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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Fruit and Vegetable Industry
Advisory Committee Meeting

Before: USDA

Date: 05-09-19

Place: Arlington, VA

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
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UNITED STATES DEPARTMENT OF AGRICULTURE

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FRUIT AND VEGETABLE INDUSTRY ADVISORY COMMITTEE

+ + + + +

MEETING

+ + + + +

FRIDAY
MAY 10, 2019

+ + + + +

The Advisory Committee met in the Fairfax Room of the Hyatt Regency Crystal City Hotel, 2799 Richmond Highway, Arlington, VA, at 8:00 a.m., Chalmers R. Carr, III, Chair, presiding.

PRESENT

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

GREG TISON
DERRIN WHEELER
CHARLES A. WINGARD
DONN ZEA

STAFF PRESENT
DARRELL HUGHES, Designated Federal Official
SONIA JIMENEZ, Deputy Administrator, AMS
LEANNE SKELTON, AMS, USDA
CHARLES STEPHENS, AMS, USDA

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Adjourn.67

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

2 8:02 a.m.

3 MR. CARR: Good morning, everyone.

4 This morning as you know we're going to break
5 back up into our working groups and some of you
6 got through yesterday and maybe you've already
7 accomplished your goal, but you can obviously go
8 ahead and start talking on your topics and stuff
9 like that.

10 The plan is to do that till about 9:30
11 and then we'll reconvene. Maybe a little bit
12 later, just by that time.

13 Darrell, I'll call on you for any
14 housekeeping notes this morning. Anything?

15 MR. HUGHES: Did you officially call
16 the meeting to order?

17 MR. CARR: Yes, I did. Is that all
18 right?

19 MR. HUGHES: All right. So, Darrell
20 Hughes speaking. Housekeeping items. I sent an
21 email out late last night with my availability,
22 the firm ones and tentative ones.

1 The working groups, you can provide
2 dates for your working group call today.
3 However, you can give it the rest of the week for
4 you guys to organize, check your schedules as
5 need be and send an email to me using the SCP,
6 that generic email address that I emailed you
7 guys on, respond to that with your proposed
8 dates.

9 What I'll do is I'll send a
10 comprehensive email to the elected officers
11 letting them know what dates each of the work
12 groups are meeting just so that we're all on the
13 same page.

14 So you can get it to me today or we
15 can handle it within the next week or whatever.
16 And I'll follow up with each of the work group
17 leads on their times before the end of the week.

18 I had a whole list.

19 MR. CARR: Let me just ask you on that
20 right quick. So this would only be for the first
21 meeting of the group because if they want to
22 schedule other calls they can do then.

1 MR. HUGHES: Right. At that meeting,
2 yes exactly. So it's only for the first meeting.
3 And then at that meeting or in between you guys
4 can discuss potential follow-up working group
5 meetings.

6 MR. CARR: And again, for a reminder
7 you've requested that all communication -- all
8 calls you need to be on or invited to and emails.

9 MR. HUGHES: So the conference calls,
10 I'm going to use a platform called Zoom and it
11 allows everyone to dial into the call from your
12 cell phone, wherever. There's no special --
13 well, using your phone you just dial into a
14 number.

15 If you want to dial into a webinar or
16 use your laptop you may have to like go on the
17 application in your browser. But I can walk
18 everyone through that when we get to that point.

19 But I need to be on all conference
20 calls that we have. And if we attend meetings in
21 person I'll be there.

22 Any email communication. Like I said

1 each work group, what I'll do is create a thread
2 and that work group should communicate only on
3 that thread.

4 I know that we heard from a member
5 potentially about using texting, a group text.
6 That probably won't work, I'll just say that. It
7 won't work. It won't work because everything
8 that we do is FOIA-able and we have to provide
9 our information to the public should they ask.

10 And I don't know how we could easily
11 create a text thread and provide it in a format
12 that the public can easily digest.

13 And the last thing I'll do is just do
14 a quick check on our working groups, the names,
15 if I could do that real quick.

16 All right, so for food safety I've got
17 Kiley as your lead, Molly as the assistant, K.C.,
18 member, Michael, Tom and Reade. That's correct?

19 Trade work group. Tommy is the lead,
20 Paul is assistant, Brian K. who's not here was
21 appointed by chair, David, Richard, Julie, Donn,
22 Derrin, Greg, Tom, Kelly, Kiley, K.C. Anyone

1 missing from trade?

2 All right, so labor. We've got Bret
3 as the lead, Tina as assistant, members John,
4 Jeff, Bruce, Kelly, Chalmers, Derrin, Charles.
5 Anyone missing?

6 All right, now production. We've got
7 Steve as the lead, members Julie, Bret, Molly and
8 Donn.

9 MR. CARR: There's more. And I do
10 have a list here for you that Kiley had made
11 yesterday. But for production I have Bret,
12 Julie, Molly, Chalmers, Charles, Eric, Steve.

13 MR. HUGHES: Oh you know what, I'm
14 sorry.

15 MR. CARR: Chandler and Tommy.

16 MR. HUGHES: So let me reread my
17 production list. I've got Steve as the lead,
18 Julie, Bret, Molly, Donn, Charles, John, Chalmers
19 and Tommy. I forgot I had two pages.

20 And the name of the production work
21 group is just production. Or are we adding
22 domestic production? Do you want to just leave

1 it as production?

2 MR. CARR: Just leave it as
3 production.

4 MR. HUGHES: Okay. All right, great.
5 That is it.

6 MR. CARR: All right. So again, I
7 don't like the schedule today because we're
8 running an hour and a half ahead of schedule. We
9 weren't supposed to start working groups till
10 today.

11 So if everybody is still comfortable
12 with the plan we laid out we will meet from this
13 morning 9 to 9:45. We will have a break and then
14 we will come back to get the reports of the
15 working groups.

16 The assignment today is hopefully to
17 bring back the objective statement, those topics
18 that you prioritized that you want to discuss
19 over time and then kind of talk about your
20 schedule. Schedule your first meeting if
21 possible. If not, do that the next week.

22 But then talk about how you want to

1 have your meetings over the summer and everything
2 else like that. So that's really our homework
3 assignment. We will reconvene back here around
4 10 o'clock.

5 MR. WINGARD: This is Charles for the
6 record. Darrell, to reach -- to find the first
7 meeting date can we use something like Doodle
8 poll?

9 MR. HUGHES: You're talking about for
10 your work groups or for the full committee?

11 MR. WINGARD: For the work groups.

12 MR. HUGHES: I don't know if that
13 would work because I mean that would just be
14 pulling out random dates for each of the work
15 groups. I don't think that would work.

16 Unless you guys gave me the dates and
17 I put them into Doodle and then sent them to
18 everyone. That's possible.

19 MR. WINGARD: Is that possible?

20 MR. HUGHES: Yes.

21 MS. ELLOR: Can we set the Doodle up
22 ourselves and add you on it?

1 MR. HUGHES: Yes. You can do that as
2 well.

3 MR. CARR: All right, we're going to
4 break up and have our meetings.

5 (Whereupon, the above-entitled matter
6 went off the record at 8:09 a.m. and resumed at
7 10:03 a.m.)

8 MR. CARR: I'll call the meeting back
9 to order. I hope everybody had a very productive
10 session working within your different working
11 groups.

12 At this point in time I guess I'll
13 just go around and have each group come up with
14 their objective statement, share it with
15 everybody.

16 Do we have the opportunity now to
17 comment on that, or do we have discussion on
18 that?

19 MR. HUGHES: Darrell Hughes speaking.
20 I would say that for each work group have them
21 read what their plan is, discuss it as a group
22 and then either you can approve it one by one or

1 wait till the day end and approve it all at once.

2 MR. CARR: Well, if it's all right
3 with the group we'll approve one by one to make
4 sure we stay on topic.

5 If I can call on trade.

6 MR. WILKINS: Tommy Wilkins. We
7 worked on four focus areas that we're working on.

8 Number one, develop trade agreement
9 with countries, for example Mexico, Europe, Peru,
10 Brazil that would protect the U.S. grower where
11 the U.S. is dependent on supply from other
12 countries during off season.

13 Number two, we want to work on the buy
14 American where you support the American farmer,
15 rancher and processor especially when taxpayer
16 dollars are involved with that purchase.
17 Following the school discussion yesterday.

18 Third, the USDA should increase its
19 export market support by doubling available funds
20 to support promotion and research that is
21 currently being served by the MAP, the Market
22 Access Program.

1 And additionally we're going to look
2 at the USDA should support development of
3 domestic programs to enable specialty crop
4 industries to compete against cheaper foreign
5 imports.

6 MR. CARR: Did you all come up with an
7 objective statement?

8 MR. WILKINS: We would like to pursue
9 trade agreements that support the American farmer
10 and buy American.

11 MR. CARR: Any questions or comments?
12 Under your buy American plan, can you read that
13 one again?

14 MR. WILKINS: We want to support the
15 American farmer, rancher and processor especially
16 when taxpayer dollars are involved with that
17 purchase.

18 MR. CARR: Was there any discussion on
19 competing against foreign product that is
20 subsidized by foreign countries?

21 MR. WILKINS: No, but it's not that we
22 would not have that conversation in our work

1 groups.

2 MR. CARR: Paul, I may ask you this.
3 Some of the pushback on this subject has been
4 really it will have a huge impact on that 80
5 percent of the school funding that -- their
6 discretionary money, that they can choose. As we
7 said, some of these products could be 40 to 50
8 percent less.

9 But we also know that they're
10 government subsidized by the foreign countries.
11 So a way to maybe do that under regulation is
12 just add that it can be considerably less but
13 cannot be from countries that subsidize their
14 agriculture production.

15 MR. PALMBY: This is Paul Palmbly. So
16 I was able last night to do a little more
17 research into the comments that we heard
18 yesterday.

19 I think as we heard the buy American
20 provisions were put in place by 1988 by I learned
21 Leon Panetta.

22 And it was after that that the

1 department actually promulgated the rule on the
2 notion, this concept of significant cost
3 difference.

4 So what we plan to do is put together
5 the background on that situation for the broader
6 committee, recognize -- develop an objective
7 statement along the line of what the chairman
8 characterized.

9 And then we didn't want to presume to
10 get into what the actual recommendations might be
11 at this point.

12 I think once that happens you
13 certainly would expand that into the discussion
14 about how we deal with subsidized imports.

15 Because frankly we struggled a little
16 bit about buy American, whether it really fits in
17 trade. And I think concluded among the group
18 that really what it is is it's a non-tariff
19 barrier is what we're talking about. We're
20 asking USDA to enforce already on the books rules
21 that are effectively non-tariff barriers.

22 So that was kind of the overall

1 thinking. But obviously needs to be provided in
2 a coherent manner and then to be fleshed out on
3 our conference calls as well as amongst the group
4 in August.

5 MR. CARR: Chalmers Carr. I
6 appreciate that. I guess I was jumping ahead.
7 The reason why I was thinking that is just like
8 when I questioned yesterday.

9 USDA actually has the ability to
10 change that regulation. They have to go through
11 the public comment, but they have the ability and
12 under this current administration it's very in
13 line with their principles of what the
14 administration stands for.

15 The bad thing about doing regulation
16 reform is the next time it comes around they
17 could change it again. But again, that may be
18 the easier way to get this solved.

19 But also just understand that foreign
20 subsidy because of dealing with the World Trade
21 Organization and everything we've already run
22 into that. So it's already a precedent.

1 MR. PALMBY: Yes. Paul Palmby again.
2 You're a hundred percent right Chalmers. One of
3 the four recommendations that I know a group of
4 folks that I'm associated with actually met with
5 the Secretary.

6 And one of the recommendations to the
7 Secretary was to eliminate the significant cost
8 difference standard. There were three or four
9 others.

10 We didn't want to at this point
11 without having the opportunity to flesh those out
12 with our committee be able to throw those out to
13 the broader group.

14 I'll speculate that that would be
15 among one of the things that would be presented
16 to the rest of the committee at the appropriate
17 time.

18 MR. WILKINS: Tommy Wilkins here. I'd
19 like to also follow up that even if it was a
20 point that you had to disclose where you
21 purchased your product from, just exposing that
22 to the public what that would be, we would chase

1 that avenue down as well.

2 MR. CARR: Any other questions or
3 comments for trade?

4 MR. LIPETZKY: Tom Lipetzky. I really
5 appreciate the direction that your committee is
6 going. I had wanted to be on the trade but I was
7 also on the food safety side.

8 But I really appreciate it from the
9 viewpoint of looking at policy. And then I've
10 always felt the way you dignify your policy work
11 is through promotion. And I think that's great
12 that you've included MAP.

13 Kind of my interest would be that
14 sometimes we get industries that kind of get
15 caught up, it's not really in gaining market
16 access, it's in the technical world.

17 And whether or not you considered
18 alongside of MAP the TASC program.

19 MR. WILKINS: Tommy Wilkins here. I
20 haven't got all of my acronyms down yet, but I'll
21 try to be better informed on those things.

22 MR. LIPETZKY: That's certainly

1 important to our potato industry. We're caught
2 up in kind of this long-running legal battle in
3 Mexico and the TASC program has been very, very
4 helpful to the potato industry in that respect.

5 MR. ZEA: Donn Zea. To add to the
6 promotional discussion the Farm Bill, when the
7 discussion was happening last year there was a
8 lot of traction, bipartisan traction to give \$400
9 million and at the last minute it did not happen.

10 But the arguments that were being used
11 in '17 leading up to '18 were trade related.
12 There are so many disadvantages and we were
13 starting to see the rumblings of these trade
14 deals falling apart, et cetera.

15 Look where we are now with those. So
16 that argument has gotten stronger. I think
17 because there was bipartisan support last time
18 there should be even more so this time albeit the
19 politics will likely get in the way.

20 MR. HUGHES: Darrell Hughes speaking.
21 A point of clarity. Just to state for the record
22 can you clearly state the objective of the trade

1 group, working group, one more time?

2 MR. WILKINS: So we obviously worked
3 on the four points. Tommy Wilkins here. And any
4 of the committee can override me here, but I
5 think what we're -- our objective is to focus the
6 trade to protect the American farmer and buy
7 American when possible.

8 MR. HUGHES: Okay. Darrell Hughes.
9 One potential guidance point. The proposed trade
10 policy market access work group that was sent,
11 the language that is provided there you might
12 consider looking at that language and rolling
13 what you just stated into that language, getting
14 rid of like the market access and any of the
15 other stuff that doesn't fit that you don't like.

16 And I'm only stating that so that it's
17 more uniform with some of the other work group
18 objectives that I know will be coming up.

19 MR. WILKINS: Tommy Wilkins. We
20 weren't prepared to dig into the weeds as much as
21 try to find a direction to head towards. I
22 believe the group will -- we will get into better

1 clarity as we work together offsite.

2 MR. HUGHES: Perfect.

3 MR. CARR: Chalmers Carr. Maybe the
4 first time you all have your meeting go back and
5 review your objective statement and kind of get
6 that more together and then supply that back.

7 MR. WILKINS: Certainly.

8 MR. CARR: That would be great.

9 Labor, Bret.

10 MR. ERICKSON: Labor. Our objective
11 statement -- Bret Erickson speaking. Sorry. Our
12 objective statement, draft objective statement,
13 to deliver thoughtful and clear ag labor
14 recommendations and statements to the Secretary
15 with intent to preserve the survival and
16 sustainability of U.S. fruit and vegetable
17 production.

18 For decades the future of ag labor has
19 had a high level of uncertainty due to lack of
20 immigration reform and an inadequate guest worker
21 program. So it's created a competitive
22 disadvantage for U.S. producers.

1 Because of this disadvantage U.S.
2 dependency on foreign grown fruits and vegetables
3 continues to rise dramatically as demonstrated by
4 record-breaking import volumes. At the same time
5 U.S. production is moving overseas.

6 Without immediate ag labor reforms the
7 nation's food security will remain at risk and
8 domestic production will continue to decline.

9 MR. CARR: So that's the objective
10 statement.

11 MR. ERICKSON: Our objective
12 statement. We can provide that to you in
13 writing.

14 Focus areas. We selected or we
15 prioritized five primary buckets.

16 Number one, the future flow of labor.
17 Number two, the current workforce. Number three,
18 wages and benefits. Number four, food security.
19 And number five, technology and innovation.

20 MR. CARR: Questions of labor? And
21 we're going to do a Doodle poll for our first
22 meeting.

1 MR. ERICKSON: We're going to Doodle
2 poll for our first meeting.

3 MR. CARR: Production.

4 MR. SMITH: Steve Smith. We
5 identified four things but our group was kind of
6 small as a lot of our members were in other
7 groups. So we'll depend upon our first
8 conference call to get more people involved and
9 garner some new ideas and feedback on what we
10 came up with.

11 But we identified four things we were
12 wanting to propose. Research initiatives is one
13 of them to encourage and -- a lot of the research
14 now is being done in the form of block grants.

15 And block grants recognize problems
16 that occurred six months ago that someone now
17 wants to do a research project on. It will be 18
18 months before you get any results. And it's not
19 there.

20 So we wanted to focus more research
21 dollars on continual availability of researchers
22 and ongoing research at universities so that

1 daily problems can be addressed and not two years
2 later. So that was one of our things with
3 research.

4 Also with universities staffing going
5 continually down. Block grants are only
6 available mainly to public institutions. And we
7 wanted to allow private groups to apply in the
8 same manner that other applications are submitted
9 for research projects as long as all the research
10 was made public at the finality. So a couple of
11 things on research.

12 Our second area that we wanted to
13 focus on is specifically a problem that's
14 confronted in the last three years of off-target
15 movement and contamination of produce mainly by
16 the introduction of dicamba tolerant crops and
17 the risk that that imposes to specialty and food
18 crops.

19 So we wanted to make some
20 recommendations to both USDA to work with EPA and
21 get some better language and restrictions to
22 protect food crops, pollinator habitats and

1 organic producers that are at risk of crop
2 contamination.

3 We also have an area where we're
4 identifying problems with product labels that are
5 not clearly and uniformly written. Examples
6 might be that a particular product is from one
7 generic producer has a label for processing only
8 and another very same active ingredient is
9 labeled for fresh end product.

10 So that someone using that that bought
11 a different generic product might be in violation
12 of the label unknowingly because the other label
13 has been used and had it on there.

14 So clear and uniformly written labels
15 for fruits and vegetables is really important.

16 And then we wanted to address crop
17 insurance. But none of us on the existing group
18 was good enough on that and so we're going to
19 rely on some more input about crop insurance for
20 fruit and vegetable crops.

21 MR. CARR: Any questions? So you
22 didn't really come up with an objective statement

1 yet.

2 MR. SMITH: We have overview
3 statements on three, or two of the things. And
4 Charlie, if you wanted to read any of those you
5 could. Steve Smith. Or it can be --

6 MR. WINGARD: This is Charles
7 speaking. We kind of worked on an individual on
8 research.

9 It is our opinion that agricultural
10 research funding has traditionally gone into
11 agronomic row crop research due to market
12 potential.

13 As a result specialty crops research
14 has lagged and this industry has significant
15 production challenges that are not being
16 addressed. Inclusion of the specialty crop
17 titles in the Farm Bill which initiated specialty
18 crop research initiatives and block grants has
19 benefitted this industry.

20 However, budget constraints and public
21 universities still are not adequately funded to
22 support this industry such as providing ongoing

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MR. CARR: All in favor we adjourn?

(Chorus of ayes)

MR. CARR: Thank you all.

(Whereupon, the above-entitled matter
went off the record at 11:01 a.m.)

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From: Chalmers Carr <chalmers@titanfarms.com>
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To: Hughes, Darrell A - AMS <darrella.hughes@usda.gov>
Cc: Hillary Barrow <hillary@titanfarms.com>
Subject: Re: Please Approve - FVIAC May 9-10 Meeting Minutes

Approved.

Chalmers Carr
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Please excuse any typos or grammatical errors

From: AMS - SCP FVIAC <SCPFVIAC@usda.gov>
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Subject: Please Approve - FVIAC May 9-10 Meeting Minutes

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Good morning Chalmers:

I've attached the meeting minutes for the May 9-10 FVIAC session. Please respond to this email approving the minutes.

One important correction. On page 95, beginning in the third paragraph, I said: "If you want to create a work group on let's just say agricultural labor or rural broadband those are topics that get outside of USDA's center of influence." This statement is partially incorrect. USDA Rural Development agencies work to enhance telecommunication (among other infrastructure) needs in rural communities.

Once the minutes are approved, I will have them posted on the USDA FVIAC website.

Thanks,
Darrell

<image015.jpg> | **Darrell A. Hughes | Designated Federal Officer**
Fruit & Vegetable Industry Advisory Committee
U.S. Department of Agriculture | Agricultural Marketing Service
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