318:8,10 318:11,14 319:4,8 319:14	consideration 93:14	contaminations 169:16	controlled 57:6
conditions 299:17 302:10	considered 146:2 153:13 237:14 316:2	contemplated 85:12	controller 175:20
conduct 16:13 17:15 86:5 87:5 88:18 95:8,9 96:5 108:17	consist 51:22	contemplating 247:10	controls 205:19
conducted 87:9 88:22	consistent 32:11 229:21	contemporaneou... 42:12	conversion 49:17
conducting 97:19	consistently 56:20 227:3	content 53:9 58:22 63:17 64:3,4 144:22 146:20 147:11	cooking 56:11 312:15
confectionary 287:10	consists 73:20	contests 56:6,11	cooperative 57:16 114:15 135:17 183:20 286:14 287:1 295:16 296:16
confidence 212:22 226:9	constant 160:15,15 311:22	context 223:4	Coordinator 12:17
confident 217:8 314:18	constituents 86:22 94:11	continual 271:6	
	Constitution 314:12	continuance 9:21 80:6 86:18,19 87:6,9 88:11,19 88:22 98:17 101:11,12 125:9 274:16 275:11 276:1 281:17	
	consultant 14:4		
	consumer 56:7 137:14 143:16 145:15 147:16 148:14 171:4,7,7 179:13 211:5		

- copies** 35:7,7,9,11
35:18 71:21 72:6
76:16 112:18
- copy** 6:20 22:17
29:3 35:2 72:2
106:1 317:16
- corporation** 195:21
- correct** 29:13 30:3
30:13 39:1,2,17
39:18,22 40:3
41:1,2,5 49:20
50:2 60:3,6,9,10
60:16 64:1,2
91:15 93:12 97:1
97:12 99:6 101:22
102:11 120:22
125:16 140:10
142:6 149:7
182:13,20,21
183:4,5 185:10
187:20,21 191:11
192:11,14 194:3,6
194:16 206:12,13
219:2 221:6
222:10 224:12
225:15 230:7
234:7 236:1 240:1
255:8 257:20,21
260:12 261:22
267:5,6 268:2,3
268:12 280:18,19
281:4 282:1 285:1
293:22 305:3
316:3 320:20
322:9
- corrections** 31:12
- correctly** 96:17
168:19 182:16
191:7 239:18
311:8
- correlation** 121:5
- corresponding**
90:3
- cost** 180:13,15
200:14 214:6
250:16,19 255:18
256:14,16 257:5
261:9 298:22
- 299:22 301:11
- cost-effective**
300:7
- costing** 261:10,20
- costly** 119:6
- costs** 111:8 134:5
134:13 136:18
149:5 251:2
255:20,22 256:15
300:11
- counsel** 2:4 11:4
15:18,19 21:7
27:9 32:8 35:18
38:10,14 50:22
51:5 64:1 72:13
159:21 162:11
201:10 203:19
206:7 227:9
231:20 235:4
242:17 321:8
- count** 175:18
- counted** 52:22
- Counties** 52:1,2
- countries** 55:12,21
56:17,22 157:10
166:21 167:3
168:11,16 215:6,7
216:19 238:10
249:8,13 265:8,15
265:16,22 270:8,9
287:11 288:4
301:2,3
- country** 57:1
167:21 216:19
225:14 238:2,4
258:7 266:2
- country's** 216:20
- County** 83:10
177:15
- County's** 132:15
- couple** 58:11 60:1
92:14 98:19 139:2
140:2 234:1,17
248:16 252:13
303:6 315:20
- courageous** 192:5
- course** 98:18
202:16 259:7
- court** 6:14,18 8:5
8:19 14:8 22:17
23:3 25:9,13 26:5
26:19 28:16 33:3
33:4 42:5,7,16
43:1,4 49:5 52:5
72:2,5 73:19
76:15 79:13
100:22 137:2
158:21 278:18
290:4,21 291:6
293:3 297:7,9
- courteously** 18:14
- courtesy** 16:15
17:17 20:3,7
- Courts** 91:8
- cover** 64:9 111:8
266:12
- covering** 285:17
- CRB** 86:12 98:11
- Cream** 116:18
- create** 161:22
170:11,14 212:21
225:12,13 226:7
228:11 233:12
262:15,17 264:22
292:22 311:10
314:7
- created** 56:14 57:3
162:18 233:5
238:6
- creates** 160:14
244:2
- creating** 138:18
191:9 212:22
227:1 236:6,13
- creation** 239:19
- creators** 314:15
- criteria** 109:22
301:4
- critical** 133:11
190:19 246:22
- CRMB** 89:9 90:3
97:10,18 102:17
103:1 108:5,6,19
109:3,9,10,14
110:22 111:15,19
111:21 112:3,10
- 114:11 116:3
133:6,8 134:17,18
134:22 136:8
141:17 154:7,11
162:1 163:4,16
164:1,3 165:1
- CRMB's** 141:16
- crop** 4:14,15 43:9
43:19 44:7,9,11
44:14,19 45:2,3,5
45:7,14,17,18,20
45:21 46:2,8,10
46:14,16,18 47:7
47:8,10,12,13
61:6 78:7,10
80:17 86:7 89:6
98:1 101:3 106:6
106:19 108:17
109:5,12 110:16
127:4 129:7
132:18 133:5,8,11
133:18 134:3,16
141:10 142:21,21
160:14 161:4,13
162:8,12 163:10
164:1 274:13,14
275:9
- crops** 14:21 57:21
- cross** 21:22 58:6
92:11 223:12
- cross-** 100:12
- cross-reference**
89:16
- cultivar** 159:22
160:4 161:8,12,20
162:18,20,21
165:18
- cultivars** 161:6,19
163:19 166:20
167:9
- cultivate** 162:22
- cultivation** 161:11
163:20
- curious** 117:4
- curren** 190:18
- current** 8:12 57:22
109:13 111:1
116:10,15 178:21

210:4,5 215:10,14
 229:4 249:14
 296:16 297:16
currently 51:14
 54:20 83:5 84:21
 85:6 86:19 97:2
 108:3,13 109:8,9
 113:1,15 120:4,11
 121:10 126:15
 127:18 149:3,22
 151:22 153:14
 156:15 164:1
 209:4,20 215:8
 219:16 222:8,9,17
 226:11 230:15
 235:6 236:4
 244:13 249:9
 250:22 257:19
 258:6 260:1
 265:10 294:11
 300:22 311:14
 319:22
currents 249:11
curve 190:22
customer 210:21
 216:8,12 225:14
 225:19 250:13
 251:16 252:4
 256:21 298:5
 299:18 309:13
 310:9
customers 57:4
 213:12 215:5
 216:17 226:21
 244:1 248:1 249:8
 251:10 261:2
 287:7 295:21
 296:1,4 298:17
 299:1 300:16
 313:1,2 314:19
 315:5 321:4
customize 216:15
 251:9
cut 117:11 148:7
 236:15 289:8
cute 26:21
cutoff 264:7,15
cyclical 45:16

D

D 258:13
D-E- 12:10
D-E-B-B-I-E 16:6
D-G-E 11:19
D-I-N-H 15:17
D-O-R-I 12:15
D-O-V-I-N-E 140:8
D-U-R-A-N-D-O
 14:19
D.C 2:6,11,17 21:11
 23:22 39:4
dad 191:16
damage 136:17
 319:5
Dane 138:6
data 36:13 40:11
 41:3,4 43:10,13
 43:19 61:18,19
 161:22 162:10
 164:20 165:8,15
date 57:6 87:4
 88:17 292:11
 304:3 314:6 324:5
dated 5:17 285:10
Dave 138:16
David 140:4
Davis 159:18 162:3
day 8:13 16:20
 23:11 133:1 179:6
 192:19
days 196:16 313:18
 320:10
DC 286:2
de 128:13,16
deal 19:12 298:19
dealing 42:6,9
dealings 152:6
death 247:13
debate 304:11
 306:20 308:7
 311:4
Debbie 4:4,17
 12:10 16:6 28:5
 72:12,18 182:11
 303:15 304:20
December 41:12,13
 52:16

decent 186:11
decide 22:2 103:12
 256:9
decided 256:19
decision 27:16
 180:2 290:4 325:5
decisions 114:11
 154:13
declining 189:11
decrease 180:13
dedicated 203:7
deep 306:8
defect 312:15,16,16
defer 25:2 58:5
deference 25:10
deficiency 301:2
define 300:17 311:1
 315:4
defined 221:10
 319:22
definitely 119:15
 167:7 169:17,22
 171:16 227:16
definition 126:12
 152:8,9 153:3,5,7
 194:9,19 234:10
 264:11 309:15
 313:6 314:18
 316:22
definitions 264:5
degree 41:21 42:1
 159:19 229:17
 285:22 286:1
 297:3
degrees 267:20
dehydrators 54:21
 187:9 195:19
Dekusian 138:8
delay 163:6
deliberate 300:7
deliberations 69:6
delineated 268:11
deliver 316:18
delivering 8:18
Delray 208:18
demand 216:13,18
 225:14 250:14
 251:11 257:4

270:18 271:2
 302:11
demanded 228:4
demands 216:8
 225:19 226:12
 249:6 251:16
 252:8 261:19
demarked 268:1
demonstrate
 289:20
demonstrates
 302:5 304:12
Denmark 55:22
department 1:1 2:2
 2:4,9,14 3:10,14
 11:10 14:22 41:9
 159:15 230:20
 290:11,19 294:20
 301:17 311:6
department's
 287:20,21 289:14
depending 53:2
 57:1 91:21 118:9
 249:5 252:7
depends 71:11
 97:5 226:18
describe 183:7
 220:2 305:12
described 146:6
 183:8 197:6
 260:19
describing 178:3
description 4:10
 5:1 284:13
descriptive 77:21
design 270:13
 308:10
designate 235:20
designated 84:8,10
designation 238:1
designed 117:22
 178:16 239:22
desire 226:6
 263:12
desires 212:4
despite 293:9
 307:19
destination 86:3

215:14 227:3
 237:7 249:19
 301:15
destinations 85:16
 85:19 214:22
 215:4,19 216:5
 217:11,18 234:19
 234:21 235:1
 239:15 249:1,4
 250:1 251:13
 260:6,16 262:18
 263:16 264:20
 268:6,9,12 300:14
 319:13
destiny 267:13
destroying 321:6
detail 64:4 73:14
 220:3
details 87:1
determine 75:4
determines 301:7,9
determining 86:21
develop 75:8 86:1
 162:10 167:6
 215:12 217:10
 224:1 233:2
 249:17 301:6,14
 313:8
developed 87:2
 92:21 117:10,11
 118:1 144:9
 166:20 213:22
 217:21 232:18
 250:4 266:18
 293:10,14 294:21
 299:14 305:6
 310:16,17,18
developing 132:9
 148:19
development 56:6
 86:10 110:2
 133:12 136:18
 137:9 143:9
 148:10 159:22
 160:4,5 161:9
 164:16 166:13
 168:20 209:14
 270:21

Developments
 133:17
devote 119:5
 121:15
dialog 21:2
differ 138:21
difference 210:10
 219:22 220:3
 275:14 309:10,16
 312:8,13 314:9
 324:17
differences 144:3
 261:19 295:7
 306:19 312:22
different 9:20,20
 35:8 55:6 64:12
 83:20 85:15,16,18
 85:19,20 88:4
 99:22 100:3 101:8
 101:9 113:6,7
 118:12,13 125:7,7
 148:1,11 156:8
 167:21 173:13
 176:5 183:15
 184:22 198:7
 199:6 214:21,21
 215:3,4,6,9,18,19
 216:4,4 217:11,17
 217:18 218:16,18
 220:2 222:7,8
 225:14 226:11,12
 228:13 230:21
 232:17 234:18,19
 234:21,22 235:16
 235:17,22,22
 236:6,18,19
 239:13,15 248:22
 249:1,3,3,5,8,9,22
 249:22 251:12,12
 252:8 253:17
 254:10 256:13
 257:10 259:7
 260:5,6,15,15
 261:12,18 262:17
 262:17 263:15,15
 264:19,20 268:5,6
 268:8,8 276:9
 281:19 288:4

299:6 300:5,6,13
 300:13 301:1,1,4
 301:4,14 306:17
 307:5 309:22
 310:1,10,10,11
 313:13 317:11,12
 319:7,9,12,12,17
 319:18,21 320:1,3
 320:7,8 321:15,15
 321:16
differentiate 288:3
 300:10
differentiated
 301:7
difficult 8:8,13 17:4
 26:19 179:4 291:3
difficulty 197:7
Dinh 15:16,17
direct 20:18 21:6
 21:22 38:18 42:17
 51:4 72:17 76:12
 95:2 118:7,8
 119:11
directed 8:7 285:11
 291:6
directive 204:6
directly 143:17
director 14:19
 73:17
directors 115:10
disadvantage
 119:12 187:11
disagree 294:9
 295:11
disagreements
 25:4
disapprove 150:13
discontinuation
 272:11,14 282:5,9
discourage 283:18
discovered 110:14
discretely 20:9
discuss 27:21 28:3
 94:12 141:9
discussed 81:21
 127:1 195:4 204:4
 254:14 277:21
 278:10 299:15

301:15
discussing 43:16
discussion 87:14
 87:22 88:4 289:8
 304:11 305:22
 306:8
discussions 69:6
 69:17,21 142:14
disease 148:12,17
 161:10
disposition 318:7
 318:12,21
disruption 168:19
 168:20
disruptive 20:13
disservice 138:16
distinguish 176:6
distract 21:16
distracting 19:8
district 83:7,10,16
 83:17 176:8
 290:21,21
districts 83:7 176:5
 177:14
disturbs 18:9
diverse 288:18
diversity 306:1
divide 185:18
divided 55:5
Division 3:17 11:20
 14:15,20 15:10,14
 16:8 41:11,14
 73:18 209:6
docket 1:8 6:4,7
dockets 6:12
document 7:5
 22:15,21,22 29:7
 34:1,8,17 40:5,15
 61:14 62:13 63:11
 73:2 75:18,22
 78:12,18 79:2,8
 79:15 80:10,19
 131:12 159:8
 174:12 175:6
 181:16 269:15
 311:6 317:16
documents 35:1,3
 35:13 36:7 38:21

39:16,19 40:19
 48:8 65:18 66:3
 77:4,6,7 78:1 81:3
 81:5,8,14 106:22
 131:15 208:6,7,9
 242:14 323:2
doing 32:17 72:4
 143:12 173:19
 176:18 211:3,6
 228:9 253:22
 256:12
dollar 121:12,12
dollars 55:17,19,20
 56:19 119:5
domestic 217:7
 227:11,15 228:20
 230:3 299:7
domestically 129:9
door 195:7
Dori 12:14 72:22
dormant 52:17 54:9
DOV 136:20 139:6
 140:17,19,21
 162:20,21 226:15
DOVine 138:19
 140:5,6 161:7
downward 45:13
 46:7
downwards 44:10
draconian 17:3
dramatic 186:17
draw 187:14 276:19
dried 44:4 45:9,10
 45:11 47:9 53:21
 129:8 140:22
 141:1
dried-on- 133:13
Drilling 228:19
drink 18:22
drive 270:18 288:20
driven 225:13
 227:21
drop 269:6
drops 145:9
drought 86:10
 161:18
Drug 299:8
dry 113:12 117:10

117:16,19
dry-on- 162:19
drying 54:3 137:6
 140:20 146:18
due 54:2 57:19
 109:1 133:9
 177:19
duly 38:15 51:1
 72:14 107:12
 130:22 158:18
 173:6 207:17
 243:10 245:13
 284:10
Durando 14:17,18
 31:1,10 73:17
 74:9 94:12
duration 20:1
dust 170:9
duties 41:15
duty 23:5 39:3,4

E

E 4:1
E-N 13:1
E-S-S-E-N-C-E
 15:12
E-T-E 59:13
Earl 139:4
earlier 26:7 78:4
 89:8,11 122:4
 132:21 140:13
 143:2 182:11
 204:21 222:2
 260:13 303:13
 307:4 309:6
early 47:15 52:20
 52:22 53:7 54:3
 74:14 92:17 110:5
 176:4
easier 117:18 148:6
 194:5
easy 48:12 110:21
 183:17 288:21
 289:2
eat 25:21 171:8
 259:2
economic 41:16
 57:22 217:14

302:6,9
economical 110:12
 259:16
economically
 110:16 133:21
economics 11:20
 15:14 41:14 42:2
 285:22
Economist 2:10
 11:19 15:13 39:7
 39:9,10 41:15
education 190:10
educational 56:8
 117:8 118:5 190:7
 195:6 196:18
effect 211:9 213:2
 223:11 282:19
 319:1
effected 181:8
effective 37:15 87:4
 88:17 134:14
 135:20 318:9
 324:5
effects 180:5
efficiency 132:20
 133:20
efficient 261:6
effort 24:16 82:22
 86:7 109:12
 134:10 148:16,19
 150:22 151:10
 213:9 239:1
efforts 111:13,15
 111:21 112:6
 133:17 135:2
 143:7
eight 15:3,4 30:10
 30:15 44:14 45:7
 46:21 54:1 55:13
 104:17 196:12
 197:15 198:5
 206:6 306:3
either 53:22 57:7
 70:15 102:20,20
 108:19 112:3
 117:20 180:7
 184:18 189:7
 241:1 256:8

261:16 262:22
 290:5 310:14
elaborate 178:9
elected 289:3
elections 176:5
 177:8
eliminate 104:10
 205:13 287:22
 289:15
eliminated 188:19
 302:14
eliminating 206:9
emails 25:20
embedded 313:3,4
 313:4,5
emergencies 18:2
eminent 102:22
employed 13:1
 159:20
employee 37:1
 108:8 203:4
employees 27:16
 27:20 196:1
enacted 220:22
encapsulate 31:11
encompassing
 228:12
encourage 6:8,12
 56:14 82:22 83:3
encouraged 74:15
encouraging 21:2
endorse 206:9
 305:1
enforce 213:5
engaged 94:17
enjoy 56:21
enjoying 213:17
ensure 23:8 34:21
 35:11 160:18
 211:4 227:2
 228:20 232:10
ensuring 149:15
 217:6
enter 20:8 31:9
 75:11 89:3
entered 9:4 122:5
 159:5 242:3
entering 72:20

211:13 247:16
enterprise 300:15
entire 175:14 186:6
 203:9 244:4
 267:18 274:21
 275:15 287:13
 293:12 304:15
 308:15
entities 119:12
entitled 158:8
entity 154:8
entrance 28:6
environment 57:7
 310:21
equally 211:18
 248:4
equate 180:3
equates 185:10
equipment 261:8
eroded 189:4
errata 31:7
errors 30:14 125:16
especially 116:4
 169:21 171:11
ESQ 2:3
Essence 15:12
essentially 57:9
 116:11 232:8
 259:9 260:9
 271:14 296:2
establish 9:16,20
 10:5 30:18 70:9
 85:17 101:8 111:5
 119:22 120:8
 125:7,13 214:21
 215:2,18 232:9
 239:13 248:21
 249:2,21 251:18
 252:5 264:19
 278:21 300:5,16
 319:6
established 54:12
 163:8 165:16
 268:18 297:21
 318:14
establishes 215:15
 249:14
establishing

300:13
establishment
 286:10 317:11
estimate 136:5,9
estimated 91:22
et 24:17 86:10
Europe 157:6 244:1
 265:20 266:6
European 247:16
 265:15
evaluating 134:20
evaluation 222:3
event 86:12 99:7
 102:17 108:18
 111:18 121:2
 122:14 133:6
 154:14 164:2
 165:22 170:15
 212:3 256:9
 282:11
events 56:10
everybody 7:6
 97:18 186:10
 190:14,15 196:14
 227:19 232:10
everyone's 76:21
evidence 9:9 17:2
 23:21 36:8 48:1,9
 66:4 81:9 90:2
 91:14 128:10
 130:6 158:2
 172:10 202:4
 242:14 269:15
 323:2
evident 113:4
ex 27:17
exact 226:20
exactly 171:9
 197:20 223:12
 229:18 316:14
examination 18:21
 22:1 38:18 42:17
 51:4 58:6 72:17
 91:22 92:3,11
 113:19 122:22
 126:2 139:21
 151:18 154:3
 164:8 170:20

181:20 193:20
 200:9 203:20
 218:8 243:9
 245:12 284:9
 293:20
examine 7:19 21:20
 22:4 35:14
examined 38:16
 51:2 72:15 107:13
 131:1 158:19
 173:7 207:18
 243:11 245:14
 284:11
examining 11:5
 19:15 22:11
example 64:3,9
 83:17 85:12 93:10
 94:1 121:12
 128:14 161:7
 162:22 166:12
 169:7 170:3
 177:13 223:16,20
 227:11 230:16
 233:16 239:21
 247:10 255:22
 258:16 259:1
 261:4 281:18
 312:2 320:8
examples 106:8
 112:19 166:9
 223:1 225:20
 232:2 256:4
excellent 37:5
 100:11 174:4
exception 17:5
Exchanged 22:12
exciting 162:18
exclusively 52:5
excuse 32:7 42:4
 100:22 128:9
excused 50:10 70:7
 105:3 130:7 158:3
 172:5 207:4 240:9
 245:6 279:13
 284:1 325:17
excusing 18:13
execute 270:14
executed 149:17

executive 246:7
exempt 204:13
exhibit 4:10 5:1 7:4
 9:4 22:14 23:11
 24:2 29:3,8 31:9
 31:10 32:3,4,14
 32:15 33:9,10,19
 34:2,4,9,12,18
 36:9 39:20,21
 40:1,6,8,9,10,16
 42:11,14,16 47:22
 48:5,5,10 61:3,4,5
 61:15 62:11,14
 64:4 66:5 73:3
 75:16,19 76:11,11
 76:14,22 77:20
 78:3,5,6,13,15,19
 78:21 79:3,5,9,16
 79:18 80:4,11,15
 80:20 81:10 89:17
 90:4,8,16,16 91:1
 91:10 92:18 93:3
 106:1,3,11,14,16
 106:17,18,19
 107:5 122:5,6
 131:7,8 135:11
 138:11 140:3
 141:4 155:11
 159:4,5,9 172:1,4
 172:7,9 174:7,8
 175:2,7 181:13,18
 182:10 200:1,4
 201:21 202:1,3
 214:9,17,20
 218:20 224:16
 225:4,5,6,11
 231:16 232:15
 239:3,6 242:14
 245:22,22 253:3
 262:7 269:6,10,15
 273:19 274:6
 279:10,11 284:21
 284:21 285:8,9,13
 289:21 301:22
 303:20 304:18,18
 317:13 323:2
 324:9,10
exhibits 22:12 23:5

23:7,10 24:6 25:1
 28:9,21,22 29:1
 33:2,7 35:5,8,22
 36:4 42:22 47:21
 48:20 60:19,21
 64:19 65:13,18
 71:20 72:1,8,20
 76:17,20 77:19
 90:17 91:11
 105:22 107:1
 112:15 129:18,22
 130:2,4 131:4,17
 136:13 157:16,22
 158:1 173:9
 207:21 208:1,11
 242:8 245:19
 284:14 322:18
exist 86:12 98:12
 102:18,21 108:19
 109:11 111:19
 154:15 164:3
 222:19 311:10,14
existed 219:17
existence 184:6
 271:7
existing 165:17
 210:15 215:21
 239:20 267:3
exists 97:19 154:8
 218:21 219:16
exit 20:8
expanded 161:16
expect 16:21 23:9
 135:3 146:6
 302:10
expected 33:1
 45:11 179:11
 180:5 217:4
 250:21 299:13
expecting 22:20
expenditures 135:1
expensive 134:7
 135:14 137:13
 139:1 151:10
experience 95:2,10
 166:14 167:7
 169:3 171:4
 189:19 192:1

expert 67:17 68:15
expertise 151:8
 193:17 198:1
explain 58:18 60:20
 64:4 71:1 93:22
 114:3 143:21
 144:1 147:18
 149:14 166:13
 180:14 183:16,17
 185:4 210:10
 232:15
explained 96:7
 98:18
explore 63:22
 96:13
exploring 94:17
 231:15
export 55:3
exports 237:17
 301:3
expound 112:22
expressly 85:9
extend 137:21
extension 139:13
 171:13
extensive 135:17
 160:1,22
extent 272:18
extra 28:16 213:9
extraneous 19:13
 292:15
extrapolate 260:8
extrapolating
 260:18
extremely 22:13
eye 313:8 314:2

F

F 243:8,12 284:8,16
F-F 15:9
F-I-E-S-T-A 59:21
Facebook 19:16
faces 86:9
facilitate 17:2 71:22
 112:5 227:14
facilities 286:21
facility 165:21
 253:16

facing 147:7
fact 25:10 109:13
 113:8 116:1 121:8
 128:10 193:4
 199:8 210:5 235:3
 259:2 292:4
 307:19
factor 53:8
factors 302:6
failing 220:7,16
fair 184:4
fairly 186:2
fairness 203:13
fall 145:11 169:6
 212:7 222:14
 248:10 264:10
familiar 63:11
 111:2 114:4
 120:18 143:22
 154:18,21 303:21
 304:18
familiarity 63:22
families 213:17
family 56:11 175:19
 195:22 196:2
 246:14
family-owned
 208:19
far 8:19 57:18
 128:12 168:4,14
 168:16 266:4
farm 13:4 52:14
 83:16 110:16
 132:16 135:18
 137:6,16 175:19
 190:1 191:14
farmed 246:14
farming 108:13
fast 23:18
father 246:20
favor 14:6 82:2
 205:7,9 272:12
 275:22 278:1,9
 287:21 288:1,2
 292:5
favored 86:22 87:7
 88:20 274:16
 275:11

FDA 210:20 212:5
 248:8
February 52:19,20
federal 27:13 29:3
 41:18,20 75:6,9
 100:17,19 101:2
 111:17 120:13
 142:7,11 150:2
 160:13 165:12
 175:20 247:2
 248:20 286:8
feedback 254:10
feel 9:5 18:12 20:16
 67:20,22 68:14
 128:1 129:6 152:7
 152:10 194:21
 197:21 198:9
 237:19 244:16
feeling 64:18
feels 111:21
feet 195:9
fell 47:16
fellow 192:18
 254:11,14,15
fellows 190:16
fertilization 110:8
 132:20 144:16
Fetridge 4:3
fewer 110:15
 313:22,22,22
 314:1
fiber 259:3 320:11
field 3:16 12:15
 14:16 16:2 61:12
 115:4 135:18
 146:3 170:8
 211:21 312:16
Fiesta 53:20 59:16
 59:17,18 138:20
 161:7 167:8
Fifth 73:21
figuring 156:13
file 6:10
filed 6:12 290:1,3
fill 83:20 84:1,5
 162:1 188:1
filled 82:13,14,18
 82:20 84:13

187:17,18	five 7:2 9:11 44:13	72:16 107:14	found 26:18 52:22
filling 8:17	44:17 49:2,7	131:2 149:3	232:3 274:15
final 87:19 112:7	52:15 55:20 73:12	158:20 173:8	275:10
276:13 308:13	75:8 79:12 81:19	207:19 243:11	foundation 230:22
318:7,12,21	82:12 87:3 88:16	245:14 274:8	302:17
finally 30:16 278:20	89:12 98:21 99:2	284:11 316:13	foundational 9:4
financial 109:19	99:3 100:21 101:4	food 18:22 157:4	22:14,20,21 29:1
118:19	101:11,13,13	169:7,19 170:7	four 28:22 35:22
financially 86:13	103:4 109:10	212:6 213:12	44:5 73:8 82:8
102:18,21 108:20	159:16 177:18	223:4,8,17 246:18	86:4 88:7 97:8
112:8 119:4	193:9 201:5	246:19 248:8	101:8 175:22
find 8:16 16:16 22:7	303:12,18,19	252:3 299:7,8	288:2 300:12
37:10 95:11	305:15,18,21,21	300:15	frame 91:22 92:2
161:14 196:7	306:3 308:16	force 289:12	155:3 179:10
309:14	five- 308:20	forefront 167:4,20	297:11
finds 213:4	five-year 44:15	foreign 213:8 217:7	framers 314:12
fine 35:2 42:20 63:7	45:8 46:3,19	227:10 230:3	frames 26:16
155:7 243:14	47:14 307:7	247:19 252:3,9	framework 212:8
315:15	fix 203:14	foremost 287:4	222:14 248:11
finish 20:15 162:13	flags 268:7	form 51:13 74:20	270:4 282:6 293:8
165:7	flat 146:11	209:17 267:12	Fred 138:7
finished 174:2	flavor 312:9,9	formal 54:13 74:2	free 61:9 283:14
201:11	320:18,22	74:13 88:13 93:5	Fresno 3:20 13:13
Finland 56:1	fleshed 127:3	107:18	51:22 52:2 55:15
first 6:8,13 14:11	flexibility 85:11	formally 23:20,20	83:10 95:20
15:8 37:7 38:10	212:10 248:14	format 177:19	132:13,15 159:14
38:15 50:14 51:1	flexible 223:15	formation 289:19	159:16 160:21
58:12 72:14 84:9	flow 160:15	291:16	162:2 165:2,4
86:14 87:2 88:2,8	fly 146:11	formats 63:18	175:12 177:15
95:16 118:16	focus 7:9 145:14	formed 53:3 302:7	184:9 288:21
124:17 142:19	265:20	314:13	friends 195:17
150:19 162:19,20	focused 54:22	former 134:18	front 6:21 91:2
174:1,8 175:17	focuses 114:7	forms 63:18	137:3 244:19
197:13 202:14	folks 94:17 95:15	forth 103:17 155:10	317:15
214:7 243:9	253:11	155:13 252:11	fruit 41:18 43:21
244:17 245:1,12	follow 100:14	278:17 281:1	129:8 220:7,8
245:20 247:6	120:12 293:18	282:6 298:15	228:6 270:7
262:6 264:3 274:5	follow- 227:7	forthcoming 212:5	fruition 139:4
284:9,21 287:4	follow-up 145:20	248:8	FSMA 248:9
288:8,15 297:1,9	189:14 203:17	fortunate 138:5	full 19:21 98:22
303:10,17 305:17	221:3 263:10	271:4	122:12 134:22
305:19 306:7	followed 45:17	forward 10:20	179:21,22 295:8,9
308:12,17 321:7	47:5 87:22 149:22	16:18 25:7 51:9	306:20 308:8,12
322:16	150:1	70:8 91:21 103:13	fuller 179:15
firsthand 132:17	following 45:13	105:14 154:17	fully 118:6 299:15
134:19	73:13 82:8 86:14	207:10 210:17	301:17 307:7
fit 86:17 211:2	87:21	244:12 252:11	fun 280:6
fits 249:12	follows 38:17 51:3	269:18 279:21	function 190:5

functioning 154:11
187:10
functions 117:21
191:2,3
fund 86:13 102:18
102:22 109:14
112:10 113:16
116:6 119:7 133:5
133:8,11 142:21
154:12,15,17
162:12 163:4,10
164:1
fundamental 312:8
fundamentals
289:17
funded 56:18 60:9
60:15 111:22
113:9 133:2 143:8
143:11 162:2,6
164:19 165:1
funding 60:12
103:20 109:1,3
111:20 116:3,12
119:7,21 120:8,21
121:9 122:14
127:3,6,13,16
132:11 141:17
154:8,9,14 160:12
165:4,6
funds 56:15 57:2
97:22 98:11 121:6
154:12 270:13
fungicide 211:8
312:3
fungus 94:1 157:4
211:11,12 232:4
247:15
further 48:17 50:6
58:3 65:11 66:6
67:2 68:22 70:2,3
70:7 81:13 91:17
99:16,18 104:22
105:3 113:5,17
122:20 125:22
129:12,14 151:15
151:16 157:12
170:19 171:19
188:2 193:18

199:22 202:8
206:19,22 212:4
225:2 233:19,20
238:18 240:5,9
248:7 252:5 263:3
269:1 277:14
279:6 283:6,8
301:11 315:10
319:2 322:13
325:13
Furthermore 212:3
future 9:6 10:12
74:18 85:11 110:9
112:1,10 119:15
160:19 210:19
212:10 223:21
225:22 232:2
233:17 237:17
248:14 256:3
288:14 299:5
302:10 304:15
314:6
FV 6:7
FV-146 209:17
210:7

G

G-E-R-O-N-I-M-O
11:14
G-L-E-N 13:17,21
G-O-T-O 13:17,21
G.M 176:22 196:3
gamut 152:13
gap 165:14
gaps 161:22
Garden 1:13
gather 198:2
general 2:4 11:4
12:12 15:18,18
20:22 62:22 69:20
69:21,22 94:4,10
281:18 283:1
generally 36:13
123:11 237:13
238:9 253:12
287:12 295:1,6
296:3
generate 121:13

generating 287:16
generation 51:12
67:9 108:12 126:5
191:15 304:16
genetics 160:5
gentleman 140:19
315:18
George 138:7
Georgetown 286:1
Germany 56:1
Geronimo 2:14
11:14
geronimo.quinon...
2:20
getting 147:22
157:8 196:7,10
198:6 257:6
297:13 298:21
gigantic 135:13
give 8:14 19:19,21
24:17 25:9 37:20
38:1 85:16 86:5
89:22 96:4 108:16
119:1 133:4 146:8
162:13 166:9
170:2 173:21
180:1 211:22
212:13 219:11
225:20 226:8,9
256:4 284:13
given 6:14 21:18
37:11 114:8
126:14 162:11
163:10,22 197:6
gives 25:20 106:8
222:3 255:1
giving 8:16 14:5
19:22 22:3 64:19
72:19 78:5 133:10
171:13 196:14
198:7 214:5
241:12
Glen 13:17,21
Glenn 188:14,15
global 85:19,21
246:22 247:8
252:1 262:3 270:7
270:16 295:21

296:1 300:15
globe 55:12 300:16
go 24:19 25:18,22
42:15,17 43:2
54:9 76:20,20
77:2,5,15,19
97:20 103:15
111:8 112:17
120:3,7 124:12
145:1,11 147:9
171:11 189:6
190:16 202:20
205:2 225:22
226:7 230:19
231:1 233:10
236:14 242:1
244:19 245:1,4
262:18,22 276:7
290:13 296:8
305:20,20 310:19
311:14 315:13,14
325:20
goal 257:15
God 38:3
goes 19:16 64:22
300:4
going 6:21 7:9 8:3
12:7,7,8 16:11
17:17 18:18,18
19:2 22:7 24:3,4
25:2,8 26:20 27:2
27:9 35:13 36:14
37:16 48:11 63:20
64:16,20 89:16
95:19 96:19
103:12 104:4
105:4,5,5 115:3
116:15 139:11
169:19,20 171:14
177:7 178:19
179:10 180:15
191:1,16 193:7
196:18 209:8
214:19 220:9
227:2 231:4,8
240:13,18 241:5,6
241:20 248:18
254:18 256:14,14

263:9 266:10
 268:16 273:7
 274:10 280:7
 283:15,16 288:5
 291:9 307:21
 312:5
good 10:22 11:7,17
 12:1 13:6,10,16
 13:20 14:1,17
 15:7,11,16 16:5
 21:10 25:12 29:20
 51:10 53:10,12
 56:21 58:8 77:10
 121:15,17 135:2
 137:18,19 145:10
 177:11 181:22
 182:1 192:4 193:2
 193:3 196:8
 198:10 199:9,12
 204:18 216:18
 218:10 302:17
 320:11,18
Goto 13:16,17,20
 13:21
gotten 68:4 141:13
 189:5
governing 320:19
government 37:1
 41:17 43:13
 213:12 307:1
governmental
 301:18
Governor 34:14
grade 85:18,20
 144:13 145:5
 210:11 215:3,9,15
 215:16,16 220:1,4
 220:5,5,11,15
 221:7,16,16,17,18
 221:22 222:9,14
 222:18 226:4,5,7
 227:4 229:6,7
 239:14,21 248:11
 248:22 249:10,15
 249:16,16 257:20
 257:22 258:1,2,8
 258:10,17,22
 259:12 260:20,21

262:5,6,8,9,9
 309:10,14,17,18
 309:21 310:3,4
 311:20 312:10
 313:18 314:9,15
 314:18 315:1
 318:9,13 319:3,8
 319:14,22 321:21
 321:21,22
graded 145:4,6
grades 215:20
 221:8 261:11,13
 262:11,12,15
 311:13
grading 209:22
 212:8
gram 320:15
grandfather 246:20
grandpa 191:16
grant 55:8,10
 255:11
granted 150:5
granularity 228:20
granulated 263:13
 267:20 268:10
grape 13:13 117:19
 132:7,7 147:13
 160:2,19 258:21
grapes 1:5 13:5
 59:1,3 66:18
 108:14 110:3
 132:8,9,9 143:13
 143:14 148:21,21
 160:1 164:14,16
 166:7,19 228:22
 229:1,6 258:20
 267:22 302:2
grapevine 136:21
 148:19 160:3,4,5
 162:4 187:3
grapevines 53:5
 137:10
graph 44:5,17 45:9
 45:15 46:4,20
 49:2,7
graphs 43:15 44:1
gravity 145:8
great 16:4 62:4

143:22,22 167:6
 197:22 270:5
 283:4
great-uncle 246:20
greater 68:10
 119:17 194:20
 234:11 317:1
greatest 286:22
greatly 44:19
green 49:4,10,19
 50:1 52:21
grind 319:3
ground 136:3
group 26:16 74:20
 112:5,9 114:6,14
 116:7 119:7
 203:12 229:5
 243:17 271:15
 292:21 305:6,9,15
 307:9 308:7
groups 160:12
 163:16 227:15
 289:8 295:7,13
grow 53:4
grower 9:17 14:4
 47:5 51:12,12
 57:9,10 61:11
 67:9,15 82:9,10
 102:8,9 105:17,18
 108:9,11,13
 114:14,15,17,21
 115:15 119:6,18
 124:22 125:1
 126:5,11,12 132:1
 134:4 135:16
 137:20 140:15
 141:5,21 142:5,11
 151:6,22 152:1,2
 152:5 163:12
 166:1 173:22
 176:12,20 177:1,5
 177:6 180:11,19
 183:14 184:7
 187:17 194:11,12
 200:14 202:21
 203:5,5 264:11
 265:3 278:6,6
 286:19 295:18

310:3,7
growers 13:9 46:4
 46:6,10,13 47:3
 57:20 67:12,19,22
 68:3,4,5,11 94:22
 95:17 109:19
 110:10,16 113:10
 114:6,15 115:2,4
 115:6,7,9,12,15
 116:1 117:14
 118:11,19 119:4
 119:17 132:2
 133:1 137:14,22
 139:2,8 141:6,10
 141:14 142:14
 147:21 152:6,10
 152:14,21 162:13
 162:22 171:14
 176:7,7,11 177:9
 178:1,4,14 179:2
 179:2,21 180:1,7
 180:8 183:2,9,21
 184:1,17 185:6
 186:12 187:8
 188:3,7 189:6,9
 192:18 211:20
 213:3,10 216:2
 217:1 243:15
 251:5 253:10,15
 253:18,19 254:11
 254:13 264:6,6
 283:2 284:17
 287:2,18 290:18
 296:6 298:21
 304:16 316:1,2,9
 316:15,17,17
growers' 298:15
growing 52:16 54:9
 57:18
grown 1:6 9:11
 57:13 135:16
 258:20,20
guarantee 195:14
guess 152:17
 170:22 223:14
 238:5 257:16
 259:21 271:5,21
 325:10

guidelines 212:5
223:7 248:8 293:9
299:8
gum 19:7,9
guy 193:13,14
guys 48:11 196:3
269:4 273:9

H

H-A-L-E-S 15:12
H-M-A-E-D-I-C-K
11:9
habits 226:19
Hales 15:11,12
half 25:16 46:13
52:19 55:17 56:19
185:20
half-grower 295:17
half-processor
295:16
halfway 274:11
hand 22:16 28:18
37:21 53:17 72:8
300:4,5
handed 33:4 60:19
72:1 208:2
handful 203:7
handing 35:2 38:20
handle 114:9
246:16
handler 142:8
194:20,22 234:6
234:11,14,16
246:9 264:9,14
286:13,18 287:8
288:15 295:17,19
296:11 299:21
301:5,5 317:3,4
318:6 319:2
handlers 54:16
57:15 68:9,13,15
133:22 134:12
171:1 179:12
192:18 211:19
213:11 216:10,12
247:9 248:5 250:9
250:12,13,17,20
253:11 254:11,14

254:15 255:19
264:6 270:11
296:3,5 297:2
304:16
Handlers' 180:13
handling 9:10 85:9
136:17 256:2
handout 62:5
hands 137:22 271:7
272:19
happen 18:3 24:3
98:10 109:18
114:22 118:18
168:3 195:15
273:18
happened 189:3
305:13
happening 103:5
happens 18:17
53:1 89:13 97:21
103:20 187:2
happy 65:6 273:9
hard 19:21 148:3
179:8 196:7
292:20 308:5
harder 165:15
harsher 148:3
harvest 53:14,16
53:17,18 54:1,6
57:6 110:3
harvested 53:20
57:14 64:10
110:15
harvesting 137:8
hastened 161:10
hate 319:16
Haven 14:15
head 289:5
heading 6:15
headquarters
55:14
health 57:22 259:5
healthy 186:12
hear 277:21 279:21
309:8
heard 187:2 264:4
289:10 309:6
hearing 1:3,12 4:11

6:4,10 9:8 10:10
10:17 11:5 15:2
16:13 17:3,15
18:6 19:13 21:2
21:21 27:12 29:12
29:14,16 30:1,6,8
30:12 31:3 32:5
33:9,20 34:6,13
34:15 36:14 39:17
41:1 43:7,14,16
70:6 74:13 79:22
100:1,4 102:4,8
105:2 124:15
127:2 155:6
186:17 201:7
203:22 204:2
205:22 253:20
273:19 290:6,14
291:21 293:19
303:9 304:4
317:13
hearings 39:14
74:3 103:14
heighten 256:8,10
heightened 259:11
held 24:14 63:21
80:5 81:19 83:6
176:4 177:13
213:11 291:15
Hello 11:13
help 7:14 38:3
41:18 72:8 110:16
119:16 147:4
156:9 170:14
188:1 247:6 248:6
249:4 251:19,21
252:6 254:17
270:11,20
helpful 16:16,20
22:14 139:16
228:18 256:5
268:22
helping 252:8
helps 7:6 129:7
herbicide 312:3
herbicides 211:7
Hi 13:6 17:11
high 18:5 44:7,22

45:19 144:14
216:11 250:12,12
266:1,3
high-yielding
132:22
higher 53:11 57:20
133:19,20 134:2
134:13 143:18
144:21,21 145:6
146:20 147:11
213:11 217:2,3
220:8 226:5
228:19 251:5,7
260:21 265:1
267:20
highest 84:8,9
highly 161:6
Hilton 1:13
hinges 272:17
hired 176:1,21
history 64:5 126:19
182:16 243:22
285:17 293:13
295:3
hit 227:19
hold 84:15,16 96:3
179:1 240:18
290:5 308:9
holding 291:13
homework 72:4
Hong 56:2
Honor 11:1,13 14:2
14:18 27:10 28:20
36:1 48:1 50:12
66:8 67:4 69:1
76:3,19 99:19
178:7 181:19
200:5 206:17
224:15 241:22
253:4 266:9
273:13 279:17
Honorable 285:11
hooked 195:17
hope 83:19 195:12
263:9,17
hopeful 48:14
hopefully 47:16
179:17 226:7

hoping 196:17
Horne 74:11 290:4
 297:6
hour 25:16,19 96:3
 179:9
hour's 288:20
house 95:18
housekeeping
 297:16
https://www.ams...
 28:11
Huh 49:15
hundreds 289:6
hurt 254:18 255:5

I

I-N-O-N-E-S 11:15
I-S-O-N 66:17
i.e 229:1
idea 29:20 104:16
 226:1 307:10
ideal 281:22
ideas 94:13 124:2
identification 29:9
 32:13 34:3,10,19
 40:7,17 61:16
 62:15 73:4 75:20
 78:14,20 79:4,10
 79:17 80:12,21
 107:3 131:16
 159:10 175:8
 208:12
identified 36:5
 76:16 130:3
 157:22 172:8
 182:19 268:1
identify 7:8 17:9
 48:21 66:11
 105:15,22 130:14
 131:4 158:12
 213:14 235:20
 241:12 280:9
identifying 77:21
 149:4
ii 102:5
illegal 229:14
imagine 19:7 205:2
 265:21

immediate 197:11
immediately 187:4
 277:5
impact 110:10
 114:12 117:21
 118:9 119:18
 128:3,11,16 143:3
 166:11 168:22
 169:5 179:11,13
 179:14 197:11
 212:12 216:9,11
 217:14 237:17
 250:8,11 294:10
 299:13 301:20
impact-wise 198:4
impacted 23:1
 244:10
impactful 123:19
impacts 93:15
 119:14,16 171:3
 214:6 216:2 218:4
implement 85:13
 88:6 106:10 124:5
 212:4 247:12
 248:7 299:5
implementation
 110:20 111:4,10
 217:12 300:11
 301:19,20
implemented 96:18
 99:8 118:7,10
 123:9 134:17
 154:6 165:11
 180:18 212:19
 214:4 216:1,22
 218:2 223:8 233:1
 250:7,10,18,20
 266:21 267:12
 299:16 308:19
implementing
 211:16 248:2
implied 210:12,16
imply 219:5
import 56:21
 211:15 247:18
importance 118:22
 132:17
important 21:18

97:14 98:2 108:22
 109:4,15 111:22
 113:8,16 114:11
 115:10 138:2
 157:5,6 169:13
 196:13 210:10,12
 213:4 223:3 293:5
 298:4 309:12
 310:7,9
importantly 108:12
importer 238:3,5
importers 56:17
 57:2 238:14
impossible 162:1
 314:2
improperly 117:7
improve 10:13
 134:3 144:18
 179:20 212:9
 270:18 299:20
improved 110:3
 132:19 133:13
 134:15 143:19
 299:16
improving 134:5
in-country 55:13
Incentive 55:8
 56:13 60:6
include 23:7 41:16
 55:22 56:5 75:14
 93:10,13 111:16
 134:13 135:5
 309:20 324:22
included 6:17
 64:13 135:7
 182:10 193:9
 293:15
including 6:16
 16:12 17:22 33:2
 72:20 110:4,6
 114:10 266:15
 286:8
inclusion 210:18
incoming 212:1
 298:12,16 310:6
 312:16
inconsistencies
 30:13 31:19

incorporating
 149:4
incorrectly 281:2
increase 121:3,5
 121:12,20 128:7
 129:2 178:13
 180:10,12 217:1
 251:5 298:17
increased 46:6,12
 82:22 111:8 120:2
 128:1,3 146:15
 250:16,19 255:18
 270:18
increasing 134:4
Independence 2:5
 2:10,16
independent 9:17
 82:9,10 83:5,15
 84:4 94:22 102:8
 102:9 115:6
 124:22 125:1
 173:22 176:6
 177:5,8,12 178:4
 178:14 179:2,3,21
 180:1,6,8,10,19
 183:13,14 184:1,7
 184:17 185:5
 186:1,7 187:8,16
 188:3,7 200:13,13
 203:5 253:17
 271:12 278:5,6
 287:18
independents
 182:20 183:8,9
 295:14
indicate 20:13 98:4
 185:5 210:5
 218:21
indicated 9:6 30:4
 35:5 136:2 231:16
 240:11
indicates 33:20
 118:21 291:11
indicating 32:5
 34:5
indication 307:6
individual 26:4
 96:9 115:5 139:1

235:3 238:3,13
300:17,21
individually 109:19
118:19 119:5
124:13
individuals 73:14
95:11 123:18,22
191:7 270:15
289:3
Indonesia 56:2
industrial 57:4
industries 271:22
307:14
industry 4:17,18,19
4:20 5:2 10:12
50:13 51:1 52:12
58:1 61:19 63:1
64:6 69:12,15
72:14 74:15,17
75:4 78:7 81:20
85:12 86:9,17,21
93:11 98:2 99:4
108:21 109:1,2,11
109:16 112:3,5
113:5,8 114:12
115:3 116:7
118:12 120:22
121:4,7,20 123:19
123:20 132:7,14
132:19 133:19
134:10,20 135:2
139:12,16 143:4
150:22 151:3
160:13,20 161:5
163:18,22 166:12
167:2,17 168:21
175:14,17,18
177:4,10 178:5,22
179:14 183:11
184:13,16 185:1
186:4,7,11 187:10
188:6 189:10
190:12 192:18
197:22 198:10
203:3,9 208:22
209:3 210:17
211:14,17 212:4
212:11,22 213:4

215:5 219:6,18
227:18 230:14
237:20 239:8
244:4 246:13
247:1,5,7,17
248:3,7,15 249:2
249:4,7 251:20,22
252:2,7,9 253:10
254:4 255:12
256:10 262:2
267:18 270:5,6,12
271:1,1,3,8,9,15
271:21 272:8,17
272:20 273:1,6
274:22 282:3
287:1,9,13 289:18
290:13 291:3,14
292:2,20,22
294:22 295:2,13
296:12,17,19
297:11 299:10,12
299:15 300:3,10
301:3,6,9,12,16
302:8 304:12,13
304:15 308:3,15
308:18 310:17
311:7 313:10
314:22 321:4
industry's 104:6,12
104:16 169:15
248:1 291:17
industry-driven
270:10
industry-wide
109:4 112:1
inefficient 7:1
inferior 259:5
informal 7:11
information 8:4,10
8:14,15,18 36:13
36:17 43:14 61:18
63:1 64:5 80:7
115:9 138:1
147:22 158:22
162:14 171:15
informing 73:18
ingredient 287:7
initial 163:5

initially 204:2
252:15 258:19
initiate 86:11
102:16 163:11
233:12
initiated 87:17
initiative 132:7
231:17
Inn 1:13
input 134:5,13
inquiries 253:18
inquiring 42:8
insect 136:22,22
insects 148:4
insert 209:10
210:22
inserted 293:14
inserting 324:2
inside 170:10
insist 279:20
inspect 223:10
inspected 250:22
inspection 209:15
210:7 226:3 251:1
299:22
instance 113:15
156:6,21 168:4
170:5
instances 31:19
139:2 170:5
integrated 132:20
188:6
intend 7:19 21:20
29:22 31:8 37:20
40:1 245:20
intended 10:10
43:15 297:18
299:20 308:20
intent 154:10
209:13 216:15
219:5,8,12,16
251:9 257:12
260:22 314:4
interaction 115:14
interest 246:11
265:14 287:12
292:15 296:8,10
296:10,12,18

298:16 299:18
304:15
interested 19:18
22:11 27:19 33:21
123:19 124:1
195:10 228:22
265:16 273:5
320:20
interestingly
166:19
interests 287:12
295:22 298:20
interfere 320:22
interim 12:11 73:5
94:10
interjected 268:21
internally 57:3
international 55:13
244:5 299:6
interpreted 314:6
314:14
interrupt 146:22
167:13
interrupting 32:8
interruptions
161:21
introduce 43:13
introduced 136:13
191:19 290:1
introducing 161:5
introduction 65:13
introductions 27:3
introductory 29:13
38:22
investigate 162:3
investment 286:19
286:22
involved 27:16
43:16 69:6,16
94:5 123:20,21
124:4 163:14,21
164:12,13 166:10
169:4 175:13
178:4 192:13
254:4 291:2 305:6
involves 161:2
irrigation 54:6
issue 20:19 21:15

24:1 31:9 75:13
79:19 88:14 93:1
98:14 117:14
123:17 151:6
157:4 211:8
224:18 241:3
254:16 305:2
306:14 309:7
issued 31:7 34:6
issues 7:9 10:15
17:7 24:8,18 25:1
27:4 28:3 31:6
41:20 74:22 81:18
86:9 87:11 133:11
148:12 153:20
169:7 170:7
210:20 248:17
265:22 307:9
it'll 273:22 291:19
293:15
item 109:17 113:6
118:17 129:3
292:13 297:16
items 112:18 115:2
116:5 211:7

J

J 1:13,19
J-E- 15:8
January 75:12 76:6
79:20 81:17 87:12
88:15 288:10
306:6,13 323:12
325:8
Japan 56:2 266:1
267:16
Jeff 4:7 15:8,8
17:11 207:13,16
208:15,17 240:16
243:19
Jeffrey 36:21
Jensen 138:7
jeopardize 272:16
jeopardy 272:2
Joaquin 44:3
246:15
job 23:8 25:4 115:8
175:17 177:11

join 184:22
joined 36:19 114:6
joining 113:22
joint 162:2 308:7
Journal 95:21
judge 1:14,20 6:3,3
9:1 10:19 12:6
13:15,18 14:7,12
15:5,20 16:4,10
17:14 18:9 19:5
20:21 21:14 24:12
26:14 27:8 28:15
28:18 29:19 30:4
31:4,11,16 32:1,7
32:10,13,19,22
33:11,14,17 34:20
35:12 36:2,4,18
36:22 37:2,5,9,19
38:5 42:4,8,19
43:2,5 48:2,4,13
48:16,19,21 49:13
49:22 50:3,6,9,16
50:19 51:5,8 52:3
52:8,11 58:3 61:3
63:2,6,16,20
64:16 65:4,9,12
65:15,22 66:6,11
66:21 67:2 68:21
69:3 70:3,6 71:1,6
71:12,15,18 75:21
76:5,7,10,14 77:2
77:14,17 78:3
81:1,5,12,16
89:15,19,22 90:10
90:17,22 91:4,7
91:16,19 92:8
99:17 100:8,11
101:15 104:21
105:2,8,13,20
107:4,7,19,22
112:13 113:17
122:20 125:22
128:9,19 129:14
129:17,21 130:9
130:12,19 131:3
131:11,18 137:2
138:10,13 139:19
140:9 144:6

145:19 146:13,17
147:2,5,9 149:9
149:11 151:16
153:2 155:2,7,10
157:12,15,19
158:5,10,21 159:2
164:6 167:12
168:18 171:19,22
172:3,12,17,20
173:3,9,14,17
174:4,6,11,15,20
175:1,4 178:8
181:12 189:13
190:2 191:12
192:3 193:18
196:22 197:2,10
197:17 198:12,17
198:22 199:4,7,13
199:17,19 200:3,7
201:10,13,17,20
203:16 204:5,17
206:7,14,22 207:3
207:6,9,20 208:3
208:6,13 214:8,14
214:17 218:6
221:3,6,13 224:19
225:2,5 227:7
228:8,14,16 229:4
229:18,21 230:2,7
230:9 231:6,10,14
231:20 233:20
235:2,14 236:14
237:1 238:18
240:5,8,17 241:5
241:11,19 242:5,7
242:11,16,19
243:1,6 244:9,15
245:2,5,9,15,19
246:1,4 252:19
253:1 263:4,21
266:11 267:7
268:4,14 269:5,9
269:12,17 273:11
276:13 277:14
279:6,9,13,15,18
280:5,12,15,20
281:10 283:7,10
283:22 284:3,12

284:22 285:3,7,13
285:18 292:14,18
293:2,17 294:2,4
294:8,15 299:3
302:22 304:17,22
312:18 315:10,13
315:16 317:14
319:20 320:11,17
321:1,8 322:4,7
322:12,16,21
323:4,9 324:8,12
325:13,16

Judges 17:20

judicial 9:7

judiciary 180:4

juice 59:4 132:9

juicier 146:2

July 39:12 41:11

43:20 53:7 73:16

jump 269:3

Jumping 149:1

justification 93:6,9
93:10

K

K-A-L-E-M 14:11

K-A-U-F-F-M-A-N
14:14

Kalem 4:6 14:2,11
172:19 173:1,5
175:10,11 186:4
188:13 202:8,12
252:15

KAUFFMAN 14:13

Kaufman 14:13,14

KBJ 290:20

keep 8:8 26:20
110:17 129:7
196:8 300:11

keeping 70:14

Kent 138:6

kept 314:19

Kern 51:22

key 74:19 109:17
114:7 118:17
145:21 297:5
300:18

killing 21:12

kind 24:17 97:2
 112:17,22 127:1
 146:3,18 170:4,7
 195:5,7,8,8,15
 229:16 252:15
 254:22 256:6
 275:18 316:13
kinds 139:8 146:13
 161:21
Kings 52:1
kites 146:12
knew 283:15
knit 187:6
know 16:21 17:7
 18:2 19:20 21:2
 22:16 23:20 25:11
 28:8 35:10 42:10
 48:13 58:21 63:7
 63:9 70:17 71:4,7
 76:10 96:1,19,21
 97:18 102:6
 103:16 126:17,22
 136:5,13 138:4,14
 141:15 143:10
 144:4 147:2,12
 148:4 152:13
 168:12 169:18,21
 170:2 171:9
 174:18 180:15
 186:10 187:3,4
 190:4,4,19 191:13
 191:17 192:1
 193:7 195:3,7,15
 195:19,20,22
 196:3 197:15,20
 198:20 199:11
 228:3 241:5
 253:22 256:15
 257:1,15,16 258:4
 259:4,8,11,22
 260:2 261:7,8,12
 261:18 264:22
 265:3,8,12,14
 266:4,4 272:4,22
 282:12 306:11
 307:16 312:17
 313:13 314:1
 320:22 321:3

323:22 324:19
knowing 96:8
knowledge 67:18
 69:11 160:15
 237:16
known 248:9 254:5
 287:4
Kong 56:2
Korea 56:3
Kriebel 4:7,8 5:16
 231:8,13 240:10
 240:15 241:2,9,17
 242:20 243:4,8,13
 243:13 245:3
 283:15 284:3,8,16
 303:5 305:5 317:9
 323:12
Kriebel's 242:1

L

L 14:19
labor 110:13
 117:18 119:15
 168:1
laborers 110:15
lack 109:1 116:12
 163:5 229:1
lacking 117:8 165:8
laid 182:17
land 166:4,6 176:15
 189:7 291:7
landscape 246:22
language 10:3
 30:19 82:3 88:11
 99:12,12 133:3
 204:3 209:9
 210:14,18 212:20
 215:14 249:14
 263:7 280:22
 287:22 288:2
 289:16 290:12
 291:17 292:2,6
 294:12,14,16
 296:14 297:17
 303:8,16,17 324:3
 324:18
lap 191:21
large 41:19 45:17

67:15,16,17,22
 68:16 119:16
 126:12,15,18
 152:9,18 194:12
 194:19,22 195:1,2
 229:5 234:11,14
 238:7 264:5,11,13
 264:14,16,17
 288:18 289:1
 298:6 302:7
 309:14 317:2,4
larger 68:4,11
 117:20 234:16
largest 83:10
 168:12 286:12,17
 316:15
laser 313:8
lastly 296:20
 301:21
late 17:8 21:10
 52:20 71:2
laughed 192:1
Laughter 8:22 18:8
 19:4 21:13 48:15
 65:8 66:22 71:3
 100:10 105:7
 192:6 197:19
law 1:14,20 278:17
 286:1,1 291:7
laws 252:3 286:15
lawsuits 103:6,15
lay 22:20
layman's 283:1
layperson 145:22
 146:4
lead 161:15,17
 236:17
lead-in 195:16
leader 197:22
 247:8 252:1
leadership 202:19
learn 160:18
learned 65:1
learning 190:22
leave 8:7 18:4 24:4
 26:7 49:18 84:17
 240:19 261:17
led 132:19

Lee 139:5 140:16
left 10:21 12:9
 176:17
legacy 136:11
 137:16
legal 286:4,7
 290:10
less-than-good
 145:11
lesser 257:11
Lesson 65:1
let's 38:21 77:2
 181:12 223:18
 233:1 244:17
 258:6 260:19
 310:21 317:15
 320:1 325:19
letter 5:17 73:16
 285:9 289:21
lettering 32:14
letting 97:17,18
 228:3
level 53:11 142:5,8
 228:19
levels 53:10 59:5
 230:22 247:20
 256:18 257:1
 266:1,4,7
leverage 270:13
Levitz 138:7
life 135:14 175:14
 188:11 198:5
lifetime 155:4
 293:15
light 235:2
likes 36:13
likewise 76:15
limit 71:5 123:22
 124:5 195:16
 197:6 198:9,14
 199:8 206:11
 211:12 247:15
limiting 297:21
limits 10:5 30:18
 82:5 104:13
 123:16 124:11
 125:14,19 155:17
 173:20 174:3,14

174:19 202:10,13
 204:15 205:8,10
 205:21 206:10
 252:16 256:11
 278:21 279:1,3
 287:21 288:8,11
 289:12
line 255:13 275:18
link 143:17
Lion 14:5 176:21
 177:1 194:16,21
 195:21 196:12
list 23:17 28:5 85:4
 205:2 209:10
 240:21 244:12
 247:3
listed 99:21
listen 19:10
listing 91:1
lists 67:12 68:9
litigation 133:10
 307:21
litigations 109:7
little 8:13 16:14
 26:21 52:21
 102:19 133:16
 144:7 146:11
 165:15 171:3
 173:21 184:14
 198:3 219:21
 220:2 223:14
 252:16,17 255:16
 263:20 285:5,20
 310:6,10
live 26:12
lived 314:17
lives 202:15
lobby 19:15
local 9:13 270:16
located 1:13 83:17
long 26:21 39:8
 42:21 134:7
 154:11 168:10
 179:6 219:5 254:3
 254:3 268:22
look 7:4 30:22
 63:11,17 102:3
 144:15 163:2

192:4 204:3 232:1
 238:15 239:2
 257:17 277:7
 295:3 296:16
 298:20 310:20
 317:13
looked 136:5
 205:10 224:4
looking 76:11 77:8
 92:2 174:8 191:13
 220:6 231:17
 261:18 262:19
 296:8
looks 62:9 76:1
 90:7
lose 109:11 308:6
loses 271:2
losing 113:15
lot 23:2 68:3 137:17
 139:10 148:5,6,6
 148:19 151:11,12
 168:11 171:5,8
 186:15 190:4
 192:1,2 196:1,1
 226:17 227:22
 228:12 230:21
 265:13 270:20
 304:11 316:17
 320:9 321:2
louder 144:7
low 57:19,20
 220:16
lower 134:1,13,14
 143:17 145:16
 147:15,17 256:9
 257:1 259:13,17
 260:20 261:9
 262:15 298:16
lowest 45:2 46:10
 47:6
loyalty 56:14
lucky 165:6
lunch 25:20
lunches 227:12
lysimeter 137:11

M

M-A-I 15:17

M-A-R-C 11:18
M-C-F-E-T-R-I-
 11:18
M-E-L-I-S-S-A 11:8
M-I-C-H-A-E- 14:18
M-O-N-T-E 12:20
ma'am 43:4
machine 144:4,9
Madera 51:22 52:2
 187:2
Mai 15:17
Maid 243:15 286:7
 287:17
mail 254:3
mailed 83:14
Mailing 4:11 32:5
 33:19
main 143:5 184:5,5
 189:18,18
maintain 247:7
 251:22
maintaining 176:19
major 168:20 247:5
majority 53:13
 152:17,18,21
 186:22 274:17,18
 275:12 282:14,17
 294:10,17 316:1,5
 316:18
making 27:17 31:5
 40:22 134:21
 149:19 154:13
 180:2 186:11,12
 186:19 263:6
 272:14
Malaysia 56:3
MALE 26:13
manage 57:2
managed 55:12
management 41:22
 110:7 113:7
 132:21 137:11
 161:10,19
Manager 12:12
 94:11 132:1 141:5
 152:5
Manager/Grower
 13:8

manages 56:12
manifest 146:4
manure 54:7
MAP 55:7,10,16
 60:2
marathons 56:10
Marc 2:8 4:3,13
 11:18 36:17 38:11
 38:13 41:8 67:5
 151:19 193:21
 194:4 233:22
 263:22 315:19
marc.mcfetridge...
 2:12
March 52:20
Maria 3:13 12:2
maria.stobbe@a...
 3:22
mark 4:10 5:1
 28:21 33:1,7,18
 34:12 91:20 126:3
marked 22:12 29:8
 32:4 33:5,10 34:2
 34:9,18 39:20,21
 40:6,16 47:22
 61:15 62:14 72:1
 72:3,6,21 73:3
 75:16,19 77:4
 78:13,19 79:3,9
 79:16 80:11,20
 107:1 131:16
 159:9 175:7 202:2
 208:10
market 55:6 56:16
 56:21 60:2 85:16
 85:19 86:2 156:8
 186:13 213:7
 215:4,14,19 216:5
 216:9 217:11,18
 220:9 225:19
 227:3,15,19
 234:19 237:21
 239:15 240:1
 247:19 249:1,3,19
 249:22 251:13,14
 251:16 257:10
 259:14,18 260:6,8
 260:11,16,17,20

- 260:21 261:9
 262:17 263:16
 268:6,8,12 270:8
 287:5,11 299:7,17
 300:9,10,10,14
 301:14 319:12
 321:15
market's 247:18
market- 255:13
market-specific
 248:17,19 251:3
 251:19 252:6
 267:14
marketed 287:15
marketer 286:12
marketing 1:5,6 2:9
 2:15,15 3:15,16
 3:17 4:16,17,18
 4:19,20 5:2,4,5,6
 5:7,8,9,10,11 9:9
 10:2 11:9,15,21
 12:3,18 13:4,22
 14:14,20,21 15:9
 15:15 16:2,7,7
 41:10,20 51:20
 54:22 55:5,11,22
 57:16 62:8,17,20
 73:7,18 74:1,4
 75:6,9 78:6 80:14
 80:16 82:3 89:7
 89:11 90:6,13,18
 94:14 97:11 103:2
 103:11 106:4,13
 108:4 111:12,17
 120:5 122:8 132:5
 133:2,7 135:1
 150:6 160:8
 183:19 184:11
 186:14 190:5
 209:4,5,9,14
 214:22 227:14
 247:3 248:21
 262:10 270:2,10
 270:12,22 271:7
 271:16 272:1,7,16
 273:1 281:5 282:4
 282:13 286:8,14
 286:21 288:1
- 289:16 290:9
 291:2,22 292:3
 293:10 294:22
 296:17,22 297:17
 297:20 298:11
 300:1,19,22 301:8
 302:6 307:14,20
 308:1 314:16
 315:5
marketplace
 110:18 129:9
markets 9:21 85:21
 101:9 125:8
 167:18 171:14
 211:13 215:10
 216:6,16 217:3,7
 218:18 226:12
 227:10,11 235:17
 235:22 236:5,19
 247:17,20 249:6
 249:11 251:6,10
 252:8,10 257:11
 261:1,12,21 265:8
 268:1 270:17
 299:7 300:6,21
 301:4 317:12
 319:9 321:16
markets' 211:15
marking 72:5
Marvin 297:6
massive 121:10
Master's 42:1
match 216:7 225:18
 229:16 251:15
 261:1,11
matching 261:19
material 7:13 19:13
 163:6
materials 148:3
matter 6:9 77:11
 105:10 158:8
 172:14 193:4
 203:6 224:21
 280:2 290:18
 297:8 325:21
matters 7:12 16:12
 21:16 27:11
maturing 66:19
- maturity** 136:16
 220:17
maximum 25:9
 256:11
McCartney 1:13,19
 6:3,3 9:1 10:19
 12:6 13:15,18
 14:7,12 15:5,20
 16:4,10 17:14
 18:9 19:5 21:14
 24:12 26:14 27:8
 28:15,18 29:19
 30:5 31:4,11,16
 32:1,7,10,13,19
 32:22 33:11,14,17
 34:20 35:12 36:2
 36:4,18,22 37:2,5
 37:9,19 38:5 42:4
 42:8,19 43:2,5
 48:2,4,13,16,19
 48:21 49:13,22
 50:3,6,9,16,19
 51:5,8 52:3,8,11
 58:3 61:3 63:2,6
 63:16,20 64:16
 65:4,9,12,15,22
 66:6,11,21 67:2
 68:21 69:3 70:3,6
 71:1,6,12,15,18
 75:21 76:5,7,10
 76:14 77:2,14,17
 78:3 81:1,5,12,16
 89:15,19,22 90:10
 90:17,22 91:4,7
 91:16,19 92:8
 99:17 100:8,11
 101:15 104:21
 105:2,8,13,20
 107:4,7,19,22
 112:13 113:17
 122:20 125:22
 128:9,19 129:14
 129:17,21 130:9
 130:12,19 131:3
 131:11,18 137:2
 138:10,13 139:19
 140:9 144:6
 145:19 146:13,17
- 147:2,5,9 149:9
 149:11 151:16
 153:2 155:2,7,10
 157:12,15,19
 158:5,10,21 159:2
 164:6 167:12
 168:18 171:19,22
 172:3,12,17,20
 173:3,9,14,17
 174:4,6,11,15,20
 175:1,4 178:8
 181:12 189:13
 190:2 192:3
 193:18 196:22
 197:2,10,17
 198:12,17,22
 199:4,7,13,17,19
 200:3,7 201:10,13
 201:17,20 203:16
 204:5,17 206:7,14
 206:22 207:3,6,9
 207:20 208:3,6,13
 214:8,14,17 218:6
 221:3,6,13 224:19
 225:2,5 227:7
 228:8,14,16 229:4
 229:18,21 230:2,7
 230:9 231:6,10,14
 231:20 233:20
 235:2,14 236:14
 237:1 238:18
 240:5,8,17 241:5
 241:11,19 242:5,7
 242:11,16,19
 243:1,6 244:9,15
 245:2,5,9,15,19
 246:1,4 252:19
 253:1 263:4,21
 266:11 267:7
 268:4,14 269:5,9
 269:12,17 273:11
 276:13 277:14
 279:6,9,13,15,18
 280:5,12,15,20
 281:10 283:7,10
 283:22 284:3,12
 284:22 285:3,7,13
 285:18 292:14,18

- 293:2,17 294:2,4
294:8,15 299:3
302:22 304:17,22
312:18 315:10,13
315:16 317:14
319:20 320:11,17
321:1,8 322:4,7
322:12,16,21
323:4,9 324:8,12
325:13,16
McFetridge 2:8
4:13 11:17,18
36:17 38:11,13,22
40:10,20 41:8
43:7 47:20 48:11
49:20 50:2 67:4,5
67:7 68:18 126:3
126:3,7,16,21
127:8,11,20 128:8
128:18,21 129:4
129:11 151:19,19
152:3,16 153:1,6
153:9,18 154:1
193:21,21 194:6,8
194:14,18 195:2
195:13 196:19
233:22,22 234:2
235:9,11 237:3,4
238:11 263:19,22
264:1,2 266:8
315:14,19,19,21
317:5
McHenry 138:8
mealybug 110:7
133:12 137:12
mean 32:15 63:19
118:10 119:3,13
121:8 123:8 146:3
149:14 181:1
190:7 191:21
196:11 198:21,22
214:15 222:13
226:14 236:15
238:9 255:6 256:6
257:15 258:12,13
259:4,14 261:3,5
261:6 266:1,2
272:5,21 275:20
- 277:8 283:11,17
295:19,20 296:21
297:5 310:1,9,13
312:13,19 313:6
314:10,14 320:3
meaning 153:2,4
297:19 306:10
meanings 310:11
314:13
means 53:6 58:18
66:14 140:21
167:4 177:9 183:9
190:5 277:8
282:14 298:4
309:11,21 310:4,5
meant 103:22
measure 156:14
measured 137:10
145:9
measurement
146:5
measurements
157:8,9
measures 34:21
58:22 144:10,11
measuring 156:15
meat 222:4
mechanical 53:18
110:3 137:8 313:9
319:5
mechanics 304:2
mechanism 119:7
294:9
mechanization
136:21 161:11
mechanized 168:2
168:9
media 56:8
meet 85:11 103:12
211:14 212:10
216:12,17,20
228:7 247:9,18
248:14 250:13
257:8 258:7,10,17
260:2 299:1,5
318:9,13 319:3
meeting 74:9 75:13
80:5 81:18 87:12
- 87:20 88:14 96:2
115:4 177:15
179:1,9 180:22
181:1 188:10
243:17 256:17
292:6 304:8 305:9
306:6,13,15,16
307:5,8 308:14
323:13 325:9
meetings 94:5,9,16
176:8 177:12,14
202:16 288:17,22
289:4,7,7 308:11
meets 251:11
Melissa 2:13 11:8
58:8 69:3,5 92:13
113:20 139:22
164:9 181:21
218:9 225:9
230:11 238:20
253:5 273:14
281:12 303:2
melissa.schmae...
2:19
mem 228:16
member 9:18 14:3
51:16,18 54:17,18
82:9,10,13 83:2,8
83:11,12 84:1,3,5
84:9,10,11,12,15
84:16,18 94:22
95:1 96:9,20
102:9,10 108:6
125:1,1 134:18
160:7,7,9 163:16
176:4,8 177:16,17
177:21 179:18
184:8,9,9 185:10
187:16,16,19
188:8,21 193:14
195:11 202:17
246:9 278:5,6,7
284:19 286:2
289:5
member-in-traini...
191:10
members 10:6
54:15,16,19 60:13
- 74:20 82:12,14,15
82:16,17,18,19,20
82:21 83:2,18,19
84:2,22 85:1
110:22 178:18
180:7,9,20,20
181:2 183:14
190:22 191:1
196:2 200:14
202:22,22 206:12
230:14 253:10
270:13 283:18
288:11,21
membership
183:20,21
memberships'
286:19
memo 97:10,14
98:3
memory 124:13
mention 59:16
92:19 93:21 106:7
192:10
mentioned 49:9
59:6 60:1,8 66:10
85:6 94:4 97:10
104:3 114:16
116:17 117:4
139:4 140:15
141:4 143:16
149:13 156:20
157:1 164:11,18
166:12,16 170:1
182:5 183:8
185:17 203:22
204:21 210:3
220:1 223:2 246:6
253:16 255:9,10
284:16
mentioning 49:3
Merchandise 55:8
60:6
Merchandises
56:13
merely 323:5
merits 27:18,21
43:17
met 75:7 89:1

- method** 53:19,21
256:3
- methodology**
146:17
- methods** 53:16
144:15,16
- metric** 55:4
- metro** 21:11
- Mexico** 56:1
- mic** 13:19 101:1
324:11
- Michael** 14:18
73:17 74:9
- Mick** 138:7
- microphone** 17:9
49:6 146:22 147:3
- mid** 53:1
- midway** 118:4
- Mike** 138:8
- mildew** 110:4
148:17
- mildew-resistant**
133:13
- Milinovich** 4:7 5:15
5:15 17:11,12
207:13,14,16
208:1,4,7,10,15
208:16,17 214:12
214:15,19 218:10
218:12,17 219:3,7
219:19 220:5
221:5,12,20
222:11,16,21
223:6 224:3,8,10
224:13 225:11
236:2,22 239:2
- Milinovich's** 242:2
- million** 55:17,19,20
56:19 68:11
194:20 234:12
264:15 287:15
317:1
- mind** 72:4 235:7
266:14 269:4
306:21 307:1
- mine** 100:20 101:7
101:9,12 173:11
231:22 311:18
- minimal** 129:2
135:18 212:12
216:3,10 250:11
250:21 299:14
300:1
- minimis** 128:13,16
- minimize** 169:15
- minimum** 53:11
260:3 262:19,20
262:20 300:11
318:9,13,22 319:3
319:13 320:4
321:17
- minister** 41:18
- minor** 30:13 31:18
125:16
- minute** 25:16 26:1
105:4
- minutes** 5:3,3,4
25:19 75:13 79:20
80:2,4,13 89:4
92:7 93:1 105:6
306:12 324:6
325:7
- MIP** 55:9 57:2 60:5
60:7,8,15
- mismanaged** 271:1
- missed** 305:9
- missing** 305:10
- misspoke** 205:20
- misstates** 29:16
- mistaken** 176:14
- mistakes** 113:10
118:11
- misunderstood**
59:19 206:18
235:18 306:10
- mode** 17:19 18:3
- moderating** 21:4
- Modernization**
212:6 213:13
223:4,9,17 248:9
299:9
- modification** 80:6
88:10 189:15
206:3,9 303:22
- modifications**
31:12 206:15
- modified** 30:17,19
31:5 204:1,3
268:10 303:16
- modify** 303:17
- moisture** 146:15
- mold** 136:17
- moment** 42:5 63:10
63:16 64:17 77:3
89:16 145:20
158:6 165:9,17
169:21 170:2
224:20
- moments** 16:17
- money** 121:15
135:19 139:9,13
256:14,15,17
257:5 261:10
265:2
- Monte** 4:4 12:19
50:15,21 51:11
- Monterey** 3:18
- month** 179:9
- months** 52:19 57:6
98:19
- morning** 10:22 11:7
11:17 12:1 13:6
13:10,16,20 14:1
14:17 15:7,11,16
16:5 47:16 51:10
58:8 71:10 131:5
- motion** 324:22
- motions** 75:1 81:22
- move** 12:8 15:6
25:6 35:21 47:21
51:8 70:8 91:21
105:13 147:3
207:10 218:15
244:12 252:11
269:6,17 274:10
- moved** 173:14,16
306:7
- moves** 210:17
- moving** 10:20
16:11,18,19 65:12
103:13 107:4
279:21
- muddy** 263:7
- muddying** 100:9
- multiple** 82:11
110:10 112:18
323:19
- multiplied** 47:2
-
- N**
-
- N** 4:1,1
- name** 8:1 11:8,14
11:18 12:1,19
13:10,16,20 14:2
14:9,11,18 15:7,8
15:11,16,22 16:5
17:11 36:20 41:8
51:11 71:8 72:18
110:8 130:17
131:22 140:16
158:14 159:12
172:21 173:1
175:11 202:12
207:11,13 208:16
243:1,12 245:16
245:17 246:6
284:13,15
- name's** 70:21
- named** 209:5
- names** 8:20 59:8
83:12 84:2,5
177:21 193:9
- NASS** 43:11,20
- National** 40:12
43:10 132:6
- natural** 4:15 162:20
298:12 318:8,10
- naturally-occuri...**
211:11
- nature** 10:16 25:2
45:16 162:19
293:4
- Navel** 73:8
- near** 28:5 30:20
101:18 184:13
- nearing** 279:19
- nearly** 57:11
- necessarily** 141:21
233:13 255:7
312:2 314:20
- necessary** 10:8
21:7 30:11 238:6

301:18
need 19:5 20:9 70:8
 70:17 76:10 110:2
 111:21 116:5
 117:10 119:6
 128:8 136:2 148:7
 153:7 156:15
 157:7 161:15
 170:10 212:15
 213:7,22 217:20
 223:18 225:12,12
 232:18 247:11,11
 250:3 253:22
 256:1 266:17
 298:22 299:5
 302:12 323:6
needed 106:10
 110:15 111:7
 112:6 115:5
 119:15 120:2
 125:17 138:1
 162:9 164:20
 226:4 277:6 281:4
 299:11
needs 17:5 25:14
 26:4,6,7 34:22
 85:11 86:17 99:4
 108:11 113:4
 114:21 118:14
 135:16 136:11
 212:11 248:14
 297:8,12
negative 128:2,11
 128:16 143:3
 168:21 197:4
 216:2,9 250:8
negotiate 184:3
nematode-resist...
 110:5 137:1
never 156:11,11
 169:18 203:11
 289:8 291:19
 297:8 307:11
nevertheless 16:16
 139:15
new 9:16 26:22
 52:21 86:10 95:15
 110:14 113:1

115:6 116:18
 117:6,9,17 124:1
 133:3 136:18,20
 138:15 143:9
 159:22 160:15
 161:5,9,15 162:18
 163:7,19 166:13
 166:16 191:13,18
 193:7 203:10
 211:2 212:14,14
 212:21 213:4,11
 213:22 214:5
 215:20 217:20
 232:18 250:3,17
 250:20 265:8
 266:17 274:7
 299:14 301:14
 307:9,11,12
newest 160:18
newly 162:3,17
news 4:12 19:17
newspaper 19:14
nice 9:2
nine 46:2 64:13
 75:14 79:21 92:19
 92:20,22 93:7
 178:2,6,9,10
 182:6,7,10 311:12
 311:13
Nixon 293:11
nodded 149:9
nominate 177:20
 181:2 188:17,19
 189:1
nominated 177:16
 177:22
nominating 191:13
nomination 9:17
 83:13 94:21
 173:22 177:12,14
 181:9 188:21
nominations 82:9
 83:2,6 84:20
 94:22 95:3,4,8,9
 95:19 100:16
 101:4 124:22
 177:16,19 180:19
 200:13,18 278:5

nominee 84:9,10
 84:11 96:5,20,21
nominees 83:20
 84:1,12
non 83:5
non-adversarial
 7:12 21:1 23:14
Non-Citrus 43:21
non-confrontatio...
 254:16
non-RBA 95:17
non-Sun-Maid
 95:17
norm 215:22
normal 109:3
normally 53:1
 229:12
Norway 55:22
nos 36:9 48:10 66:5
 81:10 87:20
 242:15 323:3
note 6:6 7:22 15:21
 28:4 30:16 42:17
 252:12,16
noted 48:5 87:21
 106:6 270:9
notes 9:5 58:2
 100:16
notice 4:11,13 6:21
 17:10 24:17 27:12
 27:15 29:4,11,16
 29:22 30:5 32:5
 33:9,20 70:15
 95:16 100:1,4
 102:3,8 124:15
 145:22 155:6
 188:9 201:7 204:2
 205:22 253:19
 267:2 268:17
 273:19 293:6
 303:8 317:13
 322:8
notices 7:17 10:20
notified 34:13,14
 74:1 254:2
November 54:10
 285:10 289:20
NTS 194:4,6

nuances 221:9
number 6:4,7,8,11
 6:13 7:1 9:10,18
 14:6 15:2 17:22
 21:19 37:11 53:11
 59:4 68:12 72:21
 77:20 84:8 85:2
 86:4 87:16 89:5,6
 89:17,21,22 90:4
 90:5,6,11,15,15
 90:15,20 91:11
 93:19 94:21 97:8
 100:16,19,21
 101:3,4,4,5,6,7,8
 101:9,11,13 102:7
 102:13 104:17
 107:18 121:17,18
 122:6 123:15
 125:9,11,13,15
 126:15 148:17
 152:12,21 162:21
 173:12 178:15,21
 179:11,19 180:12
 180:17 181:7
 196:16 197:22
 273:22 290:20
 298:7 307:8
 313:20,20 316:7,8
 317:10,20 324:10
numbered 289:21
numbers 6:16,17
 47:15 76:22 90:14
 149:16 152:14
 174:7
numerical 33:14
Nut 43:21
nutrient 54:6
 320:14 321:6
nutrients 320:15
nutrition 56:8
 136:22

O

O 4:1
o'clock 188:14
oath 21:22 22:3
 37:20 63:13
object 206:11,14

- objection** 20:19
objections 36:2
 37:16 48:2 66:1
 81:2 129:17,22
 157:15 171:22
 200:4 201:20
 240:21 242:8,20
 269:9 322:18,21
observation 145:3
 145:4
observer 16:2
obviously 224:6
occupation 8:2
 36:22 39:5,6
occur 223:13
occurred 45:2
occurrence 20:12
occurs 118:22
ochratoxin 156:20
 157:3 211:10
 220:20 222:20
 230:15 233:3,14
 243:20,22 244:2,5
 247:13,20 257:2
 265:13,16,18
ochratoxins 229:1
October 54:3 75:8
Oenology 132:13
 159:15
off-track 297:13
offer 192:5
offered 23:19 90:1
 91:13
offering 42:11
 65:19
offers 72:7 160:22
office 2:4 3:16 11:3
 14:16 15:18 16:3
 16:9 54:19
offices 181:2
 288:20
official 6:10 311:5
officials 4:12 34:12
 41:17
offset 300:1
oftentimes 296:7
 315:1
OGC 122:22 154:3
 170:20 200:9
 203:20
oh 32:16 59:15,17
 61:2 63:14 71:4,6
 76:5 90:11 91:6
 94:3 144:8 155:7
 166:15 200:7
 239:11
OIG 151:18
okay 18:9 21:12
 26:17 32:19 33:17
 36:11 39:3,13
 41:6 47:19 49:15
 49:21 50:5,15
 51:10 52:7,10
 59:2,14,19,22
 60:8,11,15,18
 61:2,5,17,22
 62:18 63:8,15
 64:15 65:1,10
 66:20 67:17 68:8
 69:11 70:1 71:8
 72:22 73:5 77:10
 77:14 78:2 80:22
 89:19 90:22 93:13
 93:17 94:3,8,20
 95:9 97:7 98:16
 99:10,15 100:19
 101:14 102:12
 104:1,15,19,19
 114:13 120:16
 122:1,17 123:10
 124:7 125:20
 126:21 127:11
 131:21 140:9
 141:2 142:13
 145:3 154:18
 155:9,15,18
 164:19 166:8
 167:21 169:11
 170:18 174:22
 175:11 182:14,22
 183:6,17 185:15
 186:5 188:10
 195:13 200:8,20
 201:8,16,17 202:9
 204:9,16,20
 205:15 206:16
 214:19 218:17
 219:20 221:2,5
 222:5,12,17 223:1
 226:17 230:18
 231:13 232:13
 233:11,18 237:15
 238:11 239:4,11
 239:16 240:3
 241:19 245:5
 255:2 256:6 258:3
 258:10,18,20
 260:18 262:14
 263:1 268:19
 269:3,8,19 271:12
 273:21 274:4,5
 275:4 276:16,18
 277:4,10,13
 278:20 279:4
 282:10,22 283:5
 285:3,13 294:8,19
 304:5,6 305:11
 307:11 308:11
 309:19 310:18,20
 311:17 312:7,12
 315:7 316:6,7,11
 317:19,22 319:10
 322:2 323:20
 324:16
okra 85:13 93:21
 93:22
old 136:7 175:13
 192:2 313:17,17
 320:10
olives 16:3
once 7:16 57:13
 179:9 184:4
 202:12 312:20
one's 105:5
one-size-fits-all
 215:11
one-third 271:8
 272:19 276:3
 282:3,18
ones 145:10,11
 146:10 226:20
 244:16 312:22
ongoing 86:8 112:6
 120:9 121:18
 133:9,16 161:13
op 184:10
open 52:20 176:15
 188:17,22 195:7
 230:17 265:8
 306:20
opening 264:22
 281:10
openness 306:1
operate 120:6
 270:15 288:19
operated 135:3
operates 120:5
 286:13 306:19
operating 103:8
operation 10:13
 64:5 195:22
 208:20
opine 241:15 323:6
opinion 68:15
 69:19 94:15 98:7
 115:20 119:1,9
 120:10 121:19
 122:10 123:13
 127:22 128:17
 129:6 142:14
 144:3 149:21
 167:15 169:12
 170:13 186:1
 187:22 189:15
 190:7,21 197:4,10
 199:2,8 201:3
 219:4 223:21
 226:22 227:13
 233:3 262:16
 277:1,6 282:22
 293:3 306:2
 308:16 309:9
 311:18
opinions 277:21
 306:19
opponents 41:4
opportunities
 163:7
opportunity 24:6
 69:16 74:16
 123:21 141:9
 192:17 254:5

289:10 306:8
opposed 82:4
 205:22 206:1
 281:16,19
opposing 104:14
opted 86:15
optimal 161:11
optimum 53:9
 162:15 163:1
option 96:14
 154:16
options 57:20
Orange 73:8
orchard 166:6
order 1:5,6,12 3:17
 9:10,14 10:3,8,11
 10:14 14:14,20
 15:9 16:8 26:8
 28:1 30:11,14
 41:10,20 60:12
 62:17 73:18 74:4
 74:8,16 75:6,10
 82:4 85:5,7,10
 86:20,22 87:22
 94:14,18 106:7
 111:17 119:7
 124:1 125:17
 129:2 142:12
 150:6 186:14
 190:5 205:13
 209:5,9,11,19,21
 210:1,5,13,15
 211:1,17 212:20
 215:8,14,20
 218:22,22 219:9
 221:1 223:10
 240:12,22 241:3
 242:21 247:3,4
 248:3,21 249:9,14
 250:1 251:18
 255:11 257:19
 262:10 270:3,22
 271:7,17 272:1,7
 272:16 273:1
 275:21 279:20
 281:5,5 282:4,13
 282:18 286:9
 288:1 289:16

290:9 291:2,22
 292:4 293:13
 296:18,22 297:17
 297:21 298:11
 300:19,22 302:6
 307:15,21 308:1
 314:16 321:17,19
 321:20,22 322:5,6
orderly 65:6 70:9
orders 73:8 209:4
 210:14 219:9
 270:10 293:10
 295:1 307:14
Oregon 16:9 42:1,3
organic 266:4
organiz 187:6
organization 114:4
 132:8 183:22
 196:4
organizations
 160:14 184:22
organized 74:19
 112:5 286:15
original 88:10
 291:16 293:8
 305:14
originally 88:12
 98:20 258:19
origins 257:7
outbound 288:3
 310:16,20
outgoing 212:2
 247:9 298:13,18
 299:1 300:6 310:8
outline 5:13 131:9
outlined 149:2
 152:13
outreach 118:5
outset 203:22
outside 127:13,16
 167:18 184:1
 311:11
outweigh 128:2,7
 128:17 129:1
 255:20
outweighed 128:4
overall 55:18
overcropped

113:12
overhead 139:5
 140:19
oversee 12:4 16:3
overseeing 132:10
 150:7 196:11
oversees 181:8
oversight 111:6
 120:1 123:7,8
 135:6 153:12,21
 248:2
overtake 168:15
overwhelming
 307:22
overwhelmingly
 307:18
owners 213:3
 287:3
ownership 86:16
 286:20

P

P- 59:12
P-A 11:2
P-O-W-E-L-L 12:11
P-R-E-M-E 117:3
P-R-O-C-E-E-D-I-...
 6:1
p.m 172:15,16
 224:22 225:1
 280:3,4 325:22
Pacific 265:17,21
pack 246:16 259:17
packed 318:12
 319:4
packer 57:8 141:20
 202:21 228:1
packers 54:21
 57:15 184:20
 212:2 228:2
 243:20
packing 17:13
 208:18 234:4,13
 246:8,16,21
 271:12
page 4:2 7:7 16:18
 17:18 25:6 44:5
 44:17 45:10 46:5
 46:21 64:13 93:18
 97:9 101:17
 102:14 118:16
 119:21 142:19
 149:1 150:19
 174:7 187:7
 255:17 262:6
 273:22 317:18
 324:7,10,14
pages 76:21 136:9
paid 196:10 198:6
 217:3 251:7
paragraph 101:19
 274:7,11 318:18
 318:20
parameter 251:1
paraphrase 183:1
parcel 166:4
Pardon 167:12
 321:8
part 11:20 30:14
 41:19 87:5,7
 88:18,19 127:14
 135:8 159:21
 204:4 219:15
 274:13,16 275:9
 275:11 310:18
 312:10 318:6
 319:2
parte 27:17
participants 69:13
 69:15
participate 95:12
 96:11 161:2 179:4
 202:22 289:3,9
participated 39:13
 134:19
participating 8:9
 23:10 274:22
participation 82:22
 83:3 94:16 178:13
 178:17 180:4
 288:19 289:13
particular 86:2
 151:6 182:7
 215:13 224:18
 249:19 260:20,21
 291:5 300:9

301:22 318:21
particularity 7:8
particularized
 227:15
particularly 35:12
 148:16 244:1
 316:13
parties 23:1,10
 24:21 25:3 43:15
 163:21 244:10
 279:20
partly 140:9
party 27:19
pass 236:11 282:7
passed 103:3
 111:13 122:7
 307:18
passes 84:19
passing 103:10
 220:7,21
paste 319:6
path 162:19
pause 64:16 92:1
 224:16
pay 151:9 202:14
 256:22
paying 175:17
Peacock 138:7
pending 103:6
 241:14,18 243:19
 290:17
people 16:21 21:12
 25:5 33:1 35:6,9
 138:5 167:6
 171:13,14,14
 177:18 179:5
 188:5 189:4,19
 190:19 191:13,19
 197:8 198:1
 202:20 203:7
 273:6 306:2,3,3,4
 306:9,20 309:21
 309:22 310:1,10
 313:2,10,18
 320:10,19
percent 44:13,15
 45:6,7 46:1,2,17
 46:18 47:12 55:1

57:1 61:9,11
 124:15 184:12,13
 184:16 185:16,20
 186:8 287:6
 295:18,18 316:15
 316:16
percentage 61:10
 177:4 185:19
 186:4
percentages
 176:12 203:12
Perfect 66:21
perfectly 273:17
perform 220:22
performance 162:4
Performing 160:14
performs 113:6
period 52:17 68:7
 88:8 308:21,22
periodic 283:2
permission 20:9
permit 189:16
 235:19 241:6
permitted 22:6
perpetuity 198:19
person 188:18
 273:5 310:12
person's 124:5
personal 8:14
 197:18 265:14
personally 8:18
 40:18 169:9 289:6
persons 33:21
 37:19 288:17
perspective 71:13
 183:13 259:6
pertain 205:14
 214:15
pertaining 10:3
 210:21
pest 86:9
pesticide 110:11
 133:20 134:1
 143:18 145:16
 147:16 226:1
 266:5
pesticides 147:18
 148:8 211:7

229:13 257:2
pests 110:6 148:12
Pete 53:19 59:9,12
 138:6 140:13,14
 161:7 162:5,15
 165:19
Peter 15:22
petition 290:3,5,17
petitioners 291:4
Ph.D 159:19
Philippines 56:3
philosophy 285:5
phone 17:21,21
 19:17 25:21
phones 17:19
phrase 275:7
phrased 235:7
 236:17 293:5
physical 25:13
pick 147:5 165:13
 168:11 221:15
picking 175:18
picture 62:9
piece 166:6
pistachios 16:3
 189:8
pitched 18:6
place 74:14 88:8
 112:2 123:6 136:4
 154:7 156:3,6
 168:7 187:12
 188:15 191:22
 211:13 247:16
 271:4 297:1,9
 321:7
placed 83:13
places 29:17
plan 16:22
plant 163:6 208:19
planted 166:7
 176:16
planting 189:8
plausible 217:1
 251:4
playing 232:10
pleadings 6:6,15
please 14:9 15:21
 18:5 19:7 20:11

20:14 21:9 22:5
 22:16 23:4,16
 28:7 35:10 37:20
 41:6,7 48:21 49:6
 66:11 81:15
 105:15 117:1
 130:14 131:3
 158:12 172:18,20
 183:18 207:11
 239:6 243:3
 245:15 275:5
 280:9 284:12
plenty 96:4
plump 146:9
plumper 146:2,10
plumpness 146:14
pneumatic 137:11
podium 13:19
point 29:22 92:5
 100:12 112:7
 135:10 139:11
 162:16 167:7
 170:6 175:2
 188:11 223:21
 233:14 244:7
 266:14 289:20
 290:1 291:19
 292:19 293:2,14
 295:6
pointed 256:7
 320:12
points 75:14 79:21
 92:20,20,22 93:7
 178:2,6,9,10
 182:6,7,10 201:15
 277:11 288:12
Policies 89:11
 90:14,19
Policy 4:17,18,19
 4:20 5:2 78:6
 209:14
political 198:5
 306:22
pool 10:4 82:3
 104:7 125:12
 189:17 205:18
 278:14 291:7
 302:13,18,19

- pools** 205:14
poor 314:11
popular 197:3
portion 181:14
 202:6 203:17
Portland 16:9
position 20:18
 84:15 98:8 104:6
 104:12,17 108:9
 108:20 109:20
 118:20 119:4
 123:13 155:1,13
 174:2 184:21
 186:8 187:12
 247:7 251:22
 270:1 278:7,13,16
 278:22 296:11
positions 83:21
 84:13,17 189:18
positive 119:18
 142:16 166:11
 216:11 237:17
 250:11
possibility 127:4
 127:12,13 128:1
 234:20 264:21,22
 265:5
possible 22:13 96:8
 162:16 238:13
possibly 110:11
 128:5 195:9 237:7
 237:9,10 265:1,2
 265:7 281:6
post-harvest 54:8
posted 28:10 35:6
potential 10:12
 93:15 94:17
 110:14 117:6
 118:11 120:20
 121:9,21 124:3
 145:15 149:5
 216:11 224:11
 225:12 250:11,16
 250:19 255:18,19
 265:22
potentially 110:9
 113:11 119:17
 121:11 220:20,22
 223:9 224:3 226:2
 227:21 256:2,16
pound 258:18
 259:1,16 261:4
powdery 110:4
 148:17
Powell 4:4,17 12:10
 12:10 72:12,18,18
 73:5 76:1,6,8,9,13
 77:6,18 78:2,4,15
 78:21 79:5,11,18
 80:13,22 81:15,17
 89:18,21 90:5,13
 90:20 91:2,6,15
 100:6,15 101:2
 102:1 182:12
 303:15 304:20
Powell's 122:4
 306:12
practice 161:13
 267:3 268:18
practices 161:11
 161:20 163:20
 178:22
pre-marked 32:17
precise 294:13,16
 300:20
predator 136:22
predicate 22:21
predictions 137:7
preface 32:14
 33:11
prefer 37:12 240:11
 244:18 252:20
preference 70:19
 245:1
preliminary 16:12
 27:11
prepare 40:19
prepared 5:12,18
 37:6 39:16 40:11
 41:3 43:8 51:6
 72:10 92:19 131:6
 141:3 169:20
 173:10 174:16
 182:5 207:21
 285:1,6,16 302:20
preparing 41:16
prescribed 318:17
present 7:2 12:11
 36:13,17 41:13
 240:16 241:16
presented 81:21
 87:14 88:1 288:14
presenters 288:13
presenting 15:1
president 73:6
 94:10 243:14
 246:8 284:17
 286:5,6 287:14
 304:7 316:20
presiding 1:14
press 34:5
pretty 146:11
 154:21,21 155:2
 192:4 244:3
 254:16 266:12
prevent 216:5
 251:13 260:7,16
previous 44:15
 45:8 46:3,19
 47:14 150:18
 156:19 171:12
 187:15 239:16,17
 293:21 304:1
 305:13
previously 38:7
 39:1 50:17 74:19
 107:12,20 130:3
 130:15,18,22
 157:22 158:13,15
 158:18 159:17
 172:8,22 173:6
 202:2 207:12,14
 207:17 211:10
 236:16 243:2
 271:9 280:13
 281:3 284:5,16
price 46:5,9,12,15
 47:2 61:12 110:17
 114:7 162:16
 184:4 251:7
prices 46:4,6,13
 47:5 57:19 217:3
primarily 44:2
 287:9 295:21
 297:15
primary 17:1
 108:18 154:14
principally 287:7
prior 111:10 182:17
 209:2 212:18
 214:4 218:2 250:7
 266:21 286:6
 288:13
prioritizing 134:22
private 160:13
 300:15
privileged 270:4
proactive 94:16
proactively 217:6
probably 126:14,19
 148:17 151:7
 166:2 186:8
 189:10 230:19
 231:4 254:13,20
 254:20 256:20,21
 257:3 264:3 266:2
 271:20 306:7
 310:11 313:17,19
problem 33:1 139:7
 168:1 169:18,19
 178:15 231:13
 241:1 244:5
problems 21:12
 25:5 148:5 161:14
 179:7 195:18
 212:1
procedural 24:9
 27:5 28:1
procedure 268:18
 290:16
procedures 9:17
 111:3 267:4
proceed 41:7 43:6
 50:13 51:6 52:11
 71:19 72:10 81:16
 107:8 130:12
 131:18,19 159:3
 175:9 208:14
 246:5 280:20
 285:19 323:10
proceeding 7:10,12
 20:1 23:14 29:4

38:1
process 8:19 23:16
 23:18 24:10 25:6
 27:17 32:14 37:16
 42:6,9 52:18 65:6
 66:17 70:9 72:1
 80:1 83:13 95:2
 96:5 110:21
 117:18 118:5
 119:21 120:3,11
 120:11,20 134:8
 134:20 135:9
 149:2,22 170:9
 180:3 181:9 183:3
 189:16,20 190:2,3
 195:6 196:18
 233:3,5,8,10,13
 246:16 267:10,13
 290:14 291:10
 292:21 305:12
 307:2 315:18
processed 298:13
 310:15
processing 64:10
 95:3 160:3 161:1
 183:20 208:19
 253:16 286:21
 315:5
processor 176:18
 177:2 203:6
 286:12,18
processors 114:9
 186:12 187:1,9
 195:19 259:17
 295:20 298:19
produce 128:5
 180:13 256:17
produced 1:5 44:2
 62:16 260:10
producer 84:4,7
 168:13 246:8
 264:9,10 288:15
 296:10 299:20
producers 52:13
 54:15 57:10,14
 83:5,6,15 87:7
 88:20 133:21
 134:12 171:1

179:12,20 186:22
 250:8,17,19
 252:10 255:19
 261:10 270:11,19
 271:12 274:17
 275:12,15,16,22
 295:20 296:15
 297:1,8,12
produces 53:12
 67:12
producing 126:9
 270:8
product 56:6 86:1
 114:8,9 147:19
 170:11 211:4
 213:7,8,16 215:13
 216:5,7,16 217:4
 217:6 220:9,16,17
 220:18 222:4
 225:18 226:11
 227:2 230:4 248:2
 249:18 251:6,7,9
 251:11,13,15
 256:22 257:7
 258:7,14 259:5
 260:2,7,16 261:7
 261:8,10,20,20
 263:14 265:1
 267:21 298:21
production 9:16
 13:14,14 46:20,21
 46:22 47:4,6,9,11
 51:21 52:1 55:2
 61:6 86:4,6 97:8
 100:20 102:13
 106:6,9 108:2,14
 108:17 109:5,12
 109:15 111:18,20
 111:22 112:8,21
 115:16 124:18
 127:5 129:3,7
 132:18 133:5,9,11
 133:18 134:16
 136:18,21 141:10
 142:22 156:3,8
 160:2,3 161:1
 163:10 168:2,16
 169:4 256:2 278:1

productions 134:3
products 110:12
 171:10,16 211:13
 211:22 213:10
 216:17 217:2
 226:15 247:16
 249:5,5 252:7
 310:15
professional 20:7
 56:6 286:4
Professor 13:12
 159:13
profile 216:8
 225:18 251:16
profit 186:13
profitability 270:19
program 12:4 14:21
 55:7,8,9,10,18
 56:13,14,18,20
 60:2,6,15 73:20
 74:5 98:4 119:1
 120:12,13 122:3
 122:10,15 123:9
 134:16 141:16
 142:4,8 149:3
 150:1,2 153:15
 164:20 165:12
 170:16 224:2
 233:2,2 247:12
programs 41:18,19
 55:6 56:5 57:3
 60:1 61:8 133:15
 270:10,14,15
progressive 191:9
prohibit 17:20
 318:20
prohibited 27:17
 211:20
project 12:17 57:13
 113:16 135:8
 139:11 162:2,5,8
 162:13 164:19,22
 165:7
projects 108:22
 109:14 111:4
 116:11 121:6
 135:13,15 136:12
 136:15 137:13,18

138:9 139:3,9
 149:5 150:8
 154:16 161:16,22
 163:4 168:17
promote 213:13
promoting 132:10
promotion 11:20
 15:13 41:14 60:1
promotional 55:1
promulgated 311:3
pronounced
 273:17
proper 22:20
properly 6:12 22:12
 23:9 24:7 282:17
proponents 41:4
proposal 15:2
 27:19 30:2,10,15
 30:17,18,19 31:2
 31:3,15 37:10
 73:15 85:14 86:16
 87:1 88:3,10
 93:19 94:20 96:13
 96:18 97:8 98:5
 100:3 102:4,7,13
 104:6,12 107:18
 108:15 109:21
 110:19 115:16,20
 118:6 122:8 123:6
 124:10,17,21
 125:6,15 141:9
 142:15 155:15
 171:2 173:12
 178:3,11,12,15
 179:1,19 180:16
 180:17,18 181:6,8
 182:7 188:1 189:2
 191:7 192:11,17
 197:11,14 198:10
 200:12 204:1
 205:13 209:8,12
 212:15 214:1
 215:1,17 216:15
 217:9,13,21 218:3
 219:15 232:19
 233:12 235:12
 237:16 239:10,12
 239:19 250:4

251:8 253:10
 255:10 257:12,13
 266:18 269:21
 273:7 276:10,15
 277:22 278:2,4,8
 278:13,20 279:2
 281:1 287:20,22
 288:10 289:15
 292:22 293:4,21
 294:12,14 297:14
 298:6,9 299:9
 303:9,16 304:6
 305:14 309:4
 317:10,20 324:3
proposals 27:22
 30:7,8 31:20 41:1
 69:7,12,20 71:10
 74:3 82:1 88:1,7
 93:6,8,11,13 99:5
 99:22 100:14
 104:2,3 110:1
 116:15 120:9
 123:12,13 124:9,9
 134:21 154:19
 155:6,8,9,13
 156:5,10 167:16
 200:22 201:1,2,5
 201:7 252:14
 253:13 254:8,12
 277:20 278:10
 301:14 305:7
 308:19 325:1
propose 14:6 25:19
proposed 1:5 6:20
 9:9,12,15 10:10
 16:19 26:3 31:5
 43:17 73:13 75:9
 75:15 81:20 82:8
 84:19 86:15 98:21
 109:1 135:4,8
 155:11,21 180:12
 180:16 193:5
 212:17 214:2
 218:1 232:20
 244:13 247:2
 248:20 249:20
 250:2,6 253:21
 266:20 293:6

300:4
proposes 10:2,7
 303:10
proposing 25:8,15
 69:8 85:3 106:9
 141:19 174:12
 279:2 290:12
 302:14
proprietary 195:20
 196:6
prosperity 296:4,5
protocol 24:9 27:6
 223:19 294:19
 308:10
protocols 267:4
proved 163:18
provide 7:18 8:1
 73:12,14 79:13
 81:13 85:10 86:21
 170:14 189:16
 248:13 270:16
 286:4 297:18
 299:10
provided 8:2,4
 61:20 83:12 286:7
 293:21 304:19
 318:6,19 319:2
providing 55:1
 56:15 216:17
 236:4 251:10
provision 111:17
 319:11 321:14
provisions 74:4
 274:12 275:9
 290:8 302:13
 318:17
prune 52:17
pruning 136:20
 137:11
PS 59:10
public 1:3 6:4 9:8
 10:17 17:3 21:1
 22:22 54:18 56:7
 111:10 160:6,7,9
 212:17 214:3
 218:1 232:20
 250:6 266:20
 298:6 299:18

301:16 309:13
 311:4
publication 253:15
published 27:13
 29:5 212:16 214:2
 217:22 232:20
 250:5 266:19
 301:16 322:7
pullouts 57:19
punctual 21:9,17
purchase 236:9
purchased 176:15
purchaser 226:10
purchasers 226:14
 226:16
purchases 56:16
purchasing 228:6
purpose 7:20 17:2
 37:2 43:12 64:3
 70:18 108:15
 178:11 242:21
 298:9 299:9 315:2
pursuant 267:12
 268:17 318:17
 319:1 322:7
pursue 127:20
put 6:8,12 18:3 24:6
 28:13 94:11,13
 95:16,20,20,21,22
 112:22 113:11
 117:15,19 118:12
 147:6 148:16,19
 156:3,6 188:20
 213:9 220:20
 263:19 271:6
 272:19 292:3
 307:16,17
putting 53:6 272:1
 272:14

Q

Q-U- 11:14
QA 230:19
qualified 151:12
 197:8
quality 9:19 53:10
 53:12 85:2,4,6,9
 85:18,20 93:19

101:7 125:5 134:2
 134:5,15 143:18
 143:20 144:14,18
 144:21 146:1
 147:19 156:7,13
 156:14,14,22
 157:1 162:16
 163:1 209:10,16
 209:17,19 210:2,5
 210:8,11,13,16
 211:4 212:9
 213:14 215:3,9
 217:2 218:15,20
 218:21 219:1,6,8
 219:13 220:1,4,6
 220:7,8,12,14,18
 220:21 221:8
 222:6 223:3,22
 224:1 225:22
 226:3 227:4,13
 236:7,11 239:14
 241:3 246:19
 247:3,6,8 248:2,6
 248:13,18,22
 249:10,21 250:15
 251:6,18,21 252:1
 254:9 255:13
 258:13 265:1
 288:2 297:15,18
 297:20 298:1,3,7
 298:10,16,18
 300:8,18,19
 301:14 309:4,5,10
 309:11,17,18,20
 311:9,22 314:4,9
 314:10 315:1
 318:10,13 319:4,8
 319:14
Quantify 179:20
quantities 229:6
quantity 45:9,10,11
 45:19,22 47:1
question 20:14
 21:5,6 48:18 50:1
 66:9 93:17 98:16
 119:20 120:16
 122:2 123:3,11
 128:20 129:5

143:2 145:20
 150:17 151:20
 153:10 155:3
 165:10 167:14
 189:14,21 195:3
 196:22 198:13
 199:11 204:6
 221:4,15 227:8
 228:17 231:9
 232:14,22 235:5,6
 236:16 237:2
 240:13,20 241:14
 241:18,20 243:19
 253:9 262:14
 264:19 275:3
 277:19 282:5
 283:13 293:18
 304:1 314:8
 316:12 317:10
 318:3 321:10,11
 321:12 322:11
 323:5,7,8
questioning 298:14
questions 10:15
 11:11,16,22 12:5
 18:19 20:21,22
 22:6 24:8 27:5
 28:1 38:22 47:18
 47:20 48:17 50:7
 58:4,11,13 65:11
 66:7 67:3 68:19
 68:22 69:2 70:2
 80:22 91:17 92:15
 94:4 99:16 113:18
 118:15 122:18,20
 126:22 129:12,14
 139:18,19 140:10
 151:15 161:15,17
 162:21 163:12
 164:5,6 170:19
 174:1 181:13,17
 193:18,22 196:21
 199:22 200:6
 203:17 206:19
 214:10 218:7,14
 224:16,18 225:3,7
 233:19,21 234:1
 234:18 238:16,19

239:17 240:6
 253:2 263:3,5,10
 263:17 264:3
 266:10 269:1
 273:9,12 277:15
 279:7 281:11
 283:6,8,18 303:1
 303:6 309:4 315:8
 315:11,20 322:13
 325:12
quick 126:22 129:5
 151:20 153:9
 193:22 195:3
 234:1 264:18
 315:20
quicker 151:12
quickly 118:9
quietly 18:14 20:8
Quinones 2:14
 11:13,14
quite 136:10 219:17
quoted 258:5

R

R 4:5 107:11,15
 130:21
R-I-A-N 14:11
R-I-C-K 13:7
R-O-T-H-W-E-I-L-...
 12:15
R-U- 11:1
R&D 146:7
RAC 5:3,3 54:22
 55:10,14,18 56:12
 56:18 60:9 73:7
 73:10,12,16 74:1
 74:6,9,19 75:2,13
 79:20 80:17 81:19
 82:6,7,11 86:5,11
 86:15 87:12 88:9
 88:14 89:1,13,19
 90:18 97:22 98:22
 102:16 103:21
 106:10 107:17
 108:2,16 109:22
 111:4,9,14 112:4
 112:9 114:10
 119:22 123:9,12

127:4,10 133:5,10
 135:4,6 154:9,16
 154:19 155:14
 156:6 163:9,22
 175:22 176:3
 177:8,11 179:22
 180:2,7,14,22
 181:1 190:8,10
 191:2 196:2
 202:17 203:1,4,11
 209:1 212:16
 214:2 217:22
 232:20 233:1
 247:10 248:13
 250:5 266:19
 276:17 288:11,20
 289:7 292:6 295:4
 303:9 304:7,8
 305:7,15 306:2,9
 306:18 308:8
 323:13
RAC's 98:5 104:2
 124:9
radius 186:21
Raise 37:21
raises 53:9
raisin 4:16 5:5,6,7
 5:8,9,10,11,18
 9:12 12:4,12,16
 12:18,21 13:1,4
 13:14 14:3,4
 17:12 30:1 44:18
 49:17 51:12,15,17
 51:20 53:12 54:11
 54:14,17 55:7
 62:2,7,8,19 64:6
 69:7 73:6,9,19
 80:2,14,16 89:7
 90:6 93:2 97:11
 103:2,11 105:18
 106:4,12 108:4,7
 108:8,12,14,21
 109:2 110:3 111:1
 111:12,16 114:2,5
 114:8 120:5 122:7
 122:16 126:5
 132:4,5,15,18
 133:2,4,7,19

134:2,15 136:7,16
 136:16,19,20
 137:6 143:19,22
 144:1,13,21
 148:21 150:6
 152:1 160:2,8,9
 161:1,5,6,12
 162:11,13,17
 163:18,21 167:17
 168:2,21 169:3
 175:14,16,17,20
 176:1,17,20,21
 178:5 191:17
 194:16 203:3,4,5
 203:5 208:18,19
 208:21 209:2
 213:6 215:5 226:6
 226:10,14,15
 227:20 234:4,13
 236:9,11,13,13
 237:20 239:8
 243:16 244:4
 246:8,10,12 247:7
 249:7 251:20,22
 258:18,21 262:2
 264:9 267:18
 284:19 285:16
 286:20 287:1,6,8
 287:13,17,18,22
 288:9 289:18
 290:13 291:3,14
 293:13 294:22
 295:14 296:1,5
 302:1,3 304:16
 307:14 310:3,4
 319:6
Raising 43:9
raisins 1:5 4:14
 9:11 13:5 14:5
 43:8 44:2,2 45:9
 45:11,12,16,17,19
 45:22 46:7,12,15
 46:22 47:1,9 49:2
 49:12 51:22 53:10
 53:13 56:9,15,21
 57:5,11,14 62:9
 64:10 67:14 68:10
 110:17 121:11

126:9 129:8 132:8	304:10	recap 218:19	reconvene 25:17
136:18 143:18	reaching 75:4	Recd 4:10 5:1	25:22 26:2 92:2
144:11,14 145:10	171:14 197:7	receipts 67:13	105:9
160:1 162:5	reaction 283:14	68:10 126:9	record 6:10,18,22
168:13 170:8	read 19:14 31:6,13	194:10 234:11	7:20 8:2,15 9:4
171:8 175:19	40:2 41:7 42:10	316:22	17:10 20:13 22:18
190:18 196:12	42:14 52:6 62:6	receive 9:8 83:19	22:22 23:15,22
211:19 213:1,18	88:12 170:5	84:14 202:14	24:5,7,19 27:12
217:8 221:19	174:21 181:15	212:17 214:3	27:22 28:9,22
223:20 227:12	182:6 197:14	218:1 250:6	31:6,13,22 35:22
235:21 236:5	204:7 239:5 274:6	266:20	38:8 40:2 42:10
246:17 247:21	274:8 275:6 281:2	received 23:21 24:7	42:14 43:14 59:8
248:5 250:22	317:22 318:1	36:8 41:21 46:4,5	62:6 65:20 66:9
253:17 258:17	reading 6:21 9:6	46:9,13 47:2 48:9	66:12 70:12,16
259:9,17 260:10	254:3 319:10	66:4 73:16 81:9	75:11 76:20 77:3
260:22 261:16	321:14	115:20 130:5	77:5,12,15 89:4
267:22 286:9,13	reads 59:4	158:2 172:9 202:4	99:20 100:5
286:18 287:11,15	ready 41:6 77:14	216:18 242:14	105:11 127:2
298:12,13 299:17	105:13 163:8	253:19 269:15	130:15 131:4
312:9 317:1 318:8	207:10 279:15	323:2	158:6,8,9,11
318:11,12,21	real 24:18 199:10	receiving 84:7 95:3	172:15,17,21
319:3,5 320:16	reality 300:14	reception 193:1	174:21 181:16
321:7	realize 21:1,9	recess 26:1,2 105:4	197:3 201:3 204:5
Ramming 138:16	realized 118:6	279:19 280:1	206:8 207:11
140:4	134:11 137:5	recessed 172:12	224:20,22 241:7
ranch 179:7 190:17	really 18:12 21:14	recognize 297:19	245:16 258:5
ranches 68:5	24:20 25:12 32:22	recollection 325:6	263:6 268:21
random 244:3	42:21 113:4 127:3	recommend 26:22	280:3,10 284:13
range 52:14 298:11	143:6 144:4	209:22	292:13 302:16
rate 111:7 120:2	166:11 168:11,16	recommendation	307:17,17 314:21
121:4,10,13 127:9	187:11 190:4,6	87:3,10,13 149:7	318:1,1 323:20
128:2,3	295:13,16 310:13	150:13	324:9 325:20,22
rated 146:2	320:13,22 321:3	recommendations	records 279:10
rates 127:17,19	reason 106:5	82:5 134:22	recounting 23:12
Rath 31:20	117:17 124:5	150:11 213:21	recruiting 197:7
ratified 75:2	184:5 186:19	217:17 232:17	recruitment 115:6
RBA 61:21,22 83:6	191:17 257:8	267:11	red 268:7
108:9 114:3,3	289:11 297:22	recommended 30:2	reduce 117:18
176:6 177:6	reasonable 184:4	30:6 74:6 79:22	reduced 110:10
182:20 183:15	276:2	88:12 154:20	133:20 177:4
184:2,9,13 185:8	reasons 7:1 17:22	212:16 214:1	reducers 137:1
186:7 187:8 203:4	21:10 288:12	217:22 232:19	reducing 134:5
203:4 271:11	294:18	250:5 266:19	reduction 45:12
RBA's 61:12	reassured 229:6	281:20	redundant 6:19
RDA 176:17	rebuild 308:5	recommending	18:19 22:5 120:18
re-called 280:7	recall 323:15,22	233:14	refer 49:19 77:7
reached 44:7,22	324:22 325:4	reconditioning	124:15 143:19
45:19 135:2	recalled 4:8 284:9	298:22	209:18 263:14

- 289:20 301:21
reference 6:16 9:7
 74:12 82:2 100:13
 106:6 114:2 182:6
 210:15 290:20
 304:17
referenced 29:1
 91:1 138:15
references 116:9
 262:5
referencing 88:5
 115:2 221:17
referenda 9:21 87:8
 87:16 88:8,11,21
 98:17 101:12,13
 125:10 252:18
 269:21 271:6,13
 281:2
referendum 80:7
 86:19,20 87:6
 88:18 103:3
 109:10 217:15
 272:2,11,15
 281:17 282:5,8,9
 282:9 288:6
 290:14 291:10,14
 291:15,18 292:3
 293:12 296:14
 297:10 303:8,10
 306:14 307:10
 308:17 323:17,22
 324:5 325:2
referendums
 307:13
referred 29:7 34:1,8
 34:17 36:7 40:5
 40:15 48:8 58:14
 59:9 61:14 62:13
 66:3 73:2 74:21
 75:18 78:12,18
 79:2,8,15 80:10
 80:19 81:8 86:6
 100:2 101:5
 106:22 130:2
 131:15 159:8
 172:7 175:6 202:1
 208:9 221:16
 238:9
- referring** 90:18
 92:18 138:11
 221:18 313:18,19
 324:8
refers 166:3
reflect 10:11 197:4
 204:6 268:10
 279:10 286:21
 287:7,12
reflected 22:17
 306:13
reflects 263:13
refractometer
 58:22
refrain 20:11
refresh 124:13
refuses 291:8
regard 97:7 140:3
 141:3 147:15
 167:17 218:14,16
 250:15 251:3
 254:1,7 255:13
 271:5 303:7,16
 305:16
regarding 27:18
 34:6 36:14 82:1
 87:22 98:17
 112:14 142:15
 162:14 163:5,13
 200:1 253:2 288:8
 289:14 294:9
 297:14 300:12
 323:21
regardless 324:20
regards 107:17
 110:13 116:4
 123:17 145:16
region 226:5
 228:11 232:3
 236:8
regional 228:15
 236:13 261:19
 270:16
regions 226:19
 228:10 238:10
 259:7 265:9
Register 27:13 29:4
 100:18,20 101:2
- regs** 221:11 268:16
 320:1
regular 160:12
regularly 187:19
regulate 9:19 85:8
 101:6 125:5
 210:13,14 212:9
 217:6 219:1,12
 222:6 223:3 224:1
 231:18 248:12
 249:21 251:18,21
regulated 85:5
 209:11 210:6
 211:21 219:9
 222:9 247:4,22
regulates 9:10
 222:1
regulating 1:5
 211:9 219:6 222:7
regulation 10:4
 85:2 86:1 93:20
 125:12 156:8
 157:1 209:18
 210:1,20,22 211:2
 211:16 212:4,14
 212:15 213:4
 214:21 215:4,12
 215:22 216:4,22
 217:2,13 220:22
 221:21 225:13
 229:7 232:18
 233:14 236:3
 239:19 247:12,22
 248:7 249:18
 250:3,9 251:5
 255:8 256:3
 257:11 263:12
 266:17 278:14
 290:8 297:15,18
 297:20 298:2,3,4
 299:5,14 300:9
 301:11 309:5,11
 309:12 314:5
 318:2,5
regulations 9:20
 29:2 85:15,18
 101:8 125:7 212:7
 212:21 213:21,22
- 215:19,20 216:21
 217:10,18,20
 218:16 221:19
 222:13 232:9,17
 234:19,21,22
 235:16,19 236:1
 236:18 237:9
 239:14,20,22
 248:3,10,17,19,22
 249:3,22 250:2,15
 250:17,20 251:4
 251:12,19 252:6
 254:10 255:14
 257:10 260:6,15
 262:17 263:15
 264:20 266:16
 267:1,4,9,13,15
 267:16,17,19
 268:6,8,9 300:13
 317:11 318:16
 319:8,12 321:15
 321:16,19
regulations/moa/fv
 28:12
regulatory 30:19
 85:11 212:11
 224:2 227:1 233:2
 248:14 259:11
 267:12 270:3
 299:22
Reinhart 36:21,21
 37:1,4
reinsert 42:18
reiterate 15:3
relate 160:16
related 6:17 41:20
 74:4 86:9 144:22
 145:1 167:14
relates 31:14,19
 104:16 123:5,11
 156:9,22 200:12
 202:10 205:15,16
 205:21 277:22
 278:4
relating 102:8,13
 104:6,12
relation 232:14
relations 13:8 56:7

132:1 141:5 152:5
relationship 57:8
relative 178:22
 181:17 228:22
relatively 23:13
 309:1
relaxing 234:21
relay 198:2
relaying 171:15
release 4:12 34:5
 43:21 163:3
released 40:12
 113:2,13 162:4,17
relevance 60:20
relevant 7:12,13
 43:13 247:1
reluctance 96:11
rely 52:5 160:16
 198:1
remain 22:9 247:1
 302:11
remained 176:22
remaining 84:16
remains 240:20
remark 77:21
remarks 5:13 131:9
 302:21
remember 100:17
 123:15 137:2
 305:10 324:1
remind 64:17
reminded 320:18
reminder 242:17
removal 82:2 104:7
remove 10:3 18:14
 22:2 74:12 125:11
 278:14
removed 166:1
repeat 153:7
 260:13
repeated 162:9
repeatedly 266:14
repellant 137:9
repetitious 7:14
repetitive 22:6
rephrase 228:17
 235:4 275:5
rephrasing 235:8

replace 197:21
report 4:15 5:6,7,8
 5:9,10,11,12 43:8
 43:12 44:1 62:9
 62:21 106:3,12,15
 106:15
reported 44:11
 45:22 46:16 302:4
reporter 6:14,18
 8:5,19 14:8 22:17
 23:3 25:10 26:5
 26:19 28:16 33:3
 33:5 42:6,7,16
 43:1,4 49:5 52:5
 72:2,5 76:15
 100:22 137:3
 158:22
reporter's 25:13
reports 74:22 106:7
 209:15
represent 11:4
 185:6
representation
 179:15,22,22
 180:10 181:5
 188:3
representative
 12:16 13:2 26:9
 38:6 105:19
 108:10 114:17
 180:3
representatives
 27:4 55:13 64:17
 202:21,21
represented 177:1
 180:2 183:14
 203:3 235:3
 274:18
representing 13:13
 54:15,16,17 132:8
 186:6
represents 177:5
 185:16
request 80:6 88:10
 280:8 291:17
requested 162:6
 290:5
requesting 257:18

requests 109:22
 111:3
require 125:9 188:9
 233:4 275:19
required 20:20
 281:19 282:7,12
requirement 9:22
 211:18 248:4
 281:8 296:22
requirements
 178:22 204:16
 211:15 227:5
 247:18 252:4
 256:18 266:3
 271:13 274:21
 299:6 300:20
requiring 275:20
 290:13
research 9:16
 80:17 86:4,6,7,11
 89:6 97:9,19 98:1
 100:20 101:3
 102:14,17 106:6,9
 108:2,5,17,22
 109:5,13,15,18,20
 110:9,22 111:4,5
 111:18,20,22
 112:6,8,11,19,21
 113:5 115:17
 116:5,10,15 117:6
 118:3,14,18,20
 119:6,8 120:1,9
 120:21 121:6,18
 121:21 124:19
 127:5 128:5 129:3
 129:7 132:11,13
 132:18,19 133:1,6
 133:9,11,15,18
 134:3,7,9,11,16
 134:18,21 135:8
 135:12,20 136:1,3
 136:6,10 137:22
 138:2,3,17 139:1
 139:15 140:4
 141:10,15,18,19
 142:21,22 143:3,7
 144:17 145:16
 147:18 148:1

149:4,5,17 150:21
 154:8,9,12 156:4
 156:9,16,21 157:7
 159:21 160:11,14
 160:17 161:3,4,8
 161:13,16,22
 162:2,8,9,12,19
 163:4,7,9,11,15
 163:17,17 164:1
 164:12 165:22
 166:10 168:17,20
 169:4,5,20 170:15
 209:13 270:20
 278:1
researcher 140:16
 159:18,20 160:11
 163:14 167:20
 169:12
researchers 137:18
 163:11 171:11
reserve 10:4 61:8
 61:10 73:20 74:5
 82:3,3 103:9
 104:7 125:12
 201:14 205:14,18
 278:14 287:22
 289:15 290:8
 291:7 302:13,18
 302:19
reside 175:12
residual 211:6
 212:1
residue 145:17
 256:11,11 266:5,6
 312:3
residues 133:21
 134:1 143:18
 147:16 211:8
resistance 145:9
resistant 110:4
 148:11,20
resolution 80:15
 89:8 97:15 98:3
 111:13,14 122:7
resolve 25:4
Resource 42:2
resources 134:9
 139:10 150:21

- 151:11
respect 10:16 23:5
 24:9 81:13 145:21
 146:1 167:16
 197:5 203:17
 214:9 225:7
 268:12 280:17
 294:17 305:2
respond 240:12,16
responding 302:9
response 10:18
 20:15 24:11 27:7
 36:3 37:18 48:3
 50:8 70:5 91:18
 105:1 129:16,20
 141:13 142:15
 157:14,18 171:21
 172:2 200:2 207:2
 228:18 235:22
 240:7 242:10
 269:2,11 279:8
 283:9,21 321:9
 322:20 325:15
responsibility 23:6
responsible 9:13
 21:4 150:7
responsive 297:7
 297:12
rest 184:15 214:13
 218:5 292:1
restate 14:8 241:19
result 10:9 30:12
 73:22 144:17
 171:2 180:18
 215:17 216:1
 217:3,9,12 250:10
 251:2,6 257:10
 289:11 295:22
 299:19 302:12
 307:5,16 308:13
 308:15
resulted 87:15
 161:9
resulting 145:15
 147:19
results 56:20 74:10
 109:7 151:13
 171:13 324:2
- resumed** 77:13
 105:12 172:15
 224:22 280:3
retail 57:4 287:5
retaining 197:8
retention 146:15
return 61:11 186:11
 257:6
returns 57:20 134:4
 179:20 217:1
 251:4 299:21
revenue 57:21
 287:16
review 34:22 135:7
 135:9 233:8
 310:19 311:5
 319:15
reviewed 65:18
 301:17
reviewing 91:8
 100:13
reviews 181:9
revisiting 18:18
Richard 4:8 70:21
 71:9 245:11,17
 246:7 280:11
 292:4 306:4
Rick 4:5 13:7
 130:17 131:20,22
right 7:11 8:21 9:2
 10:19 12:6,7,9
 16:11 17:15,20
 18:22 19:12 21:18
 21:22 24:8,12,15
 26:11,14,15 27:2
 27:8 31:4 32:1
 33:17 34:20 35:4
 35:17,20 36:18,20
 37:6,9,21 42:20
 43:5 50:3 51:8
 52:3 60:17 65:7
 65:15,22 68:18,21
 70:7,18 71:12,15
 71:18,22 72:22
 76:17 77:17 78:1
 89:15 90:2,11
 91:3,10,11,16,19
 91:20 102:11
- 105:3,20 107:4
 113:9 116:2,5,8
 126:14 131:11
 138:13 140:18
 145:21 147:6
 150:13,15 153:1
 154:1 157:3 158:5
 158:12 159:2
 165:2 173:17
 174:11,20 175:1,4
 178:8 181:12
 190:19 196:19
 199:7,19,22 200:3
 203:16,19 205:20
 207:3,9,20 208:3
 208:14,16 214:14
 218:6 224:7,19
 226:20 228:14
 230:9 231:10,14
 232:5 234:17
 235:9,14 237:15
 239:7 240:8,17
 242:19 243:1
 244:9,20 245:2,4
 245:9 246:4
 252:19 253:1
 254:19 257:16
 263:2 264:18
 265:12 266:5
 267:7 268:14
 272:21 276:10,11
 279:9 280:1,15
 283:7,10,22
 285:18 293:17
 294:4,15 306:5
 311:16,17 312:14
 312:15,19,21
 313:7 317:5,21
 319:17 320:9
 321:21 322:12,17
 323:9 324:12
 325:11,16,19
rightful 176:13,13
 183:4
Rim 265:17,21
ripen 53:20
ripening 110:5
 132:21
- road** 195:9 196:17
Rocca 139:4
rodent 137:8
role 94:8 95:6
 122:3,10 123:4,8
 202:19
room 2:6,11 7:18
 8:7 15:20 18:5,15
 19:14 20:8 21:21
 22:4,9 28:6 36:19
 65:1 70:10,17
 94:12 190:14
 196:14 272:6
 293:16,19 313:2
root 117:11 137:1
rootstock 117:15
 160:4 164:15
rootstocks 110:5
 113:6,11 117:12
 118:13 161:9,18
 162:4,14 165:17
Rothweiler 12:14
 12:14 62:22 63:5
roughly 52:18
 184:16 185:16
round 188:2
row 178:20
rude 19:11
rule 17:6 20:22
 31:5 107:18
 212:17 214:3
 218:1 232:20
 233:8 250:6
 266:20 316:14
rulemaking 6:20
 54:13 74:3,13,21
 75:3 87:2 88:13
 93:6 111:9 267:2
 268:17 293:6
 322:8
rules 7:22 16:12,15
 17:6,15 73:19
 155:11 232:11
 310:14 311:3
 318:16
ruling 73:22 278:17
run 153:14 180:9
 261:7 268:22

277:19
running 23:17
runs 56:11
Rupa 2:3 11:1
 66:13 123:1 154:4
 170:21 200:10
 277:16 315:14
 317:7
rupa.chilukuri@...
 2:7
Rural 13:2
rush 92:4

S

S 4:1
S-C- 11:8
S-C-H-U-T-Z 12:20
S-E-L-M-A 59:12
S-M-U-T-N-Y 15:8
S-O-M-M-E-R-S
 16:1
S-O-N-E-T 13:11
S-P-A-T-E 13:1
S-T-A-R-K 13:7
S-T-E- 14:13
S-T-E-V- 12:22
S-T-O-B-B-E 12:2
S-U-N-P-R-E-M-E
 117:2
S.W 2:5,10,16
safe 170:11
safer 110:11 148:5
 148:9
safety 157:4 169:7
 169:19 170:7
 211:5 212:6
 213:13,16 223:4,8
 223:17 246:19
 248:9 252:3 299:8
Sahatjian 4:8 5:16
 70:20 71:4,8,9,14
 71:17 244:14,18
 244:22 245:7,11
 245:18 246:7
 253:7 273:16
 277:18 280:11
 281:15 292:5,8,11
 322:14 323:8,11

324:15 325:10
Sahatjian's 295:12
sale 216:18
sales 196:12
salmonella 223:19
salt-tolerant 161:18
sampling 223:19
San 44:3 246:14
save 205:3,5
 315:16
saves 22:19 23:2,2
savior 271:1
saw 189:2 238:4
saying 68:15
 121:16,17 228:10
 311:9 321:13
says 118:17 274:7
 274:8,12 276:21
 309:11
SC16-989-1 1:9
scale 262:3 270:16
schedule 16:20
 24:16 26:3,12
scheduling 24:22
 28:2 74:2
scheme 296:9
Schmaedick 2:13
 11:7,8 38:20 58:7
 58:9 61:17,22
 62:4,18 63:10,14
 64:2,8,15 65:10
 69:1,4,5,10 70:1
 76:3,19 77:16
 92:6,12,13 99:15
 100:2 113:20,20
 114:13,16,19
 115:13,19 116:8
 116:17,20,22
 117:3 118:2,15
 119:9,19 120:10
 120:16 121:2,19
 122:1,17 139:22
 139:22 140:7,14
 140:21 141:1,8,12
 142:2,7,13,18
 143:15 144:20
 145:13 146:21
 147:14 148:10,22

149:13,21 150:4
 150:15 151:14
 164:9,9,17 165:10
 165:14 166:3,8
 167:10 169:2,11
 170:1,12,18
 172:19 181:19,21
 181:21 182:2,9,14
 182:22 183:6,18
 185:2,8,12,15,21
 187:13,22 189:12
 191:4 192:8,13,16
 192:20,22 193:3
 193:16 218:9,9,13
 218:18 219:4,14
 219:20 221:2,14
 222:5,12,17,22
 223:16 224:7,9,11
 224:14 225:4,8,9
 225:10 230:11,11
 230:13 232:7
 233:18 238:20,20
 238:22 240:3
 253:4,5,6 263:1
 273:13,14,15
 276:14 277:10
 281:12,12,14
 283:5 303:2,2,4
 305:4 313:14
 315:7
School 286:2
Schutz 4:4 12:19
 12:19 50:15,18,21
 51:10,11 52:7,10
 52:12 58:9 61:5
 61:20 62:2,16,19
 63:8,13,19 64:7
 65:2,14,21 66:16
 67:1,6,8 69:5,9
scientific 146:5
scientifically-bas...
 233:5
scientist 145:7
 169:13
scientists 143:12
scope 68:1 257:17
 315:3
screened 230:4

se 217:13
season 46:9,15
 47:2 52:16
seasons 54:9
seat 37:6 96:20
 176:8,9 188:17
 289:4
seats 9:18 82:9,10
 83:3,12,18,18
 84:2,3,5,18 95:1,1
 102:9,10 125:2
 177:7,17,17 178:1
 182:18 185:10,13
 187:17,18,20
 278:7 288:16
second 62:5 84:9
 84:10 85:3 101:18
 124:21 149:1
 165:3 191:15
 202:6,9 239:5,9
 248:6 289:1,14
 295:10 303:11
Secondly 295:2
secretary 7:13 23:7
 87:5 88:18 123:5
 132:1 141:5
 150:12,12 267:11
 274:12,15 275:8
 275:10,21 276:21
 277:4,6 281:7
 285:12 290:2,5,7
 290:10 291:4,8,12
 302:14 318:15
 319:7
section 84:7 101:20
 101:21 209:13,16
 219:10 274:8
 318:18 325:11
sections 85:7,10
 205:13 209:20
 210:4 298:7
securing 132:10
see 18:11 35:10
 60:22 91:4 99:5
 99:13 124:5
 127:12 139:12
 143:15 153:20
 167:1 179:16

- 185:21 191:2
193:8 195:6 199:2
226:12,14,15,20
228:2 234:20
235:10,12,13
237:16 238:1,12
241:7 259:8 260:4
264:21,21 265:7
274:5 312:9 313:4
313:6,7,9,20
314:2,3 320:6
- seedless** 4:15
53:14 54:4 176:16
194:2
- seek** 95:15
- seeking** 189:18
- seen** 45:12 63:12
63:17 132:17
148:2 166:11
191:8
- sees** 211:3
- segment** 176:12
183:3
- segments** 182:19
- select** 191:8
- selection** 150:8
181:10
- selective** 300:20
- sell** 57:14 184:19
184:19 261:8
265:9 296:3
- seller** 57:10
- selling** 189:7
316:22
- Selma** 53:19 59:9
59:12 140:13,14
161:7 162:5,15
165:19 187:3
- send** 95:17 174:18
188:9
- Senior** 2:15 11:9,15
16:7
- sense** 122:11
267:14 315:4
- sensitive** 25:13
247:20
- sent** 33:20 110:1
253:15 260:12
- sentence** 239:6,9
276:21
- separate** 42:11
82:8 83:1 84:21
94:21 96:16
124:22 181:3
193:13 200:13
278:4
- sequence** 90:9
- sequential** 33:16
- serious** 26:16
- serve** 51:19 54:19
132:12 177:10,21
179:5,18 183:10
188:8 189:4
193:13,14,15,15
196:2,5 197:8
198:18 203:8,10
246:9
- served** 132:3 160:6
163:16 175:15
176:3 243:14
282:17 284:17
287:14 296:18
- Service** 2:9,15 3:15
10:2 11:21 14:22
15:15 40:13 43:11
74:2 138:17
- services** 198:6
- servicing** 227:14
- servicing** 124:1
179:16 195:10
208:22 282:14
- set** 35:1 109:22
155:10,13 232:11
252:11 270:17
278:17 279:2
280:22 282:6
289:11 311:3
314:7 320:4
- sets** 161:22
- setting** 157:2 247:8
271:6 296:22
- seven** 15:3,4 30:2
30:18,19 31:15
39:11,12 46:5
47:12 84:16
104:12 202:18
- share** 56:16 176:13
183:4
- shares** 56:22
- sharing** 241:20
- Shaw** 1:13
- sheet** 8:17 28:12
70:13,16
- shift** 302:5
- ship** 246:17 258:7
258:10 260:1,10
318:7,11
- shipment** 318:20
- shipped** 55:2
- shoots** 52:21
- short** 23:14 174:5
174:18 202:11
206:6
- shorter** 309:1
- shortly** 283:17
- show** 136:14
302:17
- showed** 177:18
- showing** 279:18
- shown** 44:1
- shows** 44:6,17
45:10,15 46:5,21
61:5 302:1 306:1
314:21,21
- side** 83:4 116:3,16
145:12 191:14
228:2 252:16
264:14 315:5
- sign** 28:5,6 70:12
70:13,16
- significant** 45:12
186:2,3 251:2
- significantly** 215:7
249:13
- silence** 24:13
- silent** 17:19 18:3
- similar** 21:16 47:5
109:22 120:15
135:6 150:10
152:14 153:17,19
- Similarly** 216:9
- simply** 6:9 8:17
23:15 42:13
249:20 256:12
- 283:15
- Simpson** 139:5
140:16
- Simultaneous**
243:5
- Singapore** 56:3
- single** 84:20
- sir** 13:15 14:9,12
36:20 42:4 48:13
48:19 49:5 52:3
70:19 105:16
130:7 172:20
173:17 175:9
202:6 235:2 237:2
243:3 263:18
269:18 280:10
325:17
- sit** 83:4 114:10
186:21 202:18
241:10
- sitting** 65:7
- situation** 96:14
108:21 195:16
197:6 281:22
282:3,16 320:7
- situations** 102:20
229:20
- six** 15:2,3,4 30:2
45:10 54:4 75:7
84:17 87:4,9,18
88:17,22 104:6
180:5 193:9
208:22 209:2
271:14 272:3,9
303:12,19
- Sixteen** 87:20
- size** 52:14 144:22
220:11 221:18
222:9 236:7
249:11 257:20
- sizes** 54:17
- sizing** 190:18
- skilled** 189:17,22
190:1
- skin** 144:12
- skip** 274:14
- slate** 181:4 188:20
- slowly** 52:6

small 8:17 52:15
67:11,12,15,22
68:3,8,12,16
93:14 119:16,18
126:7,11,12,18,20
134:8 150:20
152:8,9,18,22
180:6,6,10 184:12
194:8,11,12,13,14
194:18,22 198:11
213:2 217:4 234:9
234:10,14 264:4,5
264:10,11,16
287:2 297:12
300:2 301:12
316:2,10,17,21
317:2
smaller 45:18
52:21 68:5 119:11
313:21,21
smallest 316:16
smash 59:3
Smutny 15:7,8
snapshot 78:9
social 56:8
softer 148:9
sold 216:6 251:14
260:7,17
sole 279:10
solemnly 37:22
soliciting 134:20
solid 230:22
solids 147:12 222:4
soluble 147:12
solutions 161:14
solve 301:2
somebody 151:9
196:13 197:21
227:21 228:4
319:18
somebody's
191:22
someday 179:17
somewhat 118:4
254:4 271:21
295:12 306:10
Sommers 15:22
16:1

Sonet 4:6 13:11
158:14,17 159:11
159:12
soon 163:9 231:11
sooner 53:20
163:12
sorry 32:16 42:7
63:2,5,8 67:1 76:7
76:9 137:5 146:21
147:1 149:10
165:19 167:12
200:7 205:16
220:13 239:9
241:6 247:11
250:18 267:22
313:13
sort 96:13 98:19
99:1 118:21
119:21 182:16
228:4 233:4 257:3
261:11 283:1
305:12
sorter 137:9 144:5
144:10 145:6
222:3
sorters 313:11
sought 166:22
sound 26:11
162:10 272:21
308:14,14
sounds 237:5,6
source 43:10
108:18 109:4
sourced 60:12
sources 165:7
South 56:2 159:21
166:17 167:22
168:1,4
span 126:17
Spate 4:5 5:5 12:22
12:22 48:18,20
49:1,1,7,15,21
50:5 105:17,17
106:1 107:1,6,9
107:11,15,16,16
107:21 108:1,3
112:17 114:5,14
114:18 115:1,18

115:22 116:13,19
116:21 117:2,9
118:8 119:3,13
120:6,14 121:1,7
121:22 122:13,19
123:2,7,14 124:12
124:20 125:3,18
126:6,13,19 127:7
127:9,18 128:6,22
129:10,13 130:4,8
130:21
speak 17:6 49:5
98:14 101:1
117:22 144:6
145:17 178:6
191:22 195:9
223:5 226:19
248:18 252:17
253:11 269:20
309:7
speaking 20:11
26:15 71:9 140:3
151:1 186:5 229:7
243:5
spec 226:5 228:6,7
228:11 236:6
237:13 266:3
special 17:7 294:21
Specialist 11:10,16
12:3 16:7
Specialists 2:15
Specialty 14:21
specific 83:4
113:14 145:8
161:12 216:16,20
217:12 220:11,19
225:14 226:5,6,19
226:20 231:9
232:1 236:4,5
237:8 238:5,13
239:22 242:21
250:1 251:10
254:8,12 255:14
262:10 268:1
298:1 310:14
311:3
specifically 164:15
210:2 221:10

225:17 229:9
246:12 266:1
specification
246:19
specifications
300:17
specificity 7:8
155:8 267:21
specifics 230:20
specified 220:6
specify 67:21 219:1
specs 226:21 228:5
228:13
spell 58:17 59:7
66:14 116:22
140:7
spelled 8:20 11:1
spelling 140:11
spills 167:3
spin 198:3
spinach 170:6
split 271:10,19
325:2,7
splitting 203:12
spoke 74:10 94:20
254:8
spoken 227:17
sponsor 64:20
131:5 173:10
207:22 245:20
sponsored 157:16
sponsoring 65:17
65:17 77:20 91:12
105:21 112:16
129:19 284:14
sporting 56:10
spot 263:20
spraying 190:17
staff 55:14 196:12
stakeholders 300:2
stand 20:4 26:22
37:14,21 38:6,9
38:16 51:2 72:15
231:12 243:10
245:13 284:10
standard 210:1
221:22 229:22
236:11,11 259:18

- 260:3 261:16
267:20 294:19
312:10,11
standardization
311:5
standards 85:20
212:8 213:11
215:9,10,15
216:16 222:15,19
227:13 241:4
244:6 246:19
247:9 248:12,18
249:10,11,15
251:9 252:3 256:9
256:10 259:8,11
259:12 262:11,13
262:15 263:13
268:10 288:3
298:10,17,18
299:1 300:6 301:1
301:7 310:7,8,14
310:16,20 311:3
311:10,13 313:9
313:19 314:7
318:10,14,22
319:4,14 320:4,7
321:17
standpoint 213:6
stands 130:11
158:4 172:11
207:8
Stanford 285:22
Stark 4:5 5:12,13
13:6,7 130:17,17
131:6,13,17,20,21
131:22 137:4
138:12,14 140:6,8
140:12,18,22
141:7,11,14 142:6
142:9,17 143:5
144:2,8 145:1,18
146:8,16,19,21
147:1,4,8,10,21
148:15 149:8,10
149:19 150:3,9
151:5 152:2,12,20
153:4,8,16,22
154:5,10,21 155:9
155:15,20,22
156:11 157:3
158:1
start 12:8 27:9
66:18 165:12
166:2 218:13
started 29:12 38:21
140:19 165:2
173:11 186:16
246:15,21
starting 59:10
state 7:19 13:13
42:1,3 49:17
62:17 98:4 102:16
114:20 120:12
122:3,10 132:12
142:4,20 149:3
150:1,20 151:21
159:14,16 160:13
160:21 162:3
164:20 165:3,4
170:15 172:20
182:17 183:1
207:11 209:21
222:13 225:17
245:15 255:17
284:12 286:15
296:17 307:15,20
308:1 325:7
stated 78:4 85:9
89:8 126:4 171:12
178:12 194:15
210:6 211:10
219:10 234:3
257:9 264:8
265:14 294:11
315:22
statement 5:12,14
5:14,15,15,16,16
40:2 41:7 49:18
52:4 92:19 96:7
97:8,9 99:3,11
107:5 114:1
118:16 119:22
131:7 159:6
166:17 174:9,19
182:5,16 185:5
191:5 192:9
202:11 218:14,15
218:20 219:22
246:2,3 253:3,8
255:4,17,17 260:5
260:5,14 274:19
285:1,6 295:12
304:19 307:3
309:11
statements 29:11
29:13 181:10
187:15 263:9
states 1:1 14:22
27:15 30:1 126:8
152:4 160:22
166:21 167:4,9
168:6 246:11
267:18 290:19,21
291:6
stating 74:11
152:11
station 39:3,4
Statistic 43:11
statistical 41:16
statistically 162:10
statistics 4:18,19
4:20,21 5:2,18
40:13 78:7 285:15
302:15
status 176:19 242:2
stay 191:16,18
273:2,2
staying 17:22
stem 258:19,22
313:5
stems 237:12
258:18 259:1,3,9
259:16,19 261:4
313:3,4,20,21,22
314:1 320:9,9,10
320:14,15,21
321:2,5
step 13:19 153:13
191:9
Steve 108:3 136:1
136:13 138:14,22
152:13
Steven 4:5 12:22
14:13 49:1 105:17
107:11,15,16
130:21
stipulated 22:15
23:1
Stobbe 3:13 12:1,2
stock 137:1
stocks 57:7
stopped 143:7,10
storage 57:7
136:17
stored 57:5
strange 16:14
strategies 161:10
161:19
Street 3:18
strength 24:21
strengthen 251:19
stretch 53:4
stricter 237:9
Strike 15:2
stringent 226:21
234:22 257:11
strong 58:1
stronger 147:13
strongly 22:9
111:21
structure 7:15
147:12 227:1
structures 289:2
students 160:16,18
161:2
studies 136:17
137:7
study 136:16 137:9
137:11 169:14
subcommittee 75:1
75:13 79:19 81:19
87:11 88:14 93:2
108:5 163:17
243:17 289:2,7
308:12
subcommittees
163:15 202:18
288:18 295:8
subject 26:4 116:9
215:2 223:5 227:4
239:13 307:4
subjective 312:22

submitted 89:11
 182:11 276:17
subsequent 87:8
 88:21 303:12,18
subsequently 46:6
substance 27:21
 92:16 229:8
substandard
 144:12 145:5
 146:10
substantial 58:13
substantially
 289:19
substantiate 188:2
success 270:12
 272:17
successful 133:19
 161:6
successfully
 149:17
sugar 53:6,6,9
 58:22 66:18
 144:13,22 146:20
 147:11 319:5
sugars 220:10,12
 220:15
suggestion 77:10
Suite 3:19
suited 86:2 215:13
 249:18
summary 6:22
 43:22 73:12
sun 44:3 116:18
Sun- 243:14 286:6
 287:16
Sun-Maid 5:17 13:8
 57:17 83:6 271:11
 284:17 285:10
 286:5,7,11,13
 287:3,5,14 289:16
 290:1,14,18
 295:15,15 296:1
 296:15 316:1,20
 317:2
Sun-Maid's 286:20
 290:17
Sunmaid 132:2,3
 141:6 152:6 176:6

177:6 182:19
 183:15,19,22
 184:8,13,19 185:8
 186:7 187:7
Sunpreme 113:3
 116:19,20 136:2
 138:15,19 143:6
 161:8 162:17,22
 163:5,13 165:18
 165:19
super 143:21
superior 213:8,14
supervised 55:14
supplementary
 239:20,21
supplied 316:1
supply 46:7 298:5
 302:11 309:13
support 55:1,11
 56:10 80:16 89:5
 98:4 108:16,20
 109:4,15,19,20
 111:15,20 112:3,8
 118:19,20 121:20
 122:8,12,13
 123:14,16 124:8
 125:19 155:16,22
 156:3 169:14,22
 186:9,10 271:16
 272:6,13 276:3
 278:19 280:22
 281:5,9 282:8,21
 293:1 297:2,22
 304:9 307:22
supported 55:21
 56:5 69:20 81:20
 115:21,22
supporting 75:10
 75:15 89:9 104:9
 111:13
supportive 141:15
 142:1,17
Supreme 73:19
 278:17 290:4
 291:6 297:6,9
sure 6:11 24:4
 32:11 35:14 42:20
 59:11 63:7 72:9

76:18,21 77:3
 101:21 127:2
 144:8 145:18
 146:16 147:21
 148:15 149:20
 166:15 169:1
 170:10 174:6
 178:17 182:15
 223:12 236:19
 239:18 242:4
 256:6 258:4
 260:14,14 266:9
 268:15 273:6
 275:6,6 310:22
 315:3 317:15
 324:16
surpluses 302:7
surprising 23:18
suspend 290:7
suspended 109:6
 116:11 118:4
 143:2
suspending 290:12
suspension 274:9
 294:11
sustainable 133:22
swear 37:22
swearing 37:13,17
Sweden 56:1
sweepstakes 56:7
switch 98:20 99:3
switched 99:1
 305:16,17
sworn 37:13 38:7
 38:15 39:1 50:17
 51:1 63:3 72:14
 107:12,20 130:16
 130:18,22 158:13
 158:15,18 172:22
 173:2,6 207:12,14
 207:17 241:13
 243:2,10 245:8,13
 280:13 284:5,10
sync 226:2
synonymously
 309:22 315:1
system 117:20
 140:20,20 179:17

195:8 203:13
systems 113:7
 117:13 118:13
 132:22 136:20
 163:2 168:7,8

T

T 4:1,1
table 5:18 12:8
 13:13 28:14 30:20
 132:8 143:13
 159:22 160:2
 164:14 188:20
 285:15 301:22
 302:2
tabulating 84:6
 101:19
tailor 249:5 252:7
tailored 261:14,17
Taiwan 56:3
take 9:5 16:16
 18:12,20 30:22
 38:5,8 63:10,16
 65:2 74:14 86:15
 88:8 89:16 92:1
 102:3 105:4 112:2
 115:8,11 135:14
 139:18 168:10
 170:10 177:9
 181:13 183:10
 184:21 185:18
 191:19,22 203:7
 214:9 224:15
 231:12 243:13
 244:11 252:14
 261:16 277:7
 282:4,13,18 291:4
 291:8,12 295:5
 317:12 319:14
 322:17
taken 26:8 34:21
 87:10 139:3
 191:15 240:12,22
 241:2 256:8
takes 23:19 37:14
 52:18 139:10
 196:16
talk 24:19 102:19

121:8 146:22
 168:14 171:2
 174:2 192:17
 209:7 219:21
 225:12 230:20
 255:15 264:4
talked 49:8,9 89:10
 100:15 143:6
 153:11 170:22
 223:6 265:13
 270:20 320:9
talking 121:9
 135:12 149:18
 152:7 188:7 201:4
 225:21 235:19
 266:22 267:2
 275:19
talks 49:3
target 227:19 240:1
targeted 135:15
 136:14 148:6
targeting 143:13
taste 213:16 320:18
teach 56:9
teacher 160:17
Team 159:22
technical 233:4
techniques 161:12
 166:19
technologies
 160:19
technology 133:14
 163:19
teeny 138:22
tell 24:20 62:11
 66:14 92:20
 240:14 305:19
 308:2
telling 95:18
temporarily 245:6
ten 54:1,16 68:15
 87:20 92:6
tend 146:11 179:19
term 10:5 30:18
 58:14 66:10 82:5
 83:9,11 93:21
 104:13 123:16,22
 124:6,11 125:13

125:19 155:16
 173:20 174:3,14
 174:19 195:16
 197:5 198:9,14,14
 199:8 202:10,13
 204:15 205:8,10
 205:11,21 206:10
 206:11 218:21
 219:5 221:7,10
 238:1 252:16
 266:16 267:1
 278:21 279:1,3
 287:21 288:8,11
 289:12 298:3,6
 309:11 316:5
termed 116:13
 198:5
terminate 274:12
 275:8,21 276:21
 281:7
terminated 276:6
 281:6
termination 274:9
 277:5 294:11
terming 197:14
terminology 205:19
terms 54:19 82:12
 86:16 94:3,16
 146:14 149:3
 166:15 171:6
 184:20 226:4
 229:12 261:2
 266:6 281:18
 283:1 295:14
test 132:20 220:21
 226:2 243:20
 256:15
tested 230:21
testified 38:16 51:3
 72:16 104:2
 107:13 124:18
 128:13 131:1
 158:19 173:7
 206:8 207:18
 235:16 243:11
 245:14 284:11
 304:7
testifies 31:2,10

testify 19:10 63:4
 73:11
testifying 21:19
 30:7 31:2 49:14
 202:13 236:21
 283:16
testimony 4:13,17
 5:5 14:5 15:1
 19:19,22 21:3
 22:3 26:20 33:7
 37:20,22 42:9,13
 47:17 58:10 72:19
 72:21 73:13,15
 75:10 76:12 77:8
 78:1,5 81:13
 89:14 90:21 91:3
 92:14,17 93:19
 101:3,5,7,10,18
 102:15 106:2
 107:15,17 113:21
 122:5 123:3 126:4
 130:10 131:20
 140:1 141:4
 142:20 149:2
 150:19 151:21
 152:4 153:11
 159:11 164:10,18
 168:19 173:22
 175:10 178:7,12
 181:13,15 182:3
 193:17 194:1
 200:21 201:11,14
 202:7,8,10 203:15
 203:18 204:18,22
 207:7 208:5,15
 214:7,17 218:5,11
 225:7 231:7,11
 234:18 235:18
 239:17 241:12
 242:1,3 253:8
 264:8 280:17
 288:7,14 292:18
 293:20 294:5
 303:6,15,15 305:1
 305:14 306:12
 311:19 315:22
 325:17
testing 85:13

223:18 229:10
 230:15 232:5
 243:22 244:3
 247:12 256:1,11
 256:12
testings 211:7
Thailand 56:4
thank 12:5 14:7
 15:4,5 16:4,10
 17:14 26:15 28:19
 47:19,20 50:3
 58:9 59:6,19,22
 60:18 61:17 62:4
 64:15 65:10 66:20
 67:9 68:18,19
 70:1 71:15,17
 90:12 91:5 92:13
 93:17 94:3 96:6
 97:7 98:13,16
 99:15 101:14,15
 102:12 104:1,19
 112:12 113:21,21
 115:13 117:3
 119:19 122:1,17
 122:19 123:2
 125:20 126:21
 127:11 129:4,11
 129:13 130:8,9,19
 131:21 139:17
 140:1 141:2
 142:18 143:15
 144:20 145:13
 147:14 148:22
 150:15 151:14
 152:3,16 153:1,6
 154:1,2 156:18
 157:11 159:2
 164:4,10,17 166:8
 167:10 169:2
 170:12,18 171:18
 173:3,18 182:2,14
 185:2,21 187:13
 189:12 191:4
 192:7,8 193:16
 195:2 196:19
 199:21 206:16,20
 206:21 207:5,6
 208:13 218:10,12

219:20 221:13,14
 224:14 225:8
 230:9 232:13
 233:18 234:17
 238:11,17 240:4
 242:5,16,18 253:7
 254:7 255:3,15
 263:2 264:18
 266:8,11 268:19
 273:18,21 277:12
 277:13 279:4,5,12
 279:14 283:5
 284:2 303:5 305:5
 305:11 309:3
 314:3 315:7,9,17
 316:19 317:5
 322:2,10 325:17
thankful 138:4
Thanks 237:15
that'd 283:4
the-vine 133:14
 162:20
theory 259:21
they'd 195:10
thin 146:10
thing 9:2 77:9
 78:15,16,21 79:6
 79:11 89:10 190:7
 199:9 204:18
 295:11 310:4
 314:15
things 28:2 29:17
 95:14 144:11
 146:18 169:21
 170:2 186:15
 189:7 191:3 198:2
 220:2 223:7,10
 229:13 230:5,21
 265:17 291:13
 297:5 310:1,10
 313:19 314:17
think 8:12 16:20
 29:12,19 31:8
 35:7 50:13 63:21
 66:10 68:2,6
 70:20 90:10 97:17
 97:18 100:2 102:4
 104:9 116:9,14

118:10 121:7
 123:15 126:13
 127:5 129:1
 140:12 153:16,16
 156:2,4,19,20,22
 157:4 173:12
 189:22 193:8
 197:3 198:4
 200:21 203:21
 204:21 211:5
 219:7 225:21
 227:16,20,22
 233:9 235:5,15,17
 236:16 238:8,16
 257:13 259:3
 263:7 265:20
 266:12 268:21
 271:9,20 272:1,7
 272:22 275:2,17
 276:1 278:16,18
 279:19 281:3
 282:2 292:8
 296:13,20 302:16
 304:12 306:10
 307:8 308:13
 314:22 316:4
 317:6 321:14
third 51:11 53:15
 67:9 85:14 93:18
 108:12 125:4
 126:5 165:8
 273:22 281:4
 295:11
thirds 273:1 274:17
 275:12
thirds/one-third
 281:16
Thompson 53:14
 54:4 176:16 194:2
thought 31:18,21
 32:17 67:21 83:1
 288:6
thoughtful 233:4
 308:3
thousand 44:8,11
 45:20,22 52:13,15
 54:2 55:4 57:12
 67:13,19

three 46:12 52:13
 53:2 55:17,17
 57:11 67:19 83:7
 83:17 90:20 97:9
 101:6,10 103:7,7
 103:18 109:6
 162:7,9 164:20
 165:5,13 177:14
 182:19 209:1,1
 271:10,20 287:15
 288:1 295:13
 297:14 324:4,18
threshold 262:16
 262:19
throw 196:9
tie 52:18 120:19
ties 147:19 156:12
 156:17
time 7:2 8:11 16:17
 18:21 19:3 20:17
 22:19 23:2,3
 25:20 26:16 33:6
 36:12,16 37:13
 42:19 50:12 54:3
 64:20 71:5 74:7
 88:6,9 91:22 92:2
 96:4 99:5 115:11
 116:2 118:10
 136:8 139:10
 155:3 164:4
 168:11 171:6
 173:15 177:10
 179:9 183:10
 186:9 188:9 189:9
 190:15 196:7,15
 196:20 202:15
 205:4,6 207:7
 214:11 217:14
 218:4 219:17
 229:5 236:9
 240:18 250:2
 269:7 279:19
 284:18 295:10
 297:11 307:7
 308:18 319:15
times 20:7 21:15,21
 22:10 46:13 68:3
 75:7 196:1

timing 66:21
 200:17
tiny 138:22
tired 25:11
titled 43:8
today 7:7 8:8 10:17
 11:12 12:5 67:10
 69:8 72:19 73:11
 78:6 79:22 97:19
 105:22 113:22
 135:22 144:16
 156:15 181:3
 182:11 186:16
 187:6 189:10
 190:13,14,17
 196:12 209:7
 270:20 284:14
 286:18 287:19
 290:6 297:6,22
 298:3 303:13
 304:10 306:22
 309:6
today's 118:10
 294:5 310:21
told 191:12 203:11
tolerance 211:12
 222:19 247:15
 266:6
Tom 285:11
ton 46:11,17 121:11
tonnage 49:4,17,19
 50:1 316:15,16,18
tons 44:20 45:1,3,6
 45:21 46:1 49:10
 54:2 55:4 287:15
tool 170:14 270:5
 271:3 299:10
toolbox 299:11
 308:4 310:22
tools 270:17 308:4
 310:22
top 84:14 274:1,3
topic 269:4
topics 287:20
total 44:6,8 45:10
 46:20,21,22 47:4
 47:6,8,11 55:19
 61:6 91:11 177:17

296:12
totality 296:18
tough 189:21
 199:10
tougher 68:4
toxin 85:13 93:21
 93:22 231:18
traces 229:8,11
 231:18 232:6
track 8:8 18:1
 23:10 26:20
tracking 6:17
tractor 179:6
trade 211:16
 247:19
traditional 53:17
 212:7 222:14,18
 226:16 248:11
traffic 21:15
training 37:4
 136:19 137:7
 163:2 168:8
 191:10
trait 117:16 221:9
transcript 7:4 22:8
 23:6 25:12 140:11
transfer 43:3
transition 68:6
 110:21
tray 53:18 139:5
tray-dried 226:16
trays 175:18
treat 148:18
trellis 118:13
trellising 132:22
 136:19 137:8
 140:20 163:2
 168:8
tremendous 135:20
 137:16 148:16
trend 45:13 47:5
trended 44:10 46:7
trends 57:18
trial 2:5 11:3
trials 163:12
trickle 265:3
tried 117:12,13
triple 47:10

trouble 268:5
true 198:17
truly 123:18
trust 137:20
truth 38:2,2,3
try 24:16 117:18
 124:1 203:14
 231:8 306:21
 313:7
trying 19:9 63:22
 65:5 145:14
 178:16 181:4
 229:16 313:8
 314:3 315:18
Tuesday 1:11
 188:14
Tulare 51:22
Turkey 168:12,13
turn 12:7 27:2
 77:22 181:14
 202:5 244:11
 257:6 266:9
 273:22 284:4
 317:18
turning 9:3 24:15
 102:12 225:6
turns 258:21
Twenty-nine
 174:10
two 10:2 14:6 39:16
 39:19 52:19 53:16
 54:19 55:6,19
 59:6 60:19,20
 71:9 81:22 83:7
 84:21 85:2 87:17
 91:20 93:19 96:16
 98:21 101:4,7,17
 102:7 103:18
 143:5 144:11
 162:6 164:21
 165:5 183:16
 196:16 200:6
 209:3 215:15
 220:2 221:8,17
 223:13 247:5
 248:16 249:15
 254:8 264:3
 287:21 303:11

305:16,20,21
 306:4,7 324:3,18
two- 272:22 274:16
 275:11 281:15
two-thirds 271:15
 272:13 274:17,20
 275:22 281:19
 282:7,11,12
 294:10,17 296:20
 304:2
two-year 88:7
 307:7 308:22
type 42:12 60:1
 93:14 106:8
 112:19 119:5,8,10
 122:15 128:4
 149:17 156:21
 166:18 170:15
 226:3 227:20
 236:8,13 247:22
 318:22
types 28:3 95:14
 110:4 114:21
 148:12 156:9
 255:21
typical 45:15
typically 55:3,16
 133:15 135:15
 266:3 311:20
typographical
 30:14

U

U.C 162:3
U.S 2:2,4,9,14 3:10
 3:14 11:10 41:9
 43:9,13 44:2,8
 167:17,19 168:12
 168:21,22 211:19
 237:20 290:4
Uh-huh 31:16
 114:18 116:21
 124:20 125:3
 149:8 199:4 228:8
 258:11,15 259:20
 262:4 276:5
 278:12 282:15,20
 299:3 310:2 321:1

UK 56:1
ultimately 149:6
 150:6
Um-hum 32:9 43:1
 58:20 60:4 78:2
 89:18 93:4 97:6
 97:13
umbrella 169:6
unable 112:10
 133:7,8 134:17
 142:21 154:15
 164:2
unanimous 87:19
 88:5 122:13 292:7
 295:5 324:21
 325:5,8
unanimously 82:1
 82:4,7 89:2
 111:12 288:9
 304:9
unattached 7:5
uncertainty 96:8,10
undergoing 109:8
undergraduate
 161:2 285:21
understand 40:22
 60:11 65:16 96:6
 99:21 104:2
 105:21 107:5
 109:18 118:18
 121:4 142:10
 147:17 168:18
 199:20 204:10
 255:6 275:2
 292:17 293:4
 294:20 311:8
 314:4
understanding
 96:17 99:2 104:5
 104:11 123:4
 142:3 147:22
 150:5 182:15
 191:6 221:7
 231:15,21 239:18
 258:9 268:15
 274:20 276:7
 277:11 281:3
 311:18 319:11

- understands** 308:5
understood 69:12
 120:21 201:6
 236:20 305:13
undertake 134:9
 150:21
undertaking 139:8
undivided 19:21
unduly 7:14
unease 122:11
unhealthy 259:2
uninterrupted
 133:14
Union 247:17
unique 271:21
 294:21
United 1:1 14:22
 160:22 166:21
 167:4,8 168:6
 246:11 267:18
 290:19,21 291:5
universe 275:15
university 42:1,3
 132:13 135:17
 139:14 159:14,17
 160:21 285:22
 286:1
unknown 97:3
unnerving 307:12
unpleasant 64:18
unprepared 302:21
unresponsive
 20:17 321:10
unsafe 258:14
 272:7
unsure 277:4
unwillingness
 291:12
update 10:11
upward 47:5
urge 22:9 252:10
usage 110:11
 224:11
USDA 10:21 11:4
 11:21 12:3 14:15
 15:9,18 16:8 27:9
 27:16,20 30:6,10
 30:17 31:21 33:12
 36:13 38:14 39:9
 40:22 41:4,10
 43:11 50:11 58:9
 61:18 67:5 69:5
 73:22 79:22 82:1
 82:5 86:15 92:13
 104:6 111:6
 113:19,21 120:1
 122:22 123:1,5
 126:2,3 135:5,6
 138:17 139:21
 140:1 144:9 150:7
 151:18,19 153:12
 153:21 154:3,4
 155:21 162:18
 164:8,10 170:20
 170:21 181:8,20
 181:22 193:20,21
 195:17 197:14
 200:9,10 203:20
 204:1 209:3,8
 212:17,18 213:21
 214:2,3 215:2
 217:19,22 218:1,8
 218:10 221:18
 224:6 225:9
 227:21 228:5
 230:12 232:21
 234:1 237:14
 238:21 239:13
 250:5,6 252:10
 253:5 260:2
 262:10,12,14
 264:1 266:19,20
 273:14 277:16
 281:13 288:10
 293:9 303:3
 310:14,15 311:13
 315:20 317:7
USDA's 82:2 104:3
 124:9,10 205:12
use 17:21 31:17
 41:4 57:2 74:15
 117:5 121:6
 134:14 137:10
 162:15 165:20
 211:21 219:8
 223:9 255:5 260:9
 270:6 299:19
 300:8 309:22
 310:1 313:10
 314:22 316:4
 320:1
user 298:5 309:13
usually 13:13 19:1
 19:6 23:11 53:7
 53:15 166:7
 221:22
utilization 25:9
utilize 260:22
utilized 35:14
-
- V**
-
- v** 290:19
V-A-N 13:11
V-E-N 14:14
V-E-R-A-66:16
vacancies 82:11
 187:19 188:1
vacant 82:13,15,17
 82:17,19,21 84:17
 178:19
Valencia 73:8
valid 235:5
validate 244:3
validation 211:22
Valley 44:3 53:14
 246:15
valuable 109:16
 134:10 150:22
 162:14 293:3
value 46:20,21,22
 47:4,6,8,10,11
 61:7 121:21 211:3
 300:9 301:8,10
 308:4 321:7
van 4:6 5:14 13:11
 158:14,14,17
 159:1,4,9,11,12
 159:12 164:14,22
 166:5,15 167:19
 169:1,9,17 170:4
 170:17,22 171:5
 172:8
varied 44:19
varies 49:9 126:13
varietal 86:10
 318:22
varieties 53:19 59:7
 64:12 110:6
 132:21 136:19
 143:9 148:11
 166:13,16
variety 53:17
 110:14 113:1
 116:18 117:9,17
 136:20 138:15,18
 148:4 302:2,3
various 43:17
 54:16 85:21
 114:10 117:13
vary 53:2 215:7
 249:13
varying 302:1
vast 316:18
vegetable 41:19
veraison 53:5
 66:10,16
verbatim 304:10
versus 21:3 31:20
 37:13 96:9,20
 135:1 260:20
 276:2 307:7
vested 246:11
 273:5
vet 307:7
vetted 212:15 214:1
 217:21 224:5
 227:18 232:19
 250:4 266:18
viable 110:13
 186:11 247:1
vibrant 247:1
vice 246:7
Victor 246:8,15,21
Vietnam 56:2
viewpoint 296:13
Vilsack 285:11
vine 53:21 110:6
 133:12 137:12
 140:22 141:1
 146:18 258:21
 270:7
vines 52:18 54:9

133:13
vineyard 163:7
 176:16
vineyards 57:19
virtually 243:16
 295:5 314:1 321:4
visible 312:2
visual 145:3,4
 311:21 313:8,12
visualize 313:1
vital 211:15 247:18
 270:3
viticulture 132:13
 159:13,15,19
 168:9
voice 86:21 180:2
 186:2 188:4
 269:21 273:4
volume 10:4 74:12
 104:7 125:11
 205:16,18 274:18
 278:14 287:6
 290:8
volunteer 72:8
vote 83:15 84:4
 87:19 88:5 103:21
 177:6 195:5 275:1
 281:8 292:7
 296:21 304:2
 305:16,17 306:16
 323:16 324:1,2,13
 324:14,21 325:3,7
 325:8
voted 81:21 82:7
 89:2 111:12
 127:10 288:9
 292:5 304:8
 324:21
voters 213:19
 217:15
votes 84:6,8,15
 97:5 101:19 177:5
 177:6,6 185:6,9
 295:4 308:3
 323:18,19
voting 274:17
 275:12,15 284:19

W

W-R-A-Y 16:6
wait 18:12 231:6
 325:10
waiting 193:6
 308:16
walk 77:6 201:2
Walt 138:6
want 6:11 7:17,18
 20:5 22:4 25:12
 25:12 28:18 29:17
 32:10 33:5 35:10
 35:14 42:5 70:12
 70:15 76:17 85:15
 92:4,4,8 100:12
 101:20 147:2
 151:7 154:5 179:5
 179:17 188:11,12
 189:4 191:18
 195:17 196:2,8,9
 199:11 201:1,13
 205:1 214:10
 226:15,16 230:22
 239:17 240:22
 241:12,15 244:11
 244:12 254:17
 256:20 258:5
 259:8 260:9
 261:12 266:13
 269:19 274:19
 277:19 296:4,5
 298:17 299:2
 311:17 313:22
 321:4,22 322:14
 325:3,3
wanted 49:11,15
 100:4 112:14,17
 122:3 182:4
 188:18 200:11
 219:21 227:19
 233:1 236:19
 238:12 242:1
 244:7 252:13,17
 255:15 262:4
 268:15 273:4
 276:19 277:10
 280:21 306:2,3,4
 306:5 309:7
wanting 72:8
 183:12
wants 193:13,14
 273:1 282:13,18
warrant 238:15
Washington 2:6,11
 2:17 21:11 23:22
 39:4 286:2
wasn't 23:20
 199:16 242:3
 307:6 308:8
watch 19:8
water 19:2,6 86:9
 110:7 132:19
 137:10 161:19
watering 144:15
waters 239:1
way 17:4 53:22
 77:4,8 86:8 88:4
 99:21 112:7
 119:18 142:10
 147:6,20 148:13
 156:13 170:9
 180:21 188:16
 195:6 199:12
 235:6 236:16
 256:8 262:22
 270:1 272:10,21
 273:3 276:2
 283:17 293:5
 296:2,15 306:18
 308:9 309:14
 315:4 320:1
ways 110:10 247:5
 309:14
we'll 16:19 33:18
 34:11 35:11,19
 77:5,5,22 78:8
 103:16 155:7
 174:20 181:14
 188:20,22 193:8
 199:12 252:15
 278:19
we're 7:9 10:17
 12:7 16:17 17:17
 19:2,15 21:10,11
 32:17 42:21 65:5
 65:6,6 68:6 76:11

85:3,14 89:15
 93:8 95:18 103:8
 103:12 105:4,13
 106:9 113:15
 116:4 121:9
 135:12,22 141:19
 157:8 158:10
 172:17 174:6
 181:4 186:16,18
 186:21 187:5,5,6
 187:7,7,8,8,8,9,9
 189:10 193:5
 196:9,10,17 198:7
 220:6 225:21
 228:10 229:10,15
 229:15 253:16
 256:17 257:18
 266:16 271:10,19
 295:16,17,17,18
 297:6 325:19
we've 32:4 135:19
 136:6 137:16
 170:5 186:14
 189:5 247:13
 253:18 256:19
 265:12 270:19
 292:1 307:11
 320:9,14 321:5
weather 53:2,7
 54:2
website 28:10,13
 35:5 95:22 270:9
weed 110:7
week 53:15
weeks 53:3 54:1,5
weigh 145:12
weighing 137:10
weight 49:19 50:1
welcome 7:3
well-being 187:10
 190:6
well-rounded
 190:11
went 77:12 79:12
 103:1,2 105:11
 110:20 158:8,8
 168:2 172:15
 222:2 224:22

268:7 280:3
 308:12 325:22
West 1:13
wet 195:8
whispering 18:6
wide 112:2
willing 95:12
 177:20 188:12
 203:7 256:22
willingness 291:11
 304:13
win 103:15,16
wind 145:9
window 53:22 54:4
wine 132:7,9
 143:13 164:16
 176:1
Winter 14:15
wisely 271:3
wish 69:16 81:12
 83:4 107:7 131:5
 177:9 178:8 179:3
 181:15 183:10
 214:8 287:19
 289:3 323:5
wished 280:17
wishes 203:10
 283:13 289:9
witness 5:14,14,15
 5:15,16,16 18:20
 19:10,11,22 20:12
 20:14,16 21:5,20
 21:21 22:3,5,10
 26:6,7 28:7 35:14
 35:16 36:12 37:7
 37:14 38:10,14,16
 42:21 48:17 49:13
 50:7,14,22 51:2
 58:4 63:3 64:19
 65:16 66:7 67:3
 68:22 70:4,8,13
 71:13,19 72:3,6
 72:13,15 91:17
 92:9 99:18 100:12
 104:22 105:14
 107:13 113:18
 122:21 126:1
 128:12 129:15,19

130:11,13 131:1
 139:20 149:9
 150:18 151:17
 156:19 157:13
 158:3,4,19 159:6
 164:7 171:20
 172:4,11,18 173:7
 193:19 206:8
 207:1,8,10,18
 218:7 225:3
 227:16 228:9,15
 229:3,9,19 230:1
 230:6,8 231:19,22
 233:21 235:16
 236:20 240:6,11
 240:20,21 243:10
 243:12 244:12,20
 245:4,13,17,21
 246:3,6 252:21
 253:2 267:6 268:3
 268:13 269:1,3,8
 269:19 273:12
 277:13,15 279:5,7
 279:12,14,16,22
 280:5,11,14,19,21
 283:8,16,20 284:2
 284:6,10,15 285:2
 285:4,9,15,20
 292:10,12,17,19
 293:7 294:1,3,6
 294:13,18 299:4
 303:1,14 304:21
 305:3 312:19
 315:11 317:15
 320:13,21 321:2
 321:18 322:6,9,13
 323:5,6 324:13
 325:14
witness' 42:22
 203:18 235:18
witnesses 4:2 7:19
 8:3,14 11:6,22
 18:19 19:15,19
 20:6,20,21 21:19
 26:4 28:2 37:11
 37:12 50:12 98:14
 171:12 187:16
 263:8,11 266:15

277:19 293:21
 309:7 320:12
won 176:8
wonder 59:7
wondering 183:7
 185:9 187:14
 198:13 227:10
 255:21 305:11
 311:19
word 63:21 177:8
 209:10 314:15
words 84:14
 276:20 310:9
work 16:9 41:10,19
 86:13 102:19,22
 137:17 138:18,19
 143:12 151:7
 154:7 164:15
 166:17 167:5,11
 167:22 186:20
 196:18 208:17
 243:17 255:1
 262:20 264:9
 289:8 295:6,19,21
 304:13 305:6,9,15
 308:7
worked 41:9,14
 73:7 138:8 159:17
 169:10 190:10
 194:15 209:3
 234:3 292:1,20
workgroup 74:21
 74:22 75:3,7 87:2
 88:13 94:4,6
 98:20 192:14
working 99:5 112:4
 151:3 165:2
 167:20 196:10
 208:21 209:2
 270:12 292:21
 295:7
works 60:12 74:12
 179:17 285:7
world 168:13 213:2
 213:17 237:21
 246:17,18 299:2
 302:9 315:6
worldwide 129:9

168:22
worse 189:5
wouldn't 141:21,21
 199:3 229:11
 236:2,10 255:5
 258:5 260:1
 282:21
Wray 16:5,6 28:5
 30:21 70:14
write-in 193:12
write-ins 193:5
written 40:2 41:7
 52:4 92:18
wrong 297:4

X

x-ray 313:10,10

Y

yeah 125:18 137:4
 138:22 146:3,19
 147:4,8 156:16
 199:18 205:12
 233:7 252:21,22
 253:14 255:9
 258:2 259:13
 261:3 265:6
 273:17 275:13
 276:22 277:8
 278:9
year 4:14,15 43:19
 44:8,9,11,14 45:3
 45:5,7,16,18,20
 45:21 46:2,11,14
 46:16,18 47:7,8
 47:12,13 54:19
 55:4 56:19 61:6
 78:7,7,10,16,22
 79:6,12 89:12,13
 106:16,17,18,20
 114:8 126:14
 143:8 165:4,8,21
 184:4 193:10
 202:16 274:13,15
 275:10 286:11
 303:17 308:21
 324:4
years 7:2 39:12,12

43:9 44:19 45:2
45:14 46:8,11
73:7 79:12 87:3,4
87:9,16,17,18
88:16,17,22 98:21
98:21 103:4,7,8
103:18 109:6,10
126:17 132:3
136:6 141:16
148:2 159:16
161:4 162:6,7,9
164:20 165:5,5,13
175:13,15,22
176:2 177:3
178:20 186:16
189:3 190:9
197:15 198:1,5
203:2 206:6
208:20,22 209:3
243:18 271:14
272:3,9 285:17
287:14 291:1
297:3 302:17,18
303:11,18,18
305:15,16 308:17
314:13 324:4,18
324:18

yeses 38:4 87:20
yield 44:17,18,18
44:20 45:2,5 49:2
49:3,8,8,9,10,18
137:7 162:15
163:1

yields 44:22 133:20
134:4,13 144:19

York 26:22

Z

Z-Y-L 13:11

Zante 190:18

zero 259:9

Zyl 4:6 5:14 13:10
13:11 158:14,14
158:17 159:1,4,9
159:11,12,12
164:14,22 166:5
166:15 167:19
169:1,9,17 170:4

170:17,22 171:5
172:9

0

1

1 4:11 29:3,8 32:15
32:18 33:9 36:4,9
52:16 54:20
107:18 155:11
173:12 184:12
201:4 273:19
277:22 301:22
302:3 317:13
318:2,7
1,700 136:9
1,820 46:16
1/27/2016 5:3
1:15-cv-00496
290:20
1:30 25:22 172:13
1:32 172:16
10 4:17 76:14 78:6
78:13 81:10 90:14
90:15,17 126:17
177:6 185:8
285:17 310:11

10-'11 106:14

10-year 243:22

10:11 77:12

10:14 77:13

10:30 25:17,17
91:20

10:40 105:11

10:45 25:17,18

100 55:3 61:7,10
124:15 186:9
288:17 295:17,18

102B 3:19

106 5:5,5,6,7,8,9,10
5:11

11 4:18 78:16,19
81:10 82:21 90:15

11-'12 106:16

11-17-14 5:17

11.4 44:22 49:10

11:00 105:9,12

11:54 158:7

11:55 158:9

113 4:5

12 4:19 46:11,17
78:21 79:3 81:10
82:13 90:15

12-'13 106:17

12:09 172:15

12:15 25:18

13 4:20 79:5,9
81:11 82:15 83:11
83:12,17,18 84:3
84:5,5,14 90:16

13-'14 106:18

130 5:5,5,6,7,8,9,10
5:11 55:3

131 5:12,13

14 5:2 79:11,16

80:3,14 81:11
82:14,14,17,19
89:1,5 90:14,16
90:18 177:16,17

177:21

14-'15 106:19

140 4:5

1400 2:5,10,16

14th 111:11 292:6

292:12 304:8

308:14 325:9

15 5:3 25:16,19

26:1 44:19 45:14

46:8,18 52:19

75:16,19 76:4,5

79:18 81:11 82:16

82:17,20,21 91:1

91:10 93:3 105:4

105:6 126:17

182:10 258:18

324:10

15-minute 280:1

15-year 44:7,20

157 5:12,13

159 4:6 5:14

16 5:3 73:16 80:4

80:11 81:11 82:12

82:13,18,18 89:5

89:21,22 177:5

185:6,9,10,13,14

185:16,18 292:13

16-0016 1:8

16-0016AO-FV 6:5

17 5:4 46:1 80:15

80:20 81:11 89:6

90:5,6,11 122:6

289:21

172 5:14

172,487,700 47:7

175 4:6 5:14

17th 285:11

18 5:5 53:11 54:13

54:21 55:11 57:6

106:1 107:1,5

129:18 130:4

176:2

19 5:5 45:6 106:3

190 44:11

190,000 302:4

1912 286:10

1928 246:15

1949 54:12 186:15

289:19 291:16,19

293:8 297:20

302:7 307:11

314:16

1963 246:16

1970 311:11

1970s 176:4

1975 286:3

1976 176:14 182:18

1978 176:15 286:9

1979 310:18

1982 293:11

1986 243:15 284:18

286:7

1987 176:17

1989 54:13 74:8

291:22

1992 51:19

1998 132:4

2

2 4:11 32:3,4 33:10

33:19 34:2 36:9

119:21 178:15

184:12 255:17

278:4 318:2,11

320:5

2:00 294:7
2:20 224:22
2:21 225:1
20 5:6 74:8 84:2
 105:5 106:11
 259:1
20-some-odd
 184:20
200 108:13 314:13
2000 43:9 49:2
2000- 4:14
2000/2001 44:7,9
 45:20
2001 41:22 176:21
2002 51:16
2002/2003 45:1
 46:10,14 47:7,10
2004 42:2
2006 41:10,11
 82:12 302:2
2006/2007 45:3
2008 82:12,14
2008/2009 45:1
2009 39:11 41:12
 41:13 132:5
2009-10 106:12
201 5:14
2010 82:14,16
 176:22 302:18
2011 5:2 79:12
 90:16
2012 4:21 51:15
 79:6 82:16,18
 90:16 133:9
 142:22 160:8
 162:1 163:17
 164:19
2013 4:20 78:22
 90:15 163:3
2013/2014 44:14
 45:2,7 46:2,17
 47:13
2014 4:14,19 43:9
 49:2 78:16 82:18
 82:20 90:15
 160:10 285:11
 289:21
2014/2015 44:10

45:5,21 47:8,12
2014/2016 83:9,11
2015 4:18 43:21
 73:17 74:8 75:8
 78:8 90:14 302:4
2015/2015 46:16
2015/2016 43:19
2016 1:11 27:14
 29:5 43:20 75:8
 75:12 76:6 79:20
 80:3,15 81:17
 82:20 87:12 88:15
 89:1 111:11 177:7
 288:10 292:6
 297:22 323:13
202-702-4982 2:7
202-720-0988 2:12
20250 2:6,11,17
208 4:7 5:15,15
21 5:7 73:9 106:14
22 5:8 27:13 29:5
 106:16
2202 3:18
23 5:9 54:20 57:15
 106:17
231 4:7
2331-C 2:6,11
234,000 302:3
235 4:8
23653 317:18
23654 274:1,2
24 5:10 106:18
241 5:15,15
25 5:11 73:7 106:19
 107:2 129:18
 130:5 148:2 259:1
 259:15 261:4
26 5:12 83:20 131:7
 131:17 141:4
 157:16 158:1
269 5:16,16
27 5:13 75:12 76:6
 79:20 81:17 87:12
 88:15 131:9,11,17
 135:11 138:11
 140:3 157:17
 158:1 323:13
27th 288:10 325:8

28 5:14 132:3 159:5
 159:9 172:1,9
280 44:8
284 4:8
29 4:11 5:14 174:8
 175:2,8 181:13,18
 200:1,4 201:21
 202:3

3
3 1:11 4:12 34:4,9
 36:9 178:21 179:8
 278:10 287:16
3,000 189:10
3:00 26:1,1 188:14
3:15 26:1,2
3:16 280:3
3:30 280:1
3:32 280:4
30 5:15 184:13
 208:1,11 218:20
 225:4,5 231:16
 242:8,15 243:18
 287:14 316:16
300 54:2
300,000 121:11,13
31 5:15 208:1,11
 214:9,18,20
 224:16 225:6,11
 232:15 239:3
 242:9,15
32 5:16 245:22
 253:3 262:7 269:6
 269:10,16 279:10
323 5:16,16,17,17
 5:18,18
328 45:22
33 4:11 5:16 284:21
 322:18 323:3
34 4:12,12 5:17
 285:8,9 289:21
 322:19 323:3
35 5:18 54:15 177:7
 185:19,19 285:14
 301:22 322:19
 323:3
36 4:11,11,12,12
38 4:3

393 46:11

4
4 4:12 34:12,18
 36:5,10 125:6
 179:9,11 278:10
 317:10,20
4/14/16 5:4
4/14/2016 5:3
4:26 325:22
4:30 325:19
4:45 26:2
40 4:13,14 55:1
 176:15 177:3
 190:8 194:2 291:1
41416 89:20 90:3
42 52:14
435-260-9964 2:18
45 185:16
46 184:16 288:15
48 4:13,14
484 45:20

5
5 4:13 39:20 40:1,6
 47:22 48:5,10
 125:9 179:19
 278:11 294:12,14
5,800 189:9
50 56:22 175:15
 190:9 287:6,11
 301:3
50-mile 186:21
50-plus 203:2
500 45:21
51 4:4
520 1:13
555-487-5901 3:21
598,052,000 47:9

6
6 4:14 39:21 40:9
 40:10,16 47:22
 48:5,10 125:11
 278:13
60 208:20
600 46:1
61 4:15

62 4:16
65 136:6
66 4:15,16

7

7 4:15 61:3,5,15
 66:5 71:20 125:13
 180:12 278:21
 324:7,10
7.5 68:11 194:20
 234:12 264:15
 317:1
7.95 45:3
70 186:15 316:14
70/30 316:14
72 4:4
73 4:17
75 5:3
750 67:13
750,000 126:10
 194:10 264:7
78 4:17,18,19,20
 175:13 192:4
79 5:2

8

8 4:16 61:4 62:14
 66:5 71:21 125:15
 180:17 324:14
80 5:3
80/20 316:13
81 4:17,17,18,19,20
 5:2,3,3,4,4
86 197:15,16

9

9 4:17 72:22 73:3
 76:11 78:3,5
 81:10 92:18 177:6
 181:7 185:8 201:5
 303:20 304:18
9.28 45:6
9.7 44:20 49:10
9:00 1:12 6:2 25:16
 71:7
90 186:8
93721 3:20
95 56:22

989 1:6 9:10 111:17
989.107 209:15
989.157 209:16
989.160 209:16
989.29(2)(ii) 84:7
 101:20
989.29(b)(2) 102:5
989.53 209:13
989.54 209:14
989.58 209:20
989.59 209:21
 318:1
989.59(a)(1) 320:5
989.73 209:14
989.91 274:9

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Amendments to the Marketing Order
Regulating Raisins

Before: United States Department of Agriculture

Date: 05-03-16

Place: Clovis, California

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.



Court Reporter

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701