

UNITED STATES DEPARTMENT OF AGRICULTURE

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FRUIT AND VEGETABLE INDUSTRY ADVISORY COMMITTEE

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WEDNESDAY,
APRIL 19, 2023

The meeting came to order at 9:08 a.m. EDT in Press Room 107-A located at the Whitten Building, 1400 Independence Avenue SW, Washington DC 20250, Kay Swartz Rentzel, Chair, Presiding.

COMMITTEE ATTENDEES:

KAY SWARTZ RENTZEL, Chair
 REGINALD MARSHALL, Vice Chair
 ANGEL SANTIAGO, Secretary
 AMY BAKER, Member-Representative
 HAVEN BAKER, Member-Representative
 JULIE MASSER BALLAY, Member-Representative
 JAMES BENSON, Member-Representative
 MICHAEL BRIANO, Member-Representative
 CHRISTOPHER CIRULI, Member-Representative
 JENIFER DEATLEY, Member-Representative
 DAVID EINSTANDIG, Member-Representative
 BRUCE FRASIER, Member-Representative
 ISABEL FREEMAN, Member-Representative
 ANDREW GARCIA, Member-Representative
 DONNA GARREN, Member-Representative
 MORRIS HODGES, Member-Representative
 DARWIN INMAN, Member-Representative
 ALYSSA MELENDEZ, Member-Representative
 ANTHONY MIRISCIOTTA, Member-Representative
 NATHAN PUMPLIN, Member-Representative
 SUSAN SUTPHIN, Member-Representative
 REBECCA SERRATOS, Member-Representative
 DAVID VAN EECKHOUT, Member-Representative
 JORGE VAZQUEZ, Member-Representative

USDA STAFF:

BRUCE SUMMERS, AMS Administrator
CHRISTOPHER PURDY, SCP Deputy Administrator
DARRELL HUGHES, Designated Federal Officer
JOHN OKONIEWSKI, SCP Market News Director
KIMBERLY MERCER, SCP Market News Advisor
RYAN WILSON, SCP Inspection Director

GUEST SPEAKERS:

BRUCE SUMMERS, USDA AMS Administrator
KRISTA DICKSON, Director, Food Disclosure and
Labeling Division
ELIZABETH LOBER, Assistant to CPP Deputy
Administrator
KIM MERCER, Assistant to SCP Market News
Director
BILL RICHMOND, Branch Chief, U.S. Domestic Hemp
Program
JENNY TUCKER, USDA AMS NOP Deputy Administrator

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

2 9:08 a.m.

3 MR. HUGHES: Hello, everyone. My
4 name is Darrell Hughes. I am the designated
5 federal officer of the Food and Vegetable
6 Advisory Program. I'm sorry, Advisory Committee,
7 not program. I'm confirming for the record that
8 quorum has been met.

9 CHAIR RENTZEL: Good morning,
10 everyone. Kay Rentzel, I serve as your chair.
11 Before we get officially started this morning, I
12 want to make sure we take care of a few
13 housekeeping things.

14 First of all, as many of you have
15 found out, there is currently no public Wi-Fi
16 available in the room. So if you need Wi-Fi
17 because you're going to multitask on our meeting,
18 you're going to have to use your hotspot. Please
19 try to use your own hotspot and not your
20 neighbor's hotspot. Just putting it out there.

21 The other thing is restrooms, should
22 you need them, are out to the hallway, left,

1 quick right, and they're on the wall out there.
2 And should there be an emergency that requires us
3 to evacuate the building, you will go left out to
4 the main lobby, straight out the front doors and
5 across the street.

6 I think I've taken care of all of the
7 official things that we need to do, but I would
8 like to welcome everyone and let you know it is
9 my intention as your chair that we all feel
10 respected and valued and we provide an atmosphere
11 here today and ongoing that'll enable all of us
12 to provide valuable insight to USDA, direction
13 and work to improve specialty crops as a whole.

14 We are here as a voice for our
15 specialty crop industry and our producers. So
16 with that, I call this meeting of the Fruit and
17 Vegetable Industry Advisory Committee to order.
18 I believe it is 9:12 on April 19th, 2023. I'm
19 going to get started.

20 Darrell said you can have five minutes
21 to introduce yourself, then we're going to
22 introduce you to each of the leadership team

1 here. And I just shared with my colleagues that
2 I will not be taking five minutes. We are not
3 here to talk about me. We are here to talk about
4 the business at hand.

5 Let me begin by telling you that,
6 first of all, thank you for supporting me as your
7 chair. Through my career, I've worked in various
8 forms of fruit and vegetable specialty crops.
9 Started my career as a little marketing
10 representative for the Pennsylvania apple
11 industry, and then I moved from there to sales
12 and marketing at a company that was a
13 grower-owned cooperative, Knouse Foods, who
14 markets their brands as Musselman's, Lucky Leaf
15 and a few others and does lots of private label.

16
17 And then from there, I felt an urge to
18 go back and work more in promotion for the
19 industry as a whole. So I returned to the
20 association side of the business and began
21 working as the National Apple Month program
22 director, which was a very rewarding position as

1 well. I now serve as a consultant to a number of
2 organizations.

3 They're small, regional and national
4 organizations who cannot afford a full-time
5 employee or employee staff. So I work with the
6 National Peach Council, the U.S. Sweet Potato
7 Council, the Southeastern Foods Processors
8 Association and also the American Sweet Potato
9 Marketing Institute.

10 And that last one, the American Sweet
11 Potato Marketing Institute focuses exclusively on
12 exports of sweet potatoes.

13 Throughout my career, one of the
14 things that I've always taken advantage of is
15 learning the crops that I work with from the
16 ground up, whether it be in the orchards, in the
17 fields, I think it's important to understand the
18 full dynamics that our industry is up against.

19 And I can honestly say from my
20 perspective, and this is simply my perspective,
21 that producer, that grower, is the cog in the
22 wheel. They are the ones that drive everything

1 that we're here to address and talk about.
2 They're the ones that provide food for all of us,
3 and America, as well as the world.

4 So I think we just need to keep that
5 in mind. They have a strong desire. I have yet
6 to meet a farmer that doesn't say, I am proud to
7 put food on your plate, on your tables, and in
8 your markets.

9 They just love that. And as you and
10 I both know, it's a very hard job. They face the
11 weather, they face supply lines, they face
12 everything, and I have yet to see too many of
13 them that don't smile their way through it. So
14 my hats off to them.

15 With that, I would say we're here,
16 we're going to work hard for the next year and a
17 half, I guess it is, and we want all of your
18 voices to be heard whether you're on a committee
19 when we get to committee reports, speak out if
20 you're not on that committee and you have issues
21 and concerns because sometimes we don't engage
22 with everybody we engage in our subcommittee

1 work.

2 With that, I will turn it over to your
3 vice chair, Reggie. You're up.

4 VICE CHAIR MARSHALL: I'll just put
5 this disclaimer out there. I'm the son of a
6 pentecostal preacher, so we talk for a long time.

7 Unlike my daddy, if I talk too long,
8 just pull my coattail. I want to thank you guys
9 for being here. One of my passions has always
10 been if I'm having a good day, I want everybody
11 else to have one as well. I grew up on a farm in
12 West Tennessee.

13 I come from humble beginnings, truly,
14 because when it rained I always tell people we
15 couldn't cook because we had to use the pots to
16 catch the water for leaks in the roof. So I'm
17 grateful for everything that ever comes my way.

18 Also, I got my first degree from
19 Tennessee State University in animal science and
20 then got a degree in nursing. So I just recently
21 retired from nursing. Got back into farming
22 because I love growing things. And like I said,

1 I want to make sure other people have good days.
2 I do a lot of things in the community, too.

3 I've done work with housing projects
4 in Nashville providing pots of produce for them,
5 now I help mentor a group of young men who were
6 formerly incarcerated, president of the Tennessee
7 Fruit and Vegetable Association. We have group
8 in Tennessee, the Growers Association there, I'm
9 president of that association as well.

10 I developed a farm. I'm trying to be
11 an example of how things can be done because I
12 don't think anything's impossible. I took a
13 piece of urban ground in Nashville and turned it
14 into a farm. I did it through lasagna method,
15 and some of you may be familiar with that. It's
16 where you layer cardboard and wood mulch.

17 So I've hauled in almost 500 tons of
18 wood mulch and 700 or 800 pickup truck loads of
19 cardboard to build this into a viable farm. Now
20 I can plant in the soil because it was just on
21 rock at that time.

22 By doing that and trying to be an

1 example, other people in the community now stop
2 and tell me about how they're building the same
3 type of garden in their backyards. And through
4 those efforts, I'm now developing a 263-acre farm
5 outside of Nashville. And hopefully, we're going
6 to turn it into a destination spot.

7 We're putting in a brewery, commercial
8 kitchen, raising sweet potatoes so I can harvest
9 -- one of the food banks there now, too. It's
10 going to be a regenerative farm. Again, trying
11 to be an example of things that I'm passionate
12 about and help bring other folks along because,
13 again, if I'm enjoying it, I want somebody else
14 to enjoy it.

15 Just like this, if there's anything I
16 can do to help, you got my contact information.
17 I'm here for the next few days, so just talk to
18 me and see how can work together to make this
19 come to fruition. Thank you. This is Angel.
20 I'm going to give it over to our secretary.
21 Thank you all so much.

22 SECRETARY SANTIAGO: Thank you,

1 Reggie, and thank you, Kay. Very happy to be
2 here. Number one, I'm here to serve you all and
3 collaborate hand by hand with Reggie and Kay and
4 Darrell as well. So count me in for anything
5 that I can serve you. That will be my spirit for
6 these year and a half working together.

7 My career started doing coffee, so I'm
8 like a coffee grower and doing milling of the
9 coffee, roasting, everything. I spent about ten
10 years doing that. My last ten years, I have been
11 working in the fresh produce industry and then
12 expanding into other businesses and business
13 models as well like logistics and working with
14 healthcare companies providing food as medicine
15 concept.

16 That's one of my passions right now,
17 push this food as medicine or improve health
18 through nutrition. So that's something that I'm
19 really working in a day-to-day here in D.C. as
20 well. I serve in the wholesaler council in the
21 IFPA with Andrew Marshall as well. I think we're
22 having a reception today or tomorrow with them,

1 so I'll be more than happy to say hello.

2 The other thing that really move us in
3 our company is social impact. So everything
4 related to social impact, that we will have a
5 serious look into it. Puerto Rico is passing
6 through a lot of challenges right now, but we are
7 in a good position to help, and that's basically
8 what we want to do.

9 And one of my reasons to be here is to
10 collaborate, learn from you and try to implement
11 best practices as we work together here. So
12 that's me. Thank you, Kay and Reggie.

13 CHAIR RENTZEL: Thank you very much.

14 I know I'm going off script, Darrell.
15 Because it's so exciting to see people's faces in
16 something other than these little two by two or
17 three by three squares, why don't you just --
18 let's just start on the side. We'll go around,
19 introduce yourself, remind everyone who you're
20 with. I think it's just good to be able to do
21 that again, a refresher course, and it helps me
22 as well.

1 MEMBER BENSON: James Benson. I'm
2 with Hronis, Incorporated. We are a family-owned
3 grower packer shipper in central California. We
4 have mainly table grapes, a little bit of citrus
5 and some nuts. Been in business since 1945.
6 I've been there for 20 years. I'm director of
7 national sales.

8 I've also served on the California
9 Table Grape Commission for the last five years.
10 I'm a board member on the California Fresh Fruit
11 Association, and I've also been involved with
12 IFPA and formerly United. I sit on a
13 grower-shipper board. Just happy to be here. I
14 want to see what we can do to make the industry
15 better.

16 MEMBER FREEMAN: My name is Isabel
17 Freeman. I work for Coast Citrus Distributors.
18 Importer, shipper, distributor of fruits and
19 vegetable, mainly tropicals, anything in the
20 tropical business. I serve on the avocado board,
21 the mango board. And I've been with the company
22 for 30 years, maybe 35. The company was formed

1 in 1947, and we're still going.

2 MEMBER INMAN: My name is Darwin
3 Inman. I'm with Horizon Nut Company. We're a
4 pistachio grower and processor in central
5 California. Been involved in several industry
6 boards from the almond board in previous times to
7 the American Pistachio Growers Association, the
8 Peanut And Tree Nut Council, the International
9 Nut congress, things like that. It's a pleasure
10 to meet with all of you and be a part of this
11 committee.

12 MEMBER CIRULI: Chris Ciruli out of
13 Nogales, Arizona, third-generation family
14 business. We do mainly dry veg. We import, we
15 grow domestically. I live next to the largest
16 congrove in the world. So if you've ever been
17 down there, that's where I'm from. I serve on
18 the National Mango Board. I've been on the
19 executive committee of United Fresh. I've served
20 on food service for PMA and a member of the Fresh
21 Produce Association out of Nogales, Arizona.
22 Happy to be here.

1 MEMBER MIRISCIOTTA: Good morning,
2 everyone. Anthony Mirisciotta coming here from
3 Charleston, South Carolina. Grow Food Carolina
4 is a non-profit food hub. Prior to me being
5 involved in the food hub in Charleston, I have
6 been working with food systems all over the
7 country from California to New England, Canada as
8 well as even Mexico. Really always through the
9 lens of farmer support and working to help
10 farmers be financially viable and sustainable in
11 their operations. So really, really excited to
12 be here. Thank you all.

13 MEMBER GARCIA: Good morning. My name
14 is Andy Garcia or Andrew or Joseph depending on
15 the document that I have. I live in Miami,
16 Florida. I've been in the produce business for
17 over 35 years, 19 years in a family business that
18 was the hook that kept me hooked. About 17 years
19 working with grower-shippers, asparagus, berries,
20 and just recently joined a family business.

21 I'm kind of going full circle. It's
22 called Square One Farms. We're based in Fort

1 Lauderdale. We do a lot of asparagus. And I'm
2 also a mentor for the IFPA where I work with
3 students every year at the conventions. It's
4 great. It's a nice change. I'm glad to be here,
5 and I'm glad to have been selected somehow for
6 this committee.

7 MEMBER MELENDEZ: Hi, everyone. My
8 name is Alyssa Melendez. I am the operations and
9 supply chain manager for a single-origin spice
10 company. We're a social impact company that
11 imports from small farmers and small farmer
12 co-ops from over 20 different countries and 100
13 different spices.

14 Before this, I was working in a fair
15 trade and organic food company importing
16 avocados. And I've worked in farmers markets,
17 worked in our co-ops, local co-ops, and for a
18 non-profit working in food access programs. All
19 across the board, but is now working in spices.

20 MEMBER BAKER: Good morning. My
21 name's Amy Baker, and I represent Peterson Farms
22 out of Shelby, Michigan. Most people, if you

1 talk to someone from Michigan, they're going to
2 tell you where they live by showing you the hand.
3 So, yes.

4 So we're right about right here right
5 on Lake Michigan.

6 I'm the senior director of compliance
7 and regulatory, and we're a fruit processor. We
8 work with over 500 independent family-owned
9 growers, and I'm happy to be here today to
10 represent their voice because we want them to
11 continue to be successful in their businesses.

12 We process not only ready to eat fresh
13 apples but frozen IQF apples, cherries,
14 blueberries, and we are now in apple sauce,
15 purees, bottled juices and organic bottled juices
16 as well. Thanks for having me.

17 MEMBER FRASIER: I'm Bruce Frasier
18 from Carizzo Springs, Texas. It's by Laredo,
19 Eagle Pass along the Mexican border. Dixondale
20 Farms is 110 years old, fourth generation,
21 largest producer of onion transplants in the
22 United States. We grow cantaloupes in the

1 summertime.

2 We ship about 800 million onion plants
3 a year to garden centers, farmers. And we have a
4 mail order business where we send directly to
5 consumers for them to grow them in the garden.
6 Been working with farm labor issues since 1986.

7 That was the first year in which I
8 went up here to Congress and sort of been
9 chairman of the American Farm Bureau's Labor
10 Advisory Board. And I'm on the board to the
11 National Council of Ag Employers. So farm labor
12 is somewhat my passion.

13 MEMBER BRIANO: Good morning. My name
14 is Mike Briano. I represent Harris Woolf
15 California Almonds. I've been in the almond
16 industry 12 seasons now. Before that, in fresh
17 fruit and stone fruit.

18 I'm the vice president of sales and
19 marketing, and we have a particular interest in
20 sustainability and corporate social
21 responsibility. And proud to say, we are the
22 first to incentivize growers to participate in

1 sustainable practices for growing California
2 almonds.

3 MEMBER SUTPHIN: Hi, I'm Susie
4 Sutphin. I'm from Truckee, California. I'm the
5 founder of the Tahoe Food Hub, a non-profit food
6 hub as well, with a goal to increase access to
7 local food and support local farms. And proceeds
8 from that marketplace benefit our community
9 impact programs like so food access, farm to
10 school programs, and farmer resiliency fund.

11 MEMBER MASSER BALLAY: Hi. Julie
12 Masser Ballay with Sterman Masser, Incorporated.
13 I'm the CFO there and one of the family members
14 and owners. We're a third-generation business
15 started by my grandfather growing potatoes.
16 Also, we are a repacker.

17 We do quite a bit of repacking and
18 shipping out to local grocery stores, regional
19 grocery stores and distribution centers. We also
20 are a majority owner in a potato dehi, and fresh
21 cut plant as well in central Pennsylvania.

22 MEMBER EINSTANDIG: Good morning.

1 David Einsteadig, SVP and general counsel for
2 Mastronardi Produce. You may recognize us under
3 our house brand, which is Sunset, protected ag,
4 greenhouse, hothouse, tomatoes, peppers,
5 cucumbers, berries as well, and lettuce in a
6 protective environment. I've been advising the
7 company for 18 years.

8 The company's fourth-generation
9 family-operated company. We operate in all three
10 NAFTA countries. Most of our business is in the
11 U.S. serving the country. Happy to be here. I
12 also sit on United and Government Relations
13 Committee and North American trade working group
14 as well.

15 MEMBER SERRATOS: Good morning, you
16 all. My name is Rebecca Serratos. I am a
17 farmers market representative with Prescott
18 Farmers Market. It's a 501(c)(3) non-profit.
19 Twenty-five years old, just voted number one
20 farmers market in Arizona. Coming to you from
21 Prescott, which is in Northern Arizona.

22 Serve on the NRCS small and urban

1 subcommittee for the state as well as the Arizona
2 Food Systems Network. I used to run the federal
3 SNAP education program for the county of Yavapai
4 for about six years. So coming from nutrition
5 education, food access, food and security, and
6 local growers and farmers markets.

7 MEMBER PUMPLIN: Good morning. I'm
8 Nathan Pumplin. I'm representing Norfolk Healthy
9 Produce. I have a background in plant biology
10 with PhD, and I represent scientists developing
11 better crops through scientific understanding in
12 biotechnology.

13 So we were founded by professors who
14 developed a nutritionally fortified tomato that's
15 very rich in antioxidants, and it's helping us
16 tell a story around where biotechnology can
17 really fit into the specialty crop space. Great
18 to be here.

19 MEMBER DEATLEY: Jennifer DeAtley,
20 Austin, Texas. I come from a state-wide
21 organization called the Sustainable Foods Center.
22 We are also a non-profit working across the food

1 system to build a local or regional food economy
2 through a lens of food justice and equity.

3 Because we work across the food
4 system, we work with farmers, primarily small and
5 mid-sized farmers keeping food local to increase
6 the food supply for more ease of access for the
7 consumers across the state. I'm our community
8 impact officer, whatever that means. I work for
9 a non-profit, so I basically do it all.

10 Thank you for having me.

11 MEMBER GARREN: Good morning. Donna
12 Garren. I'm with the American Frozen Food
13 Institute executive vice president for science
14 and policy, meaning I run the legislative and
15 regulatory shop for the organization.

16 But I started off my career, even
17 though the American frozen food industry
18 represents from grower all the way through the
19 processor for frozen fruits and vegetables
20 primarily, but we also represent the entr,e
21 industry as well.

22 But I started off my career in

1 California for, maybe you couldn't tell by my
2 accent, it was Southern California, but I work
3 for Boskovich Farms, a grower-packer-shipper in
4 California and then went to United Fresh Fruit
5 and Vegetables Association. And then the
6 National Restaurant Association. Most of my
7 career has been in trade association work.

8 MEMBER BAKER: Good morning. Haven
9 Baker. I grew up on a family farm, specialty
10 crop farm in Washington State, and I currently
11 live in Boise, Idaho. I've done the technology
12 route sort of like Nate. I cofounded Pairwise.
13 We're one of the leading CRISPR companies.

14 We've just launched our first product,
15 which is we remove the pungency and the
16 bitterness from mustard greens. So it's selling
17 now, and it'll be in retail. We're also working
18 on a pitless cherry and blackberries that taste
19 good.

20 My constituents are in the berry
21 industry, the northwest fruit industry and the
22 leafy green industry in California.

1 MEMBER VAN EECKHOUT: My name is David
2 Van Eeckhout. I am with the Good Acre Food Hub,
3 which is in Saint Paul, Minnesota. I might be
4 the most northern person here. I might beat Amy
5 by a little bit.

6 I started my career in farming a farm
7 in western Wisconsin growing organic vegetables
8 for about 20 years. Bruce, the first couple
9 years before we had a green house, I got your
10 transplants, so thank you for that. Right now at
11 the food hubs, we're a non-profit food hub.

12 We work with about 120 farmers around
13 our area purchasing, moving a lot of product
14 through the hunger relief channels, which has
15 been a great market opportunity for our growers
16 that's come up since COVID, so excited about that
17 and excited about being on this committee and
18 being able to talk more with you all.

19 MEMBER HODGES: Good morning. My name
20 is Morris Hodges. I'm the owner of Morris
21 Watermelon Farm, LLC, a smaller specialty crop
22 farm in Mound Bayou, Mississippi. I've been

1 farming for five years, watermelon, cantaloupes.
2 In the last two years, I added hemp for CBD. I
3 guess you'd call me kind of a late bloomer.

4 I started my career in the television
5 news industry in Chicago and Los Angeles for over
6 20 years and returned home in '14 and started
7 managing the family farm and decided to stop
8 renting and work it myself. So hence, Morris
9 Watermelon Farm, LLC.

10 I've been following USDA's programs
11 for about four years. Registered with
12 grants.gov, sam.gov, et cetera. USDA sends
13 emails every day, reading about ba da ba da ba.
14 My objective is to bring to this committee, USDA,
15 in realtime how programs affect small specialty
16 crop farmers.

17 That's all specialty crop farmers, but
18 especially underserved black specialty crop
19 farmers because as we know, our challenge is
20 different. I'm grateful to be on this committee,
21 and it's an honor and a privilege to serve.
22 Thank you all for having me.

1 MEMBER VAZQUEZ: Last but not least,
2 Jorge Vazquez with Latin Specialties in Houston,
3 Texas. We are a family-owned company. Started
4 out in 2000, but we were really born into the
5 food industry in Mexico. That's what we've done
6 all of our lives. We are mainly distributors,
7 but now we do a little bit of everything.

8 We have a logistics company with fresh
9 cut. We do import a lot of produce. It's a bad
10 word sometimes, but it's necessary to feed the
11 country.

12 Given the size of our company, we
13 interact with a lot of smaller farmers both here
14 in the United States as well as in other
15 countries.

16 So we're intimately familiar with some
17 of the challenges as far as labor and climate
18 change. And one of my passions is to bring
19 diversity into the industry by ensuring that some
20 of those small farmers grow to be competitive
21 with some of the larger outfits out there. Thank
22 you.

1 CHAIR RENTZEL: Thank you, everyone,
2 and welcome again. I apologize, but we're going
3 to go quickly right into the AMS Administrator
4 Bruce Summers. Bruce is a 30-year veteran of
5 USDA. He's been serving fruit and vegetables
6 specialty crops for, I believe, the duration of
7 his career. I apologize. I know you're up
8 against the time clock, so he may not be able to
9 take many questions, but the rest of his staff is
10 here. Thank you for joining us this morning.
11 It's all yours. Sorry to take up your time.

12 MR. SUMMERS: Oh, no, you're fine.
13 That was probably better than anything I'm going
14 to say anyways. It's fun to hear all the
15 introductions. You had to throw that 30 years
16 in, right, just to make me sound old. Yes, we
17 got to talk about that. I'm old enough to
18 remember when Chuck Ciruli was coming to these
19 kind of meetings, right, Chris?

20 MEMBER CIRULI: Chuck is 79 today.
21 I'll tell him you said hello.

22 MR. SUMMERS: Tell him I said hello,

1 and the first thing I said when I got up here is
2 we're both old. No, I said good morning, folks.
3 It's great to see you, and I did enjoy listening
4 to the introductions. I was standing in the back
5 thinking, get up here, I'm going to ask people to
6 introduce themselves, I don't have a time, but
7 you did, and it's fun to hear, right?

8 What a really diverse group we've got.
9 All over the country, all sorts of different
10 backgrounds and places, expertise and things that
11 you all bringing to this conversation over the
12 next two years as an advisory committee. So I
13 want to start by saying thank you. You all sound
14 like you're very busy people.

15 Clearly, you got other day jobs beyond
16 serving on this committee, and we recognize that.
17 And so I always want to start by saying thank you
18 for thanking the time to put in for, to be
19 nominated, and agreeing to serve. It's really
20 important that we hear your feedback and we gain
21 the benefit of your wisdom and your experience
22 and your knowledge of the challenges and

1 opportunities in the produce sector.

2 That's why this committee exists. It
3 has existed for a long time, and it's always been
4 a really important body for AMS. To give you
5 just a little bit of background since this is
6 basically a new group, AMS has four advisory
7 committees, of which one is the Fruit and
8 Vegetable Industry Advisory Committee.

9 We have 22 research and promotion
10 boards. We have 28 marketing order committees.
11 Okay, so about 50 boards and committees that AMS
12 has and receives information from. Probably over
13 1,000 people. And you're going, what in the
14 world, right? But those boards and committees
15 have very specific roles and responsibility.

16 You're going to hear from Jenny
17 Tucker, Dr. Tucker, behind the pillar, runs the
18 National Organic Program. She has a very robust
19 advisory committee, the National Organic
20 Standards Board. Sometimes, they have poetry,
21 sometimes people play guitar. Sometimes they
22 have protests and dump dirt in front of the

1 hotel.

2 This won't be like that for the Fruit
3 and Vegetable Advisory Committee, but my point in
4 bringing this up is AMS for the most part is a
5 user fee funded voluntary service agency. The
6 only way we can stay relevant and important and
7 provide you the programs you need, and they're
8 going to be effective, is by listening to you
9 all.

10 And you all are representing a big,
11 big population across the country of what we call
12 the fruit and vegetable industry or the specialty
13 crop sector, right, which makes it sound
14 singular, but we know when you talk about the
15 fruit and vegetable industry or the specialty
16 crop sector, you're talking about 300 or 400
17 different industries.

18 Because mangoes are pretty different
19 than tomatoes, that are pretty different from
20 lettuce, so it is a really big group that you all
21 represent. And we really benefit from input from
22 all of these advisory committees, all of these

1 boards and committees to help us run AMS.

2 So you're going to hear in the next
3 couple days from our folks who are going to tell
4 you about what we're doing and how we do it.

5 What we want to hear from you is what should we
6 be doing and how should we be doing it to make
7 sure these programs remain viable and effective
8 and efficient and provide the service you need.

9 These are your programs. Everything
10 you're going to hear about. We talk about market
11 news, we talk about grading. These are your
12 programs, and we do these just to help you all.
13 And if we need to be doing things differently,
14 better, faster, whatever, we need to hear that
15 from you all. And I hope over the next two years
16 we get a lot of that type of feedback.

17 You don't have to be nice, maybe
18 polite, but honest. Tell us what we need to be
19 doing, whether it's a new thing, stop doing this,
20 more of that. That's what we're here for. Maybe
21 just a little bit of background about the
22 Agricultural Marketing Service.

1 I'm the administrator. I'm a career
2 employee, as mentioned. One of the first career
3 administrator at AMS. Generally, that's been a
4 political appointee. The last administration was
5 Secretary Vilsack made me acting.

6 At the end of the Obama
7 Administration, I acted as the administrator,
8 which is that sounds like it means you're
9 pretending, right. I pretended to be the
10 administrator for a year and a half, and
11 Secretary Perdue said, hey, if we convert this to
12 a career job, would you be willing to stay?

13 So about half the administrators in
14 USDA now are career folks, the other half are
15 still political appointees. Just a trivia in
16 case you're playing USDA trivia at the bar
17 tonight. We run ten programs at AMS. You know
18 all about the specialty crop program area. We
19 have ten programs that provide a range of
20 services. Let me deal with the services more
21 than the organizational structure.

22 So think about grading. Anything that

1 carries a USDA grade is done by an AMS employee.
2 Whether it's grain or cotton, fruits and
3 vegetables, eggs, butter, cheese, Grade A eggs,
4 butter, cheese, that's AMS. Prime beef, that's
5 AMS. U.S. #1 potatoes is AMS. Every bale of
6 cotton grown in the United States is graded by
7 AMS before it's sold. So grading is AMS. USDA
8 market news, 600, John, 700 reports a day, all
9 AMS employees.

10 National Organic Program. It's kind
11 of the one thing that's really seen at the
12 consumer level for AMS. A lot of things are not
13 consumer-oriented, but the National Organic
14 Program, that USDA organic seal, all AMS. We do
15 a lot of grant programs, and there's a number of
16 people here. We talk about some of the food hub
17 representatives, right.

18 A lot of grants recently. A lot of
19 support out of some of the new funding that's
20 coming to support those local initiatives.
21 You'll hear a lot about that. And then we buy a
22 lot of food. We buy a lot of food. We buy 20

1 percent of the food that goes into the National
2 School Lunch Program.

3 I like to say we buy the 20 percent
4 that people don't complain about. The other 80
5 percent by the -- my wife's a schoolteacher and
6 she comes home she tells me if lunch was good or
7 bad. And I say, well, clearly it was bought by
8 the state. We only buy the good stuff. But we
9 buy 20 percent of the school lunch.

10 We buy food for food banks through the
11 emergency food assistance program. We buy, right
12 now, about \$5 or \$6 billion worth of food a year.
13 So millions and millions of tons of food that AMS
14 purchases for various food and feeding nutrition
15 programs, federal feeding nutrition programs
16 around the country.

17 All of those are really relevant to
18 you all because we buy a lot of produce, and that
19 percentage of produce is the total amount of food
20 we're buying. It's increasing every year.
21 Everybody wants to get that healthy, fresh
22 produce on the plate whether it's in school

1 lunches or whether it's at the food banks.

2 Produce is becoming a bigger and
3 bigger part of USDA foods. And so I think you'll
4 hear from our commodity procurement team at some
5 point, and I think that's an important area we'd
6 like to hear you all weigh in on.

7 Some of the things I would like to
8 hear from you all. One of my goals when I became
9 the administrator was to work on modernizing our
10 grading services. And remember, we grade a ton
11 of different products. We've come a long way on
12 the cotton program. Cotton program is completely
13 automated.

14 There's almost no hands that touch
15 cotton now when it comes into to be graded. Once
16 that sample is pulled at the cotton gin, it takes
17 us 26 seconds to class that sample.

18 In the livestock sector, we're using
19 cameras that take pictures of the rib eye and
20 help us with the grading, and we're trying to
21 roll that out to really, really small plants
22 around the country. We're piloting that right

1 now.

2 I would like to talk to you all about
3 on the fruit and vegetable side of grading, how
4 we can make steps to modernize that. Infinitely
5 more complicated than cotton. Cotton is one
6 crop. It's very easy to take that one sample.
7 They're all uniform, they weigh the same amount.
8 We run them through machine.

9 It's going to be that easy for fruits
10 and vegetables, or we'd be there by now. But
11 we'd like to hear from you all on the grading.
12 We think it's time to start looking at options
13 for modernizing that process and trying to find
14 the relevant technology. There's a lot of
15 technology in the packing plants, right.

16 How can we take some of that
17 technology and start to use it in our grading
18 program so we make it more efficient, make it
19 faster, hopefully less expensive as the
20 technology gets less and less expensive. So an
21 area I'd love to hear from you on.

22 The other is market news. Market news

1 data was really, really important during the
2 pandemic. Markets were volatile. Ups and downs
3 and shortages and what was going on with
4 transportation, right. We also needed data to
5 help establish policy for new programs.

6 There were a number of programs that
7 were trying to help businesses survive the
8 pandemic in terms of basically getting money out
9 to the industry. There was a dearth of data in
10 the specialty crop sector. It was a real
11 problem. It was easy to do programs for corn and
12 soybeans and other products.

13 NASS collects a lot of data, National
14 Ag Statistics Service, but it's looking back. It
15 tends to be kind of old data. It's not really
16 relevant to what's going on today. Market news
17 data is what happened this morning, great report
18 this afternoon. Fruit and vegetable side of
19 market news is all voluntary, and I think
20 probably we need more voluntary participation to
21 make that data set more robust.

22 So I think that's a message that we

1 need to get out, and it's a message certainly I'm
2 carrying as I meet with industry groups. Because
3 I think the fruit and vegetable market news data
4 could be better, and I think there's probably
5 different ways we can start to display that data
6 that might be more helpful.

7 So we'd love to hear from this group
8 on how we can make USDA fruit and vegetable
9 market news better. I know the team has already
10 been working with you all on some issues. I
11 think they call them charges that they were going
12 -- I hope I'm reinforcing some of that.

13 I've got a few more minutes, and I'd
14 be remised if I didn't bring up that this is kind
15 of a new era for us in the AMS specialty crop
16 program area. We have almost entirely new -- I'm
17 saying new in terms of being a 38-year career
18 employee.

19 In the last year or two in specialty
20 crops, really we got a brand new leadership team,
21 and you're going to meet them today. Chris
22 Purdy, there he is standing back here. Chris

1 just came on board as our deputy administrator.

2 I knew Chris on the day he started in AMS.

3 I used to work in the specialty crop
4 program area. That's where I started. I was
5 there when Chris came on board. I moved on,
6 Chris moved up. Chris moved over into our
7 commodity procurement area, and Chris is a big
8 part of the changes that happen in commodity
9 procurement that have really, really changed the
10 way we buy fruits and vegetables in that program
11 area.

12 Chris was there when we did the food
13 box program. Did you all hear about the food box
14 program when the pandemic first started? 176
15 million boxes of food, most of them stacked was
16 fresh produce delivered to 89 percent of the
17 counties in the United States. A \$6 billion
18 program that Chris and his team stood up in three
19 weeks.

20 I'll tell you a story about that.
21 Secretary Perdue was in a hurry. The pandemic
22 was a mess. Remember March of 2020, restaurants

1 were shutting down and all the food service. You
2 guys know what was happening with the food
3 service side, right.

4 Customers just evaporated. And we had
5 two supply chains, food service, we had retail.
6 They were parallel; they were not intersected.
7 Secretary Perdue was in a hurry. He said, we
8 need to something.

9 Grocery stores need the food,
10 restaurants are shutting down, people in Florida
11 in that time of year were plowing. They couldn't
12 harvest their strawberries, watermelons, squash,
13 things like that. What can you all do?

14 Chris and his team made a suggestion,
15 a modest suggestion. What was it, \$100 million?

16 Hundred million to buy some fruits and
17 vegetables and deliver it to food banks. He
18 said, that's good, let's do another \$100 million
19 with dairy, too. Yes, we think we can do that.

20 A few days later, how about \$100
21 million for some meat products? Okay, maybe we
22 can do that. I want this out by May. This was

1 beginning of April. We did it. And it turned
2 into a billion dollars in the first three months
3 instead of the \$300 million.

4 And at one point in about June, he
5 came to me and said, he said, Bruce, I want to
6 get this started kind of fast, and I really want
7 it to start the first of May, and you all started
8 May 15th. So I talked to the department
9 contracting people and I asked them how long it
10 would have taken to stand up this program.

11 Okay, he's just waiting for it. They
12 said it would have taken them somewhere between a
13 year and a half to three years, so I think you
14 guys did okay.

15 But that's what Chris was working on
16 when he took his hiatus from the specialty crop
17 program. He brings some real executive
18 leadership and experience back to specialty
19 crops. With Heather and Ken, two associate
20 deputy administrators with a ton of experience in
21 specialty crops and other places, I think it's a
22 great leadership team.

1 And of course John, new to the role.
2 And, John Okoniewski, you're going to hear from,
3 new to the role in market news. Michelle Sharo
4 in our MDD marketing. Come on, Heather, help me
5 with the new name. Marketing Development
6 Division. Some day, I will get that right. And
7 then of course, Ryan Wilson in the specialty crop
8 inspection.

9 So that's really a brand new
10 leadership team that you guys are going to be
11 working with. I think it's a great time to have
12 a new advisory committee. This team is now
13 brought together after a couple years, so I think
14 there's just a ton of potential here.

15 I've got to go run and talk to the
16 Cattlemen's Beef Board here in a couple minutes,
17 so I have to revamp my speech when I realized I
18 had 20 minutes, but I do have time. Does anybody
19 have any questions or anything that you want to
20 make sure I'm aware of before I cut out the door?

21 Again, I really want to say thank you.
22 I hope you know how important this role is. It's

1 really, really important for us. We really
2 appreciate you volunteering your time, stepping
3 away from your businesses, traveling to
4 Washington, D.C.

5 You're going to do that a couple more
6 times here over the two years, but thank you,
7 thank you, thank you for being willing to do it.
8 It's a big deal. I don't want to run off too
9 fast. Anything that you guys would like me to
10 know?

11 Yes, sir?

12 MEMBER VAZQUEZ: So on the market
13 news, the emphasis is on price data collection,
14 right? Is there any emphasis on also finding out
15 what the costing of some of this produce are,
16 like comparing the breaking point or the costing
17 of the product in terms of what the market price?

18 MR. SUMMERS: So we do price and
19 volume data, primarily. Cost of production and
20 things like that are often calculated more in the
21 NASS surveys, I think, and some of what the
22 Office of Chief Economist does. But if you have

1 some ideas, I don't want to say no, let's
2 brainstorm.

3 Let's talk about it. What would
4 helpful and who would it be helpful to and see if
5 we're able to do that. There's never no. Let's
6 flesh that out and talk about it. Absolutely.
7 Thank you. The wheels are turning, thank you.
8 Get that conversation started.

9 Yes, sir?

10 MEMBER FRASIER: Are we considering
11 any changes to the ag labor survey as far as
12 collection of data on them to get a more actual
13 figure as far as what we're paying employees on
14 ag labor costs?

15 MR. SUMMERS: Not that I'm aware of
16 right now. But again, ag labor, when I travel
17 the countryside and when people come in to visit
18 me from all over agriculture, not just fruits and
19 vegetables. Number one issue I hear about,
20 first, is labor.

21 The reason we're having trouble buying
22 food, and we are having trouble buying enough

1 food to fill all the orders we have from food
2 banks and other places, because a lot of
3 packing-processing facilities and things like
4 that can't get the labor to run their plants at
5 capacity.

6 So ag labor, rising input costs are
7 second, right, but really I think the limiting
8 factor I hear about every place I go, every
9 industry in agriculture want to talk about is ag
10 labor. So if you've got some ideas on ag labor,
11 we should be talking about those.

12 I don't know if you all have that same
13 perspective, but when I talk to folks ag labor
14 is, like, that's it. I had a couple dairy
15 farmers from Maine in my office a couple weeks
16 ago and they were talking about the challenge.
17 And they're fairly small dairies in Maine.

18 And he said, really, the future of
19 dairy in Maine, if there's going to be one, is
20 going to be one farmer, 150 cows and two robots.
21 He doesn't see any way five years from now he'll
22 have people that will come out and do that

1 relentless job of milking cows twice a day, but
2 robots will.

3 Yes, sir?

4 MEMBER HODGES: Thank you. I concur
5 with that. Specialty crop farming, down in the
6 Mississippi Delta. You got to pay these people.
7 They can go to fast food places and make \$10 an
8 hour in air conditioning. Can't give them \$10 an
9 hour for 98 degrees. So I concur with the labor
10 issue. And to piggyback off of your conversation
11 earlier about programs during the pandemic.

12 Yes, there were great programs that
13 came out fantastic, except how it related to
14 specialty crop farmers. I was on the webinar
15 with Congressman and Mr. Chairman Benny Thompson
16 and Dr. Moman about three years ago, and they
17 were discussing the ag programs rights programs.

18 X amount of hundreds of millions of
19 dollars, et cetera, et cetera. So my comment was
20 that, of course, yes, they were great programs,
21 but they didn't match the smaller specialty crop
22 farmers' needs. They were kind of, what's going

1 on here.

2 So I said, you take this program for
3 example, it pays the agriculture producer \$20 an
4 acre, period. Thousand acres, do the math. With
5 the specialty crop farmer, it was based on your
6 gross income, which, say, let's think small,
7 \$5,000, so you get \$500.

8 You're talking seed, is pretty much
9 what you can buy with that. So to their credit,
10 the Congressman said, Mr. Hodges -- my
11 congressman, of course, not of course but it
12 happen to be, said, do you know, ever heard the
13 term make do.

14 Of course, that's what we've been
15 doing. But me and my other career, but the 30,
16 40, 50-year-old farmers, yes, they're making do.
17 That's what's been happening all these years.

18 I said yes sir, hold on, we'll work on
19 something. Choosing his word and got going about
20 nine months later, they came out with the PRS
21 program, Pandemic Response Safety Program for
22 small specialty crop farmers. Excellent program.

1 MR. SUMMERS: That was an AMS program

2 --

3 (Simultaneous speaking.)

4 MEMBER HODGES: Yes, excellent
5 program. It was great. That is what we are
6 hoping can be implemented on a permanent basis.
7 Just that could be a model. Because prior to
8 that, the program that, for us, the participation
9 was extremely low and USDA was trying to figure
10 out why. Why won't they apply, why won't they
11 apply?

12 And my network and across America,
13 I've been on several webinars talking about these
14 pandemic programs. And it's concurred across
15 America the specialty crop farmers regardless of
16 location, gender, ethnicity, it doesn't matter,
17 all had the same opinion that it wasn't worth
18 their time.

19 Thank you all for coming with the PRS
20 program and hope for that program can be modeled
21 for that permanently. Thank you.

22 MR. SUMMERS: Thank you for those

1 comments. You're right. Some of the pandemic
2 response programs that USDA put together, and
3 this is where I think we get back to the need to
4 make sure we have data so we can be at the table
5 fighting for specialty crop producers. Certain
6 payments per acre worked really well whether
7 you're growing corn or soybeans.

8 When you're growing strawberries,
9 what's the cost per acre to put in strawberries?
10 It's \$70,000 that they got in California, right?
11 So when they talked about a few hundred dollars
12 per acre, the guys farming 2,500 acres of corn,
13 that's a whole lot different picture than
14 somebody that's trying to grow 30 acre of
15 strawberries in California.

16 So, yes, we have some education to do
17 within the Department. But I think data is where
18 we're going to get out of that, and I think
19 that's one of the points I'm bringing up. We
20 really need to be able to come to the table with
21 solid data. Thank you.

22 MEMBER HODGES: Thank you, sir.

1 MR. SUMMERS: Appreciate that.

2 Yes, sir? One more, and then I'll --

3 MEMBER EINSTANDIG: Nice to see you
4 again. Just to follow up, Bruce's comments and
5 your comments on ag labor. Working from my
6 experience last year with this subcommittee,
7 quite often we would hear in our breakout
8 sessions in our subcommittee meetings that, well,
9 that's not really USDA, that's Commerce.

10 That's not really USDA, that's
11 Department of Labor. That's not really USDA,
12 it's whatever it may be other than it's not USDA.
13 We understand that.

14 So my comment is, especially in light
15 of your comment that the number one thing you
16 hear is ag labor, is to have some mechanism of
17 coordination among all of these different
18 departments, let alone a thousand people in just
19 your world, but how can we cock together so we
20 get the right people at the right table so we
21 don't have to hear, well, that's not USDA, that's
22 this department.

1 I know, Bruce, that's probably what
2 you've been dealing with for decades. That's my
3 only comment and takeaway when you ask what can
4 we do to address labor, I think we need to have a
5 coordinated ability, whether it's some type of
6 coordinated cross functional committee or
7 department that exists so we can get everybody at
8 the table to get at least try to get some
9 progress on the issue.

10 MR. SUMMERS: That may be an early
11 recommendation that this advisory committee might
12 want to make to the secretary. The secretary
13 talks to all those different cabinet officials
14 quite often, actually. So that might be an early
15 recommendation with some specifics, right. Early
16 on, not at the end of this committee, but that
17 may be something.

18 Go ahead, yes.

19 MEMBER BAKER: Real quick. So on a
20 global basis, we've had a food security issue now
21 twice in fifteen years. We tend to think about
22 that in terms of grains and food security, but

1 the policy implications of food security, does
2 that affect fruit and veg from your perspective
3 in the USDA?

4 MR. SUMMERS: Absolutely. I think
5 we're seeing it right in our commodity
6 procurement program where we can't buy canned
7 beans or corn or peas, which have always been a
8 staple because they're shelf-stable and healthy.

9 But I'd say canned corn and canned
10 beans and canned peas are as much a staple as
11 just the row crops, right, especially now, maybe
12 even more so as everyone's really realizing what
13 the dietary guidelines should be on consumption
14 of fruits and vegetables. So absolutely.
15 Absolutely.

16 VICE CHAIR MARSHALL: Bruce, thanks
17 again for being here. With regards to some of
18 the LFPA money that's put in place for minority
19 and socially disadvantaged farmers to put in
20 infrastructure on their farms, how can we, as
21 opposed to allowing states to make the decisions,
22 where that money goes?

1 How can we make direct payments to
2 small minority socially disadvantaged farmers?
3 Because those funds don't necessarily make it to
4 infrastructure all the time. So when states are
5 making those decisions, those farmers are left
6 out.

7 MR. SUMMERS: So there are some other
8 grant programs coming, and I think, Darrell, you
9 got somebody from the grant program coming?

10 MR. HUGHES: We'll have Elizabeth a
11 little later, and then we'll have --

12 MR. SUMMERS: So Elizabeth's on
13 commodity procurement, but somebody from T&M?

14 MR. HUGHES: LFPA is due to come.

15 MR. SUMMERS: Right, but beyond LFPA,
16 which is cooperative agreements with states so
17 they are making the decisions, but there are new
18 grant programs coming for specialty crop
19 producers. We can get you the details on that.
20 If they're not on this calendar, we can add them
21 to the schedule and bring them in. So you're on
22 time.

1 A lot of early work was on small meat
2 processing facilities. That was an emphasis of
3 the secretary. We didn't forget about specialty
4 crops. That's coming, including the regional
5 food business centers that you're going to hear a
6 lot about in the next three weeks.

7 There's going to be a regional food
8 business center cover every part of the country.
9 That announcement is coming from the secretary in
10 a couple weeks. And those business centers will
11 also have that in their sphere of influence. So
12 there's more coming for specialty crops.

13 Yes?

14 MR. HUGHES: If there are any other
15 questions --

16 (Simultaneous speaking.)

17 MR. SUMMERS: I'm sorry, I appreciate
18 the questions. If you take anything away from
19 the conversation, it's thank you. Thank you at
20 the very beginning for being here. Invite me
21 back. I'd love to come back and spend more time.
22 Darrell, let me know what works.

1 MR. HUGHES: Okay.

2 MR. SUMMERS: You guys have a great
3 couple days. You've got an action packed agenda.
4 Take care. We'll see you.

5 ALL: Thank you.

6 CHAIR RENTZEL: Thank you so much,
7 Bruce. We appreciate your comments this
8 morning. I just shared with him I've seen this
9 AMS team from early on in my career, so I guess
10 I'm right up there in his vintage of age of
11 service. Don't count me old, but we're just
12 well-seasoned. And I concur with the team that
13 is in place.

14 I can definitely tell you that this is
15 an outstanding team. From my personal
16 perspective, I've had the opportunity to work
17 with all of them, and they are in fact wonderful
18 service providers for fruits and vegetables. So
19 with that, let me also now introduce -- I don't
20 know, do you want the formal introduction here
21 for our newest deputy administrator, Chris Purdy.

22 I, again, have known Chris for many

1 years. He's a familiar face not only to me, but
2 to many of you here in the room. And as you
3 heard Bruce state earlier, he's certainly
4 well-versed in our industry.

5 And there's a lot of formal things
6 that I could read about, but they've been
7 addressed, and I would definitely say from my
8 perspective and the fruit and vegetable products
9 that I work with, the way the team turned around
10 the Food Box program during the pandemic speaks
11 volumes for the abilities of the leadership under
12 Chris as well as the rest of the team.

13 So with that, I'll let you come make
14 some comments. And I don't know if he's got a
15 schedule, but I'll respect that as well.

16 MR. PURDY: My schedule is a lot more
17 flexible than Bruce's.

18 I appreciate being here. I appreciate
19 meeting you all. Wanted to make a shoutout to
20 the senior leadership, Ken Peterson and Heather
21 Pichelman. Bruce had mentioned them before, but
22 they have really been running the program for the

1 past three or four years.

2 We've gone through quite a leadership
3 transition within the specialty crop program that
4 kept the wheels on the bus. I don't have a whole
5 lot to mention, but I just wanted to talk about
6 the Food Box for a minute and trade mitigation.

7 Bruce asked me to come over when the
8 trade hubbub was going on, farmers were losing a
9 lot of markets in China, and they asked us to put
10 the other program to help farmers mitigate some
11 of the losses that they had received during the
12 trade wars with China.

13 I came over, and they gave us a
14 challenge of buying \$1.2 billion worth of food,
15 putting the program together again within a very
16 short timeframe. The team pulled together,
17 commodity procurement team, specialty crops
18 program who does the inspections and food safety
19 audits put special programs together to help
20 quickly get new vendors on board.

21 Quickly after the trade mitigation
22 program, COVID came along and upended everything.

1 We had a lot of farmers, distributors,
2 wholesalers losing market shares overnight.
3 There was images of sudden miles-long lines to
4 get into food banks.

5 Very searing images. Images of food
6 being dumped, milk being dumped, crops being left
7 in the field. The Secretary challenged us again.
8 He said, we know you can do it. Put together a
9 program very, very quickly.

10 So we pulled all the AMS staff
11 together. We had livestock and poultry program
12 as well as the dairy program and certainly
13 specialty crops to design a purchase effort never
14 been done before at the Department of
15 Agriculture. We called on the specialty crops
16 industry, and naturally they stood up and said,
17 absolutely, we can help.

18 Put together a new contracting method,
19 put together a new vendor onboarding process, and
20 started making purchases of food boxes about a
21 month later. Really unbelievable effort on
22 behalf of the industry as well as AMS and other

1 groups within the food industry. Very exciting
2 effort.

3 It was in the middle of a national
4 tragedy, but we showed that could put together a
5 government and company and private industry
6 partnership. We can do some amazing things.
7 Extended, as Bruce said, to 175 million boxes of
8 food going nationwide, even up to Alaska and
9 Puerto Rico. The industry just came through
10 incredibly as well as their staff.

11 That's it. We'll be seeing you over
12 the next couple of days. I appreciate meeting
13 everybody. And good luck. And thank you, as
14 Bruce said, for investing your time and resources
15 to be here. Thank you.

16 CHAIR RENTZEL: Do you have a couple
17 of minutes to take any questions?

18 MR. PURDY: Oh, great. Thank you.

19 MEMBER HODGES: I'll ask you a
20 question. I appreciate, thank you, Chair. The
21 programs were fantastic. There's a lot of great
22 programs in USDA. Those food box programs, my

1 city, my community, network got them, but they
2 came in 18 wheelers from different states.

3 Our local producers didn't sell one
4 apple, watermelon, cantaloupe, whatever they
5 said, but I understand that you all are working
6 on it, and I've seen programs as such. But I
7 wanted to verbally say that, so when you all
8 start putting those programs together consider
9 the local producers serving that area and not out
10 of that area because that's heartbreaking just
11 seeing a truck come with fresh fruits and
12 vegetables, and none of the producers in the
13 community can sell them. Thank you.

14 MR. PURDY: Thanks for the comment.
15 Out of the Food Box Program came out the Local
16 Food Agreement Program. Elizabeth Lober will be
17 here a little bit later on today, but that was
18 very specifically designed based on what we heard
19 about the Food Box Program and its pros and cons.
20 Cons certainly being able to get small growers on
21 board registered to do business with us and then
22 to bid.

1 So the pros and cons of putting it in
2 the states, but that was really one of the very
3 strong messages we heard is let's take it away
4 from the national level. Let's put it at the
5 local level as much as we can within the states.
6 Our hope with the LFPA is that we start with more
7 small growers so that we can get some more local
8 business going.

9 MEMBER HODGES: Yes, I was just on,
10 maybe six weeks ago, on a webinar with the
11 Department of Agriculture and Commerce who I'm
12 also a member of with their product safety
13 division, et cetera, and they have been funded
14 through a program, I can't think of it offhand,
15 but I've got all that stuff in my phone and et
16 cetera where states now have been given X amount
17 of hundreds of thousands of dollars to purchase
18 from local producers, so that's different from --
19 changes are happening, so that's my point.

20 MR. PURDY: Yes.

21 MEMBER HODGES: And we're grateful for
22 that. And we want to make certain that whomever

1 gets the funding -- there's a lot of USDA
2 programs that say we support underserved
3 producers, et cetera, et cetera, and they give
4 out these hundreds of thousands or hundreds of
5 millions of dollars to non-profit community based
6 organizations, et cetera, et cetera, et cetera.

7 We never get assistance. It doesn't
8 trickle down to us. It's a lot of funding,
9 hundreds of -- you know, so thank you and that
10 one, I am hopeful that will work. The state has
11 taken over that particular grant program to
12 purchase from local farmers, local producers,
13 thanks a lot.

14 MR. PURDY: Yes.

15 MEMBER HODGES: We just need to
16 broaden the policy of USDA grant programs when
17 you say for a specialty crop farmers, underserved
18 local producers, et cetera, et cetera, that and
19 marketing news, let's find out where they are
20 sending -- who are they supporting.

21 Because in conclusion, I've applied
22 for multiple grants over the last three years as

1 a producer and I'm asked, what you going to do
2 with the money, what are you purchasing, down to
3 the dollar. I have to report that's what I'm
4 going to do with this funding if awarded.

5 And I've noticed that for these
6 organizations that are receiving X amounts of
7 hundreds of thousands of dollars to support
8 underserved and specialty crop farmers, there's
9 no accountability, there's no list.

10 I would think you would have to give
11 me the organizations that you are going to
12 support before I give you that money. That's
13 what you say to me before you give me the grant
14 money. I say it for specialty crop producer, so
15 that's --

16 (Simultaneous speaking.)

17 MR. PURDY: Sure. Appreciate it.

18 MEMBER HODGES: Thank you.

19 MR. HUGHES: I'm going to interject
20 because we need to get back on schedule. Kay was
21 going to jump to it. If there are any more
22 questions for Chris, you can fill through me or

1 Kay, and we'll get them answered.

2 MR. PURDY: Thank you.

3 CHAIR RENTZEL: Again, a great team
4 here at USDA. I know they welcome our input.
5 Okay, we are going to try to -- Darrell gave me a
6 schedule, and I have absolutely blown up the
7 schedule, so we're going to try to keep it moving
8 here.

9 We are now going to move to our
10 presentations. The first part of the agenda will
11 be the presentation from the National Organics
12 Program. Please welcome the deputy
13 administrator, Jenny Tucker, and I'll let her
14 take it from here.

15 MS. TUCKER: Good morning, everybody.
16 First, I want to open by thanking you as Bruce
17 did. He mentioned our federal advisory board,
18 the National Organics Standards Board, and they
19 certainly put in a lot of volunteer time to serve
20 their community, and I know you do the same. So
21 thank you very, very much for being here.

22 Just a quick show of hands, how many

1 of you consider yourself active in the organic
2 markets?

3 Okay, a good number of you. What I'd
4 like to do is give a bit of an overview of kind
5 of who we are, what we do, and some of our key
6 priorities at the time.

7 And I would like to say that it's not
8 a real advisory meeting until somebody reads some
9 poetry, so folks need to get on that. Pretty
10 common in the organic space to have people give
11 their public comments in the form of poetry.
12 Organic is a culture as much as it is a method of
13 production here.

14 Next slide, please.

15 For folks who are not necessarily
16 active in this or are dealing with a day-to-day
17 reality of organic but sometimes it's a good
18 reminder of, wait, what does this actually and
19 why are we doing it. USDA does oversee the
20 organic seal.

21 It is a federally protected mark, and
22 in fact we recently got it trademarked, which

1 increases our ability to oversee the organic
2 market. It does emphasize use of natural
3 processes and ingredients. No genetic
4 engineering is allowed.

5 Support soil, water quality.
6 Emphasizes natural production methods with a
7 limited number of approved pesticides which go
8 through our advisory board. We can't add
9 synthetics as allowed in organic unless the
10 advisory board actually recommends it. So unique
11 authority with that board.

12 There are annual inspections with
13 organic, a rigorous certification process. Farms
14 can get certified in crops, livestock, processed
15 products and wild crops. And certainly, fruit
16 and vegetable production is a popular area in
17 organic.

18 Next.

19 Organic is unique in that it does
20 operate as a public-private partnership. So an
21 awful lot of organic certification is not done by
22 the government. It's done by third party

1 organizations. So these are large multinational
2 companies. They're state departments of
3 agriculture.

4 They're small non-profits who are
5 approved by USDA to go out and certify organic
6 farms and businesses. So actually at the
7 national level, we are overseeing \$63 billion in
8 sales; that was in 2021. I think it's going to
9 go up slightly for 2022.

10 So \$63 billion in sales, and yet at
11 the program level here, National Organic Program,
12 we have a \$22 million budget. So most of the
13 activity is happening in the private sector.
14 Right now, there are about slightly more than
15 27,000 certified farms in the United States and
16 45-plus some worldwide.

17 So companies around the world can get
18 certified to the USDA organic standards, which is
19 another kind of unique feature here is that half
20 of our certifiers, the ones certifying the farms'
21 businesses, are actually operating in other
22 countries, many of whom those businesses then

1 ship to the United States.

2 So we do have an advisory board that
3 gives us feedback, but it is a whole network of
4 activity. We also have organic trade partners,
5 other governments that also have organic
6 programs, and we've determined that they're
7 equivalent, not necessarily identical but
8 equivalent, which allows businesses to sell into
9 each others' markets with only one certification.

10 Next.

11 Quick look at what we do at the
12 program. Again, we've got about 84 people right
13 now. And our four key areas are growing and
14 developing the organic sector. The Secretary
15 recently announced Organic Transition Initiative;
16 I'll talk about that in a moment. And so we've
17 stood up a small team to oversee that.

18 We develop and implement the
19 standards. We protect organic integrity through
20 strong control systems, and so that's the system
21 at the certifier level, at the operation level,
22 technology level, but really it is a process

1 standard. That means you have to have strong
2 organic control systems to oversee that market.

3 There is a testing component, but
4 often what we're regulating is process. That
5 requires strong systems to oversee processes, but
6 then we also do enforcement to get the bad actors
7 out of the game and to show the good actors that
8 we are protecting them.

9 Next.

10 A little bit about this Organic
11 Transition Initiative. This was announced by the
12 Secretary in August of 2022. We within the
13 National Organic Program are running a program
14 called Transition to Organic Partnership. This
15 focuses on farmer-to-farmer mentoring, which is a
16 key way that many organic farmers get into the
17 market is they find somebody in their local area
18 who can really show them the ropes of how to do
19 organic in very site-specific environments.

20 Technical assistance to help people
21 really understand how the organic standards can
22 work with a given environment. Community

1 development, again, organic is as much a culture
2 as it is a production method. So building local
3 community networks to bring more organic farmers
4 in is part of the goal.

5 Workforce development and data and
6 reporting. So that's a program we have stood up
7 within NOP just in the last few months. We have
8 six regions. I'll show you a map in a second.
9 There's also support for conservation, and this
10 is a direct payment program for farmers who
11 commit to and apply for conservation assistance
12 through NRCS, so National Conservation Service.

13 They just announced that last week.
14 They'll be standing up an application process for
15 that. There's also crop insurance assistance for
16 transitional organic program growers; that's a
17 first.

18 And then pinpointed organic market
19 development. It's been mentioned that additional
20 grant opportunities will be coming up. This is
21 one of them.

22 The goal is to support innovation by

1 building organic supply chains in targeted
2 markets. There's the missing middle. You have
3 folks who are selecting to grow organically. You
4 have consumers who are willing to buy, but
5 connecting those buyers and sellers in the
6 organic market through infrastructure
7 development.

8 So for example, an organic grower has
9 some place to go that is certified to then handle
10 those products and maintain organic integrity
11 through the market. So there will be a request
12 for applications this spring announced in a
13 matter of weeks here.

14 Next.

15 So this is a closer look at the six
16 regions for Transition to Organic Partnership
17 Program. Again, the service areas for that.
18 There is an interactive map on the National
19 Organic Program website where you can go and
20 actually find out in your state who might be a
21 contact person to work with you.

22 The largest non-profit organic

1 certifier is the lead in each of these regions
2 and is setting up a network of partners to get
3 very tightly down to the local areas to attract
4 people into organic production. We're also
5 establishing two national partnerships to work on
6 market development and connections, so to help
7 farmers find buyers.

8 A lot of organic sales are local and
9 are regional, so helping folks learn how to sell
10 into organic markets. More and more buyers are
11 setting up special contract mechanisms for the
12 transition period, which is three years in
13 organic for which you cannot use prohibited
14 substances on the land.

15 That's a heavy lift. Three years
16 transition is a heavy lift. So more and more
17 companies are entering into contracts with
18 farmers for that transition period to ease the
19 path to transition.

20 Okay, next, try to help you catch up
21 a little bit.

22 We did recently update the organic

1 rules. National Organic Program standards have
2 been in place for about 22 years now. When they
3 were written, it was very, very much a small,
4 local seal. They were trying to pull together
5 all sorts of very independent regional organic
6 seals under one banner for a federated program.

7 And no one at that time really knew
8 how big this was going to get in terms of
9 international supply chains. Very long, complex
10 supply chains where livestock producers are
11 bringing organic feed from other countries. How
12 do you track all of that and maintain integrity
13 back to a farm halfway around the world? It's a
14 challenge.

15 And so over the past several years as
16 the market has grown, we have identified some
17 real challenges enforcing it. So this rule,
18 called Strengthening Organic Enforcement, seeks
19 to bolster those supply chains using a very
20 risk-based approach. So we're hitting the market
21 in the places at higher risk.

22 The small farmers who are selling into

1 local markets are actually not going to be
2 particularly impacted by this rule. There's some
3 minor tweaks they'll need to make, but otherwise
4 we're really trying to target where the risk is,
5 which tends to be in the middle of the supply
6 chain.

7 So right now, there are exemptions,
8 exceptions in the organic regulations that allow
9 uncertified handlers, so people who are moving
10 organic product, to not be certified. That's not
11 the case anymore with this new rule. So there
12 are a lot of entities that need to get certified
13 now who didn't need to get certified before.

14 That's the biggest change in the rule.
15 The purpose of that is to help us with
16 traceability. So when there's a product at the
17 market, we can literally trace it all the way
18 back to the farm. That's the goal.

19 It will require the use of electronic
20 import certificates. Right now, we don't have
21 good visibility into what's coming into the
22 country that's organic. This rule changes that.

1 We'll also strengthen recordkeeping, supply chain
2 traceability and strengthen our oversight of our
3 certifiers.

4 Next.

5 Brief look at what's called
6 applicability and exemptions. The rule is
7 online, it's public, it's pretty plain language.
8 Folks have let us know, okay, I read and I
9 understand what I need to do now. It does expand
10 the types of operations that must be certified.
11 So we are asking for help in getting the word out
12 about this rule and its importance.

13 So any operation that produces or
14 handles organic products must be certified unless
15 they're exempt, and the list of exemptions is
16 very, very narrow now. And the rule lists out
17 what those exemptions are.

18 Handling includes trade, export,
19 import into the United States and facilitated the
20 sale or trade of organic products. So a lot of
21 commodity brokers are going to need to get
22 certified. And we get questions about that.

1 Well, why would I need to be certified? I'm not
2 actually touching the product.

3 Well, you are touching the records.
4 And in a process-based standards, traceability
5 relies on all of those records through the
6 system. Otherwise, you end up getting
7 uncertified product that sneaks its way into the
8 supply chain, which is a high risk for us.

9 So some supply chain intermediaries
10 that don't currently need to be certified again
11 must become certified under the rule. So our
12 request, again, please get the word out about
13 certification.

14 Next.

15 Bit about imports. Certifiers and
16 operations will need to use an electronic import
17 certificate. This is mainly going to impact
18 exporters. So exporters in other countries that
19 want to ship to the United States and they're
20 certifiers, so it's actually the certifier of an
21 exporting company that wants to export into the
22 United States that will generate the import

1 certificate.

2 The goal is to provide traceability to
3 a port of entry so that we have an auditable
4 record trail. They're going to be generated out
5 of our existing organic integrity database. It's
6 been around for about eight years or so, and it
7 is the definitive list of certified organic
8 operations in the market.

9 And then that data single certificate
10 number will be entered into Customs and Border
11 Protection System. It will then be mapped back
12 to our certification system. So minimizing the
13 paperwork for brokers and importers but
14 maximizing the ability to trace product.

15 Next.

16 This rule was developed over several
17 years. So folks who have been active in the
18 organic market, many of them knew it was coming.
19 So this is not a surprise. We got a lot of great
20 comments, particularly from the broker community
21 on the proposed rule that was published.

22 We made a lot of changes to the rule

1 based on that. So the final rule was published
2 in January. We are now in a communication and
3 implementation period, and all the provisions
4 need to be met next March. So we are about four
5 months into a 14-month implementation period.

6 Next.

7 Again, help us get the word out. If
8 a business needs to be certified, there are five
9 steps of certification. We have lots of
10 information on our website on how to find a
11 certifier. We have a certifier locator within
12 our organic integrity database that people can
13 apply to.

14 Businesses need to adopt organic
15 practices, submit an application to a certifier.
16 There is an on-site inspection. Then, there's a
17 full review for compliance and certification.
18 This can take a few months. So depending on the
19 business size and complexity, it can take a few
20 months, so we encourage businesses to start soon
21 to complete that process by next March.

22 Starting in next March, we will be

1 doing full supply chain traceability audits. And
2 businesses that are not certified along that will
3 need to be able to either very clearly
4 demonstrate how they comply with an exemption or
5 that they are certified.

6 Next.

7 We do a lot of different types of
8 activities to protect the organic market. And
9 even though these new rules are in an
10 implementation period, we already have a set of
11 rules that we're continuing to enforce. So
12 compliance is about education. Enforcement is
13 about catching the bad guys.

14 We do a lot of training and outreach
15 to build capability across the market, both the
16 operation and the certifier level. We do regular
17 surveillance of operations of swooping in and
18 asking them to document the work they're doing to
19 protect organic integrity. We also do that at
20 the sector level.

21 We've had a livestock surveillance
22 program for four years where we do unannounced

1 inspections across the country to make sure
2 organic livestock producers are following the
3 rules and to take action if they are not. We do
4 get a regular influx of complaints into our
5 program.

6 We have a full team that investigates
7 more than half of our complaints relate to
8 uncertified operations, marketing as organic when
9 they're not certified. We issue certifier
10 directives to require, for example, stepped-up
11 testing in certain high-risk areas. Those tend
12 to be regional in focus.

13 So for example, Black Sea region for
14 imports, India for imports, but also the
15 livestock market have been our most recent
16 certifier directives. Businesses can lose their
17 license to sell as organic if they break the
18 rules and don't come into compliance after being
19 warned.

20 We also have legal protections under
21 the federal copyright laws now. Customs and
22 Border Protection has already completed seizures

1 at the border of products that are coming into
2 the United States labeled as USDA-certified that
3 are not certified. So Customs has been a
4 wonderful partner with us over the past four
5 years to protect imports.

6 There are significant fees and fines.
7 We can issue civil penalties out of the program,
8 but Customs and Border Protection can also charge
9 holding fees and fines for violations of the
10 standards. And there have even been news reports
11 of domestic violators that have been given prison
12 time as a result of breaking the organic rules,
13 so we take this very seriously.

14 When consumers reach out to pick that
15 organic product, our standards are online. They
16 can find out what those standards mean, and our
17 job is to make sure that that product meets what
18 the standards say that product should meet.

19 And that closes us. So now you're
20 only five minutes behind.

21 MR. HUGHES: Thank you.

22 MS. TUCKER: How about that.

1 MR. HUGHES: So before we go into Q&A,
2 this is Darrell Hughes, the Advisory Committee's
3 DFO speaking. I do want to mention that once I
4 received Jenny's presentation and saw the ask, I
5 was like, oh, wow, that presents a great
6 opportunity for us.

7 And so I will be working on the back
8 end to develop a formal ask or it's going to be a
9 charge where we put a charge before you all to
10 ask you what are the best ways to engage on how
11 we conduct outreach to let our industry
12 stakeholders know about the rule changes.

13 I know that Jenny's organization have
14 their advisory committee, but I think it's a good
15 idea to approach it from different angles to make
16 sure that we notify everyone, and everyone has a
17 clear understanding of what's expected.

18 Yes, more coffee is available in the
19 back for those who are needing it.

20 CHAIR RENTZEL: Let me ask. Is it on?
21 It's okay. Let me just ask when we start to
22 speak with questions if you would state your name

1 for the purpose of the note-taker as well,
2 please. Thank you.

3 MEMBER SERRATOS: Hey, I'm Rebecca
4 Serratos. Thanks for that overview. I really
5 appreciate it. In terms of consumer trust in the
6 organic label, for the consumer end, other than
7 going to USDA website and looking up those
8 standards, is there any other outreach services
9 information that we could send general public to
10 that are questioning whether or not something is
11 organic?

12 MS. TUCKER: Yes, our job at USDA is
13 really to provide the option of organic, to
14 define the standards and communicate those
15 standards. So our website does have some of that
16 information for consumers.

17 The organization that really carries
18 the water on that in the public-private
19 partnership is organizations like the Organic
20 Trade Association, which has an entire toolbox on
21 organic, what are the differentiating features on
22 organic and why consumers would want to pick it.

1 So we do rely on the private sector
2 side of the partnership to do a lot of the kind
3 of the value proposition. We define the
4 standards, explain what they are, but it's
5 ultimately consumer and producer choice as to
6 whether they want to engage in that.

7 MR. HUGHES: Chris. So we go to Chris
8 and then Alyssa.

9 MEMBER CIRULI: Chris Ciruli, Ciruli
10 Brothers. I guess I have a two-prong comment
11 back to you. So one is we do promotions, so we
12 do promotions on mangos and then we import.

13 We used to be together with organics,
14 and then the government separated organics out
15 for their own promotion. So one thing is that
16 promotions never happened for organics so it's
17 part of our funding.

18 And two is the level of exportation,
19 organics has jumped up, and the farming of
20 organics hasn't. So it's a way to defer the
21 actual commission cost by shipping your product
22 as organic.

1 So whatever you could do on compliance
2 there, we would love to see stronger enforcement.
3 We would also like to see the organic people back
4 in the fold with the conventional promotions.

5 MS. TUCKER: Appreciate the comment.
6 Thank you very much. Yes, I think if you find
7 areas where you have specific concerns about
8 compliance, we do have a compliance box, and I
9 always welcome people writing to me directly.

10 MEMBER MELENDEZ: Alyssa Melendez
11 speaking. I'm representing importers and
12 exporters. I just had a question about kind of
13 funding for farmers, especially small farmers who
14 are not necessarily transitioning but have been
15 doing organic practices for a long time and kind
16 of funding in that space.

17 I worked in the organic and fair trade
18 space both locally and internationally, and I
19 think a lot of smaller companies are moving away
20 from certifications because, one, lack of trust,
21 but also just cost for the farmers themselves.

22 A lot of the farmers that I've worked

1 with are either individual family farms or they
2 have to work in co-ops in order to afford the
3 certification. So just wondering about resources
4 in that space.

5 MS. TUCKER: Yes, appreciate the
6 comment. The Transition to Organic Partnership
7 Program is open to certified operations as well
8 who want technical assistance and continually
9 improving their operations. The most direct form
10 of financial assistance for certified operations
11 is the cost share program.

12 It is a rebate program that can make
13 a huge difference for particularly small farmers.
14 So for small farmers who pay approximately
15 between \$700 and \$1,200 for certification, it can
16 provide a significant chunk back. That program
17 is administered through FSA, Farm Services
18 Agency, and it's mostly at the state level.

19 People can walk into an FSA office
20 with their certificate and apply for that rebate.
21 That has been a big benefit for small farmers.
22 We agree with the challenge of small farms and

1 medium sizes deciding that the cost of
2 certification is too high.

3 That is part of why this initiative
4 was started was to help kind of build some of
5 those capabilities at a local level.

6 MEMBER FRASIER: Bruce Frasier, a
7 grower in south Texas. My question is if you
8 take a piece of organic produce and a piece of
9 non-organic produce and you tested them and you
10 came out with the same results from your testing,
11 then what would be the conclusion you could make
12 as far as the non-organic produce?

13 MS. TUCKER: That would not be
14 surprising from a testing result. I think
15 there's certainly farmers who are not organic who
16 choose not to use pesticides or for whatever
17 reason don't. That's not detectable on the
18 produce.

19 This is why we do emphasize the
20 process standard, that ultimately that the
21 organic fruit was grown likely using a different
22 set of practices. So even if at the consumer

1 endpoint, you can't pick up necessarily an
2 organic apple and non-organic and be able to tell
3 which is which.

4 And in fact, both of those may test
5 for no pesticides. That may in fact happen. But
6 the standards encompass a full range of soil and
7 water health, cover cropping, all sorts of
8 different types of provisions in the rules. It
9 is a process standard.

10 MEMBER FRASIER: Well, if I could just
11 carry just one step further. My particular
12 product I grew, still grow, is onion transplants.
13 So back in the '90s for organic production, they
14 stated that you had to had try to find organic
15 transplants. But if not, you could buy
16 transplants from me.

17 That continued. I guess my point is
18 if they were to take my transplants and then grow
19 them organically from that point onward, is the
20 residue of whatever's small amount of
21 contamination, and maybe it would be none that I
22 presented on my transplants, would it be visible

1 on their end product 105 days later?

2 MS. TUCKER: So in the end, the
3 certifier would need to approve an operation's
4 use of non-organic transplant. And there are
5 some fairly specific wonky rules on that, on the
6 use of transplants in organic.

7 Organic is now large enough that the
8 use of non-organic seeds and transplants is
9 actually quite low because the market has matured
10 enough that you can buy organic seed. And
11 certifiers are required to check all of those
12 inputs.

13 The consumer expectation would be that
14 that onion came from an organic seed and all the
15 way through the growth of that onion. So there
16 are very specific requirements related to seed
17 use and transplants in the handbook. Again, the
18 market has developed sufficiently at this point
19 that we would hope from seed to product it would
20 be organic.

21 MR. HUGHES: While I walk over to
22 Haven, I'll mention that I do have copies of all

1 the presentations from today. And so once we've
2 concluded our meetings, I'll be able to share
3 them with you via email.

4 MEMBER BAKER: Thanks. Haven Baker
5 with Pairwise. So we've inquired and others
6 about what's the definition of genetic
7 engineering, and it's not the same as the
8 bioengineered and then there are some legacy.
9 There's not a scientific definition of genetic
10 engineering, and breeding is starting to encroach
11 on that. Could we work towards clarity about
12 that means because there isn't, as far as we can
13 tell, an answer.

14 MS. TUCKER: Right. In the organic
15 regulations and in the Act, the term is excluded
16 methods. So actually if you read the fine print
17 of the organic regulations, it doesn't really
18 mention genetic GMOs. It's not actually in the
19 regs.

20 It is covered by the broader umbrella
21 of excluded methods, and there is a definition of
22 that in the regulations for the purposes of

1 organic. And so for example, I know somebody is
2 working in CRISPR from the introductions. Oh,
3 that was you. There you go.

4 We've been clear that GMO 2.0 gene
5 editing is not currently allowed in the organic
6 standards. It would be considered an excluded
7 method.

8 MEMBER BAKER: And mutagenesis is or
9 isn't?

10 MS. TUCKER: The excluded methods,
11 there's a lot of current debate on different
12 methods, and our board works on that topic a fair
13 amount. I'll get myself in trouble if I start
14 getting down to real specifics, so I'm going to
15 stay away from that. The rules are pretty clear
16 in terms of the definition.

17 MR. HUGHES: Okay. Last question,
18 Darwin.

19 MS. TUCKER: Understood.

20 MEMBER INMAN: Darwin Inman. I'm with
21 Horizon Nut. We're a pistachio processor. Just
22 a clarification on the broker issue. That seems

1 kind of crazy. Just an independent broker that
2 takes no title whatsoever, just takes a
3 percentage from the seller, they would have to
4 certify?

5 MS. TUCKER: Yes, I encourage you to
6 read the rule. There are a couple of exemptions,
7 but they're very, very, very, very, very narrow.
8 And so the answer, for the most part, is going to
9 be yes, they need to get certified.

10 There are certifiers who are very,
11 very good at these small broker environment and
12 certification is actually a pretty minimal
13 burden. You do have to be able to document in,
14 document out. Because it's actually at the
15 broker level that this fraud can happen.

16 Magic change of the paperwork, and all
17 of a sudden there's twice as much organic product
18 as there was coming in. So we have had cases
19 involving just that scenario where brokers have
20 fraudulently inflated the amount of organic by
21 changing paperwork. And so that's why we are
22 requiring that certification. It's a weak point

1 in the market right now.

2 MEMBER INMAN: And they're going to be
3 certified annually?

4 MS. TUCKER: Annual inspections, yes.

5 MEMBER INMAN: I used to do organic
6 almonds, and we do some organic pistachios.
7 There's not enough certifiers currently, it seems
8 like, to certify everything. It seems like
9 adding a whole bunch of additional layers and
10 certifiers coming into the program.

11 MS. TUCKER: Yes, the organic
12 certifiers have known the rule was coming, and a
13 lot of them have ramped up. There's a subset of
14 certifiers that regularly certify organic
15 brokers, and so it's a good interview question to
16 ask certifiers, well, what kind of businesses are
17 you working with, how do you certify brand
18 owners, how do you certify brokers, what are your
19 procedures for that?

20 They're pretty well-versed in how to
21 do that while meeting the regulations.

22 MEMBER INMAN: Okay, thank you.

1 MS. TUCKER: Yes, thank you.

2 CHAIR RENTZEL: Okay. I think in the
3 interest of time, first of all, let me say thank
4 you very much, Jenny, for a very informative
5 presentation. We'll continue to move forward
6 with our next presenter.

7 Again, if you've got additional
8 questions, please filter them back through either
9 Darrell or myself, and we'll make sure that Jenny
10 gets them and provides us with the answers.
11 Maybe not what we're looking for, but the right
12 answer of that.

13 MS. TUCKER: I enjoyed being with you
14 today, thank you.

15 CHAIR RENTZEL: Thank you.

16 With that, I'd like to introduce Kim
17 Mercer of the specialty crops program. She will
18 give us an update on the Organic Data Initiative.

19 MS. MERCER: Good morning. Thank you
20 very much for inviting me, and especially thank
21 you, Darrell, for all the hard work I know has
22 gone into getting everyone here in one place.

1 That's not really an easy task these days. Yes,
2 as Kay mentioned, I'm telling you about the
3 Organic Data Initiative.

4 Not to be confused with the Organic
5 Transition Initiative, which is a much larger
6 project that Jenny just mentioned. I'd like to
7 point out, again, this USDA organic seal. It
8 keeps popping up.

9 I know Bruce mentioned, Jenny
10 mentioned it, and it's important just because it
11 shows the weight not only of the USDA as an
12 institution, but also that network of inspectors
13 and certifiers that Jenny oversees. It's very
14 important to ensure the integrity of all that
15 information, so that's what we're working with.

16 Next, please.

17 I am from AMS Specialty Crops Market
18 News, also serving as the project manager for
19 this ODI project. And with market news, it came
20 up before, we have a history of reporting on
21 price and volume information, over 787 specialty
22 crop commodities, as well as cotton, tobacco,

1 livestock, poultry and grain, and dairy projects.

2 So organic data is currently available
3 on over 200 of those commodities. And with this
4 initiative, we're seeking to increase that, of
5 course. And all of our data is available online.
6 You'll receive the presentation after this so you
7 can look up our portal and our MyMarketNews
8 websites.

9 Next, please.

10 So a background. Before the Organic
11 Data Initiative came to be, Market News actually
12 first published our organic records on
13 strawberries in 1992, which was way before the
14 first Farm Bill calling for organic
15 differentiation came out in 2002. Since then,
16 we've consistently been mentioned in those Farm
17 Bills.

18 Next, please.

19 And the current Farm Bill, 2018,
20 allocates \$3.5 million specifically for the
21 increase of organic market information, and that
22 came to us. The four Market News, again, those

1 four commodity groups came together, formed a
2 working group to plan out how we would accomplish
3 that.

4 Next, please.

5 Again, that's just what we do. We
6 collect and analyze the prices, and we also do
7 surveys. We conduct analysis, and we publish
8 reports. At the end of the day, that's what we
9 do. That doesn't change whether that's organic
10 or conventional.

11 Next, please.

12 This chart, it's just kind of a
13 snapshot report, but it does show following every
14 Farm Bill that gives us a little burst of extra
15 funding, you can see a growth in the number of
16 organic commodities that are reported.

17 And we hope to obviously continue that
18 upward growth at the end. This is by market
19 type, and there are reasons that different market
20 types have different amounts of organics
21 available. But overall, you can see a strong
22 upward growth, and we're really proud of that.

1 Next, please.

2 Again as I mentioned, as a total, over
3 200 commodities. That includes largely specialty
4 crops. We all know that that's really where the
5 growth of organics probably is, over 150
6 commodities now reported to organic and always
7 growing.

8 Next, please.

9 I'm not going to read out all the
10 organic market reports that we have, but we'll
11 just go through those quickly. Every commodity
12 group has at least several, and then there's also
13 some composite reports.

14 Next, please, and next.

15 And so with this ODI project, the
16 organic working group put together a multi-year
17 plan. And we divided it up into 10 to 12
18 different aspects, depending on how you look at
19 it, to make it into doable chunks.

20 Next, please.

21 The first one is to attend, sponsor
22 and host organic outreach at conferences and

1 trade shows. We've attended quite a few large
2 multi-commodity events as well as more specific
3 ones that might be regional or aimed at a certain
4 commodity group.

5 And really with the idea that not only
6 attending, but maybe either hosting a booth where
7 people can come to us for more in-depth
8 interactions and where we can have demonstrations
9 available on how to download our data, how to
10 download our mobile app, or just to access our
11 API, which is new.

12 Or actually walking around not just
13 taking the freebies, but shaking hands saying,
14 have you heard about Market News? Let me tell
15 you. And really interacting. So that's been
16 very successful as far as getting the word out
17 there.

18 Like I said, hosting booths and also
19 providing those hands-on demonstrations.

20 Next, please.

21 And another part of the project is
22 conducting some Gap Analysis and assessments. We

1 started this not really knowing. Obviously, we
2 know what we do, you know what you do, so we
3 wanted to conduct some really in-depth analysis
4 to see how we can meet in the middle.

5 And not only what the industry already
6 knows about market news and about the current
7 organic data that we have, but also where do you
8 see the need? Where is there a lack, and where
9 can we fill in those gaps and how? Not just
10 spending the money, but using it to its best
11 effect there.

12 And we're doing that in two ways. We
13 partnered with a few land-grant universities,
14 University of Wisconsin-Madison and also UC
15 Davis, University of California Davis, and
16 they're going to conduct analysis based on their
17 independent regions and kind of focus on the
18 commodity groups that are prevalent there.

19 And then as well as an outside
20 consultancy group, a CFI group. We gave them
21 some key information about contacts that we think
22 would be a good source, and they're conducting a

1 three-part survey there. So just hitting that
2 outreach from all angles to really try to get the
3 best information that we can.

4 As I said, the Farm Bill is a
5 multi-year funding. It will get renewed again,
6 and we would assume, we can't be sure, but we
7 would assume that it would include this funding
8 again for the next cycle, so we would be able to
9 continue on based on those findings. That's our
10 hope.

11 Next slide, please.

12 Another aspect of the project that we
13 broke out was into technology aspects to complete
14 the transition to our new data collection and
15 dissemination system. Internally, it's MARS;
16 externally, what you'll see as users is
17 MyMarketNews, and that allows for an API breakout
18 sorting, including sorting out organics, sorting
19 only organics, no organics, any variation that
20 you could need for your needs.

21 Same with coming out with a mobile
22 app. The wheels of government turns slow, but we

1 do eventually catch up with technology. And
2 everybody has an app these days, so this is a
3 Version 3 of our mobile app, which also allows
4 for sorting that technology and sorting out the
5 organic data.

6 And then also Bruce mentioned at the
7 very beginning, I believe, data visualization.
8 People want to see the data in different ways.
9 We've traditionally just published text reports.
10 With MyMarketNews, we're moving into having
11 everything in a consistent PDF format. But of
12 course, that's not really good enough for data
13 manipulation, for using it.

14 So in addition to providing an API,
15 we're also going to work on different data
16 visualization tools to show meaningful snapshots
17 of what's going on with the different markets.
18 Just let users customize their experience to
19 really reflect the modern world and how people
20 want to use data these days.

21 Next slide, please.

22 And of course, we want to expand our

1 data as well. Several ways we're doing that.
2 One is to partner with states to report on their
3 farmers markets can add a new level to our data.
4 We have some very spotty farmers market data
5 currently.

6 And since so much organic product goes
7 through those non-traditional channels, we found
8 that that was going to be one of the best ways to
9 really increase the data that we are reporting.
10 So we're trying to add a whole new market level
11 in addition to the traditional shipping point and
12 wholesale and retail.

13 So we're partnering with Penn State
14 and Iowa State and potentially Cornell and more
15 potentially California. Of course, that's a big
16 one because California is such a big player in
17 organic that we're hoping to be able to get all
18 four of those going as pilots this year. And of
19 course, again, assuming that the Farm Bill
20 extends our funding into the next cycle, extend
21 to more and more states as we go on.

22 Next slide, please.

1 We also have existing cooperative
2 agreements with about 27 states, and it's very
3 easy to just add an amendment to those and extend
4 data. So we gave out kind of a general call for
5 proposals, and they did not disappoint.

6 So we're hoping to complete at least
7 ten of those various projects, smaller scale
8 farmers markets, and then anything from organic
9 chicken feed to dairy, I can't remember the nice
10 name for it, but when dairy cows get too old to
11 dairy, they become meat.

12 So, yes, anyways, we're having a lot
13 of success there. Next slide, please.

14 Yes, that's just a full list of those.
15 Like I said, just a whole variety of proposals.

16 Next slide, please.

17 We're also very excited about
18 partnering with the University of Wisconsin and
19 the Farm Service Administration there to create a
20 course for loan recipients for organic farming.

21 They had a similar course there for
22 conventional farm loans, and we're expanding that

1 so it's a little more tailored to the needs of
2 organic farm loan recipients, and they're going
3 to do that again as a pilot and with the idea of
4 hopefully making that nationwide at some point.

5 And then also we would like to
6 continue our outreach with a series of videos or
7 webinars just telling everyone about what we're
8 doing and what we've accomplished at that point.

9 We are very lucky to have on our team
10 a young lady in Los Angeles who obviously has a
11 side job. She's in production, acting,
12 directing, all that. Very eager to have kind of
13 that Hollywood touch depending on what public
14 affairs would let us get away with.

15 Next slide, please.

16 Okay, and just a few more items in our
17 big plan. Expanding on the HTS code information,
18 that basically lets us capture the imports that
19 come into the country instead of just getting the
20 volume of strawberries, for instance.

21 When we request an HTS code for
22 organic strawberries, then it breaks those

1 volumes out so we know how many of each came in.
2 We're prioritizing, obviously, what comes in by
3 volume, but eventually we could ask for almost
4 everything to be broken out, and that would be
5 just a great increase of our data and usability
6 there.

7 And the last item on the overall plan
8 was just Federal Milk Orders Statistics System.
9 Dairy Market News pushed that. It's just going
10 to improve the quality of their data so they
11 could get it broken out again by organics. And I
12 believe that's my final -- oh, I'm sorry, that's
13 not my final slide.

14 So, yes, next Farm Bill. I keep
15 mentioning that. We want to go ahead, we want to
16 keep working on this. We'll continue to expand
17 that organic trade information, keep requesting
18 more HTS codes.

19 A few things we didn't get around to
20 in this cycle just because it was a little
21 rushed, we want to do more outreach to tribal
22 groups and historically black colleges and

1 universities, traditionally underserved but very
2 important in the industry, and we want to see
3 what they have to say and see how we can help
4 them and help them help us and vice versa.

5 Extend all those farmers market data
6 collections to different states, as I mentioned.
7 And then once we get those results from those gap
8 analysis and surveys, to use those to really
9 inform ourselves about where we want to devote
10 our resources in the next cycle.

11 So that was the next slide. And with
12 that, this is the whole team, as I mentioned. It
13 was a cross commodity collaboration, so it's all
14 the directors from all four Market News divisions
15 as well as myself and the other project manager.

16 MR. HUGHES: I've got a question for
17 you, Kim. This is Darrell speaking. Are you
18 joining us tomorrow with John doing the Market
19 News session? Is Kim joining us?

20 MS. MERCER: I was not planning to in
21 person. I was going to log in case John needs
22 me.

1 MR. HUGHES: Got it. It's not
2 virtual.

3 MS. MERCER: Oh, never mind. I won't,
4 then.

5 MR. HUGHES: Okay. I was going to
6 mention that Kim may be with us tomorrow, but I
7 know John will be with us tomorrow, John
8 Okoniewski is the director of Market News.

9 Are there any questions for Kim on
10 ODI?

11 Going once, going twice, sold.

12 Guess where we are? Break time.

13 CHAIR RENTZEL: Thank you, Kim.

14 MR. HUGHES: Thank you, Kim,
15 appreciate it.

16 Did you want to say something, Kay?

17 CHAIR RENTZEL: No, I was just going
18 to thank her. Thank you.

19 MR. HUGHES: We are going to break
20 until 11:15, and then at 11:15 we will hear from
21 our colleague Bill Richmond our domestic hemp
22 program. Enjoy your 15 minutes.

1 (Whereupon, the above-entitled matter
2 went off the record at 11:00 a.m. and resumed at
3 11:18 a.m.)

4 CHAIR RENTZEL: Okay. So now we are
5 going to go ahead and get started. Our next
6 presenter here this morning is Bill Richard. And
7 he is the Chief of the U.S. Domestic Hemp
8 Program. And he's going to talk to us about hemp
9 this morning.

10 MR. RICHMOND: Okay. Good morning.
11 Last one before lunch. Then we're going to shift
12 gears a lot and talk a little bit about hemp.

13 And so, my name is Bill Richmond. I'm
14 the Chief of the U.S. Domestic Hemp Production
15 Program here at USDA. We are housed in the Ag
16 Marketing Service, and within the Specialty Crops
17 Program. So, next slide.

18 So, how did we come to be involved
19 with hemp? So, the 2018 Farm Bill was the effort
20 that formally decoupled hemp from marijuana, and
21 laid out the charge to USDA to stand up a
22 regulatory scheme for hemp production in the

1 United States.

2 So, almost immediately following the
3 issuance of the '18 bill we engaged in a several
4 year rulemaking effort to first issue an interim
5 final rule, which is our first cut at laying out
6 some of the rules around hemp production.

7 Obviously a very, very new space for us.

8 We requested comments on that interim
9 final rule, received several thousand comments,
10 and ultimately issued a final rule that was
11 published back in January of 2021. Next slide.

12 So, just real quick, what is hemp?
13 So, hemp is cannabis with a tetrahydrocannabinol
14 concentration of less than 0.3 percent. THC is
15 the ingredient in cannabis that is psychoactive
16 and can make people high.

17 When Congress developed this
18 definition they established this threshold based
19 on a longstanding scientific understanding of
20 what that threshold should be.

21 And that 0.3 percent threshold is the
22 place where we spend probably 99 percent of our

1 time at the program, making sure that hemp is in
2 fact hemp, and not something else.

3 So, just a couple of pictures here of
4 what hemp can look like, hemp products can look
5 like. So, there up on the top left you have a
6 picture of a hemp plant that's being grown for
7 cannabinoid extraction. You'll hear the term
8 CBD. You've likely seen CBD for sale out there
9 all over the place.

10 The next picture there is some of the
11 human food products that have been recognized by
12 the FDA as generally recognized as safe. So,
13 some of these are hemp protein type products,
14 hemp seed type products.

15 The next picture there on the top --
16 Is there a problem? The next picture there on
17 the top is some hemp that's being grown for
18 grain.

19 Here on the top right is some hemp
20 fiber at one of the medium step extracting
21 processes there. This is a, and we'll show you
22 here in a couple of slide. This is product

1 that's typically used in building materials.

2 Bottom left is a typical hemp farm
3 that is growing hemp for CBD extraction,
4 obviously outdoors. The vast majority of hemp
5 farms in the United States is less than five
6 acres.

7 So, still very, very tiny folks out
8 there, new and beginning farmers. Micro and
9 small farmers are the folks that we interact with
10 the most.

11 And here on the bottom right is an
12 indoor facility. This is also hemp being grown
13 for CBD. Next slide.

14 So again, there's really two marketing
15 channels for hemp products. Fiber or grain
16 products are products that are grown for
17 extraction into cannabinoid products like CBD.
18 Next slide.

19 And here are just a couple of
20 examples. On the left you'll see some examples
21 of some typical products derived from hemp
22 fibers. So, apparel, all types of different

1 clothing items being made from hemp fiber. We
2 see more and more every day.

3 Items like twine and rope, building
4 materials such as building insulation, hempcrete.
5 So, these are blocks, building blocks that are
6 used in similar ways to cinder blocks.

7 All types of extruded plastic products
8 with micronized hemp fiber. We've seen a lot of
9 interest in those types of products here with the
10 last several years.

11 And so, the example we see a lot, we
12 interact fairly closely with the automobile
13 industry. And so, we've seen hemp products being
14 used in vehicles, manufacturing. BMW, Toyota,
15 Ford are some of the ones that come to mind.

16 Over here on the right are some of the
17 products derived from hemp seeds. And so, these
18 are human food products. So, items like hemp
19 milk, hemp oil, which is similar, used in similar
20 ways to olive oil.

21 Hemp seeds extracted, hemp protein
22 powder, hemp beverages. And hemp seeds are,

1 they're commonly known as hemp hearts, up here on
2 the top right. Next slide.

3 Okay. So, the way that USDA is
4 involved in the regulatory scheme for hemp, it
5 really falls under two separate tents. So
6 basically, if a State Department of Agriculture
7 or a Tribal Government wants to have their own
8 hemp programs, they're able to do so.

9 They have to meet a series of
10 requirements in these programs, which we'll talk
11 about here in a second, that we're ultimately
12 responsible for reviewing and approving.

13 If a State or Tribal Government does
14 not want to have their own hemp program, then
15 they defer that regulatory oversight of the hemp
16 growers in the State or Tribal Territory over to
17 us in AMS. And we basically act the same way
18 that a State or Tribal Government with those
19 folks.

20 So currently we have 42 State
21 Department of Agricultures that administer their
22 own state owned hemp programs. We oversee the

1 growers in eight separate states. Also talk a
2 little bit more about that here in a second.

3 And then we have 53 separate Indian
4 Tribes that also administer their own hemp
5 production programs. Next slide.

6 So, what are the requirements that
7 need to be in place for any of the State or
8 Tribal hemp programs? The number one most
9 important requirement in effect for every hemp
10 grower across the United States is, they need to
11 have a license.

12 Whether the license is issued by a
13 state, by a tribe, or by us, they need to have a
14 license before they're able to grow hemp.

15 The primary reason behind that
16 licensing requirement is, when Congress included
17 the hemp provisions in the 2018 Farm Bill they
18 included provisions that said that you are unable
19 to grow hemp if you've had a felony conviction
20 related to a controlled substance at any time
21 during the prior ten years.

22 So, the way that we verify that the

1 applicant has not had a felony incident related
2 to drugs in the past is we require that a
3 background check be submitted and provided to us
4 from the state or the tribe. And that's
5 primarily what we review in their application.

6 The next aspect that we have in, we
7 have for all regulatory programs, and for us
8 across the U.S. relates to THC in the way that
9 THC is determined.

10 And so, prior to the '18 Farm Bill
11 states were able to administer research pilot
12 programs to basically allow folks to grow hemp.
13 And under those programs the way that they
14 computed hemp was a little bit different compared
15 to the way that the definition was provided in
16 the '18 Farm Bill. So, we have some specific
17 language on exactly how that math is done.

18 We have requirements around sampling
19 and testing of hemp. So, basically for every
20 hemp grower in the U.S., and Mr. Hodges, we can
21 talk a lot about this. They have to have hemp
22 samples.

1 So that means that an individual
2 that's not associated with their business,
3 business or farm, walks through the fields, or
4 into the greenhouse, or through the warehouse, or
5 wherever they're growing, take samples of plant
6 material. And those samples are then sent to a
7 laboratory for THC testing.

8 We have extensive reporting
9 requirements in place for all hemp producers for
10 State Government, for Tribal Governments, where
11 basically every license that a state or tribe
12 issues, every time there is a non compliant test
13 result, any time there is a required disposal of
14 hemp material at a farm as a result of non
15 compliant test results, annual reports around
16 acreage, around insect damage, we have all types
17 of different reports that are required to be
18 submitted to us throughout the growing season.

19 And then we have some fairly strict
20 enforcement procedures, as you can imagine,
21 around these programs. So, requirements that
22 hemp growers can be visited at any time for

1 inspections, for audits.

2 We have very rigorous requirements in
3 place for, you have a non compliance at a farm
4 where an individual is growing marijuana instead
5 of hemp. Those situations are dealt with fairly
6 quickly and briskly. So, we have those rules in
7 place across the country. Next slide.

8 One very important part of the
9 program, and again this stems from the statutory
10 requirements built into the '18 bill, is around
11 information sharing with law enforcement.

12 And so, part of the reason we ask for
13 so much information to be reported to us
14 throughout the year is because we need to make
15 certain information available to state, local,
16 federal police forces around who is growing hemp
17 in the U.S., where it's being grown, and if we're
18 having any compliance issues related to those
19 growing facilities.

20 And the way that we do this is through
21 an extensive IT system, a database that we
22 provide secure access to law enforcement, where

1 they can go in and they can run a search based on
2 any information they have for an individual,
3 whether it's name, address, city, state.

4 They can go into this database and see
5 the license information, and the actual physical
6 growing location for every hemp producer across
7 the entire United States.

8 This is a significant lift for us as
9 an agency, as you can imagine. Just building out
10 this system, making sure that we have the
11 technical capabilities in place. Making sure
12 that the producers were going in and reporting
13 this information.

14 As you can guess, the location where
15 hemp is grown on a farm changes from year to year
16 based on crop rotation or just other business
17 issues.

18 And so, we partner very closely with
19 the Farm Service Agency and AMS. Those are our
20 local boots on the ground that our growers
21 interact with.

22 They go into a county FSA service

1 center, report that acreage, make sure that that
2 geospatial GPS data is uploaded to our law
3 enforcement search tool, so if there's ever a
4 question from any law enforcement official the
5 information is there.

6 It's crystal clear that they are a
7 licensed hemp grower, and not something else.
8 Next slide.

9 So, for the eight states that we
10 oversee producers for we have about 1,600
11 individual farms that we're responsible for here
12 at AMS. Just want to give you some basics around
13 how that program is administered.

14 We do not charge a licensing fee for
15 a USDA hemp production license. We don't have
16 any kind of application window where folks have
17 to apply, you know, during certain months of the
18 year. We accept applications on a rolling basis
19 all throughout the year.

20 Again, one of the most important
21 aspects of that license is obtaining a background
22 check, which also involves fingerprinting. There

1 are costs around having that done for an
2 individual. Folks are responsible for covering
3 those costs themselves.

4 They're also responsible for covering
5 the costs of those sampling events when the
6 sampling agent visits their farm. They cover
7 that cost. They also pay for the cost of
8 laboratory testing as well.

9 USDA issued licenses are valid for
10 three years after the date of issuance. And
11 again, any changes to the licensing information
12 around name, business name, business ownership,
13 physical location, are all required to be
14 provided to us, so we have as accurate records as
15 we can have. Next slide.

16 Here's an example of what a USDA hemp
17 producer looks like. So, the primary way that
18 growers interact with us is through our handy
19 management platform, the same IT product that law
20 enforcement officials access to see that
21 information.

22 When an application, or when a license

1 is issued to an applicant they're able to go into
2 this portal, view and access all their records
3 related to their license.

4 And so, this is where they can go in,
5 get a PDF copy of their license, provide any
6 information to us, see test results, and
7 basically do anything they need to do to stay in
8 good graces with the program. Next slide.

9 So shifting gears a little bit. A
10 place where we have been spending a lot of time
11 over the last few months has been with some, the
12 folks on the ground in states that have decided
13 to close their state run hemp programs.

14 And so, two of the states where this
15 has happened recently is out in Vermont, and also
16 in Missouri. And so, I just wanted to give you a
17 little snapshot on what we do on the ground to
18 make sure that the growers out in locations like
19 this understand the rules, understand how to
20 obtain a license, and understand the requirements
21 of the program.

22 So, typically what happens when a

1 state decides to close a program is, we hold a
2 series of in person meetings out across the
3 state, to make sure that we give growers the
4 opportunity to come, ask any questions of us,
5 understand how to obtain a license, and
6 understand the requirements of the program.

7 We hold weekly office hours, sessions
8 with, Mr. Hodges is there almost every week, and
9 asks incredible questions. And it really serves
10 as a resource to a lot of new and beginning
11 growers.

12 A lot of times where folks will be on
13 our office hours call and have a question, Mr.
14 Hodges will answer the question for us. Because
15 he's been there. And he understands a lot of the
16 nuances around our rules, which can be incredibly
17 confusing for new farmers.

18 And so, in addition to that we offer
19 a whole suite of formal training for these
20 producers. We do a lot of this through
21 Blackboard, around how to determine the specific
22 growing areas on their location, where hemp may

1 grow best, how to report that information to our
2 Farm Service Agency office, the basics around
3 sampling, testing, and reporting.

4 And in addition to that, how to go out
5 and find a sampling agent, how to find a
6 laboratory that makes the most sense for their
7 business. Next slide.

8 Two other exciting things we have to
9 build a little bit on the organic data initiative
10 that Kim was talking about earlier.

11 We are, we have been working with our
12 sister agency over in the National Agricultural
13 Statistics Service throughout the last year to
14 conduct a national hemp survey.

15 We did it, this is the second year
16 where we have done this survey. We sent out a
17 request to every single licensed hemp producer in
18 the United States. Those results are actually
19 coming out today at 3 o'clock.

20 We at AMS do not have, I'd love to be
21 able to share some details around the findings of
22 those surveys with you. But we don't have access

1 to the results until 3 o'clock, along with the
2 rest of the public. So regardless, we're very,
3 very excited to see what those results look like.

4 And also, similar to the Organic Data
5 Initiative, we've recently released a National
6 Hemp Market News Report January 1st of this year,
7 where it was our first time dipping our toe in
8 the water of some of these hemp statistics.

9 It's a great report. We are trying to
10 improve. We're trying to build it out. So, if
11 you take a look at it, if you have folks involved
12 with hemp, and you have ideas about ways that we
13 can make this better, and improve additional our,
14 improve by adding additional data and metrics,
15 please do tell us.

16 For the first version we included a
17 lot of good information around imports. And so,
18 any type of hemp product coming into the U.S. we
19 have volume, and pricing data in the report.

20 We've also included everything that we
21 have around retail pricing data for these hemp
22 human food products. So, hemp protein, hemp

1 seeds, hemp oil, we also capture those retail
2 prices in the report. So, next slide.

3 Building on the mention earlier around
4 some of this data that required to be provided to
5 us. One interesting takeaway from the annual
6 reports from 2022 is that we had around 2,600
7 producers across the United States, planting
8 around, right around 20, just a little bit over
9 20,000 acres of hemp in 2022.

10 Hemp is a very, very, very tiny
11 industry still. So --

12 MEMBER FRASIER: You say you have
13 1,600 now?

14 MR. RICHMOND: 1,600 that are licensed
15 by us. So, that's under, with our eight states,
16 this is across the entire country. Good
17 question.

18 So, not too much acreage out there.
19 This is a decline from what we've seen in prior
20 years. So, if you look at the visual over on the
21 right, this breaks down some of the in use
22 products by acreage reported.

1 And so, right around 40 percent of
2 total acreage was going into fiber hemp. Around
3 35 percent was going into hemp grown for
4 cannabinoid extraction. Just under 20 percent
5 going into grain.

6 This is significant. Because this
7 volume of acreage going into fiber is a very,
8 very new thing for the industry. In prior years
9 almost all hemp planted in the United States was
10 being used for CBD extraction. Next slide.

11 MEMBER INMAN: Excuse me.

12 MR. RICHMOND: Yes, sir. Yes.

13 MEMBER INMAN: Maybe you're going to
14 come to it. But how many acres are destroyed
15 annually, compared to that number? I mean, are
16 those produced accepted acreages? Is that what
17 that is? Or --

18 MR. RICHMOND: Great question. It's
19 great question. So, out of that -- No, you're
20 right.

21 So, out of that, and the entire
22 reported acres planted in 2022 we only had about

1 650 acres destroyed to non compliance. And so,
2 these are when the test results come back with
3 THC over 0.3 percent, meaning that the product in
4 question is marijuana and not hemp. Then it
5 needs to be destroyed.

6 However, we did have close to 5,000
7 acres destroyed due to natural causes. And so,
8 this can be anything, you know, from weeds taking
9 over, to poor germination, drought, weather.

10 But pest and animal damage is a big
11 one for us. And so, the vast majority of that,
12 those 4,600 acres were destroyed as a result of
13 pest damage in 2022. Any ideas on those pests
14 that like to eat hemp?

15 PARTICIPANT: Deer.

16 MR. RICHMOND: Deer. That's a big
17 one. We hear about that from a lot of our folks
18 down in the southern states. Next slide.

19 The worst one for us this year were
20 actually grasshoppers. And so, this picture here
21 is from a grain hemp field we visited last fall.
22 This was in far up northern Montana, close to the

1 Canadian border, right in the central part of the
2 state where when grasshoppers come they can knock
3 out a field this size apparently in seven to ten
4 days.

5 And so, once they're there it's
6 overwhelming. And there's not really much you
7 can do about it. Just based on some of the tight
8 margins around hemp production right now.

9 So, lots of issues that traditional ag
10 commodities have dealt with in the past. We do
11 not have access to similar pesticides,
12 herbicides, and just general farming beneficial
13 tools that much more established commodities do.

14 So, issues like this are what we see
15 a lot of growers dealing with day in and day out.
16 Next slide.

17 So, some of the states with the
18 largest planted acreage last year. South Dakota
19 came in Number 1. Colorado, Texas, Montana, and
20 Kentucky also had significant acreage planted.

21 And in terms of the highest number of
22 actual licenses, Oregon, Tennessee, Pennsylvania,

1 Minnesota, and Florida came in right there at the
2 top.

3 As you can imagine, the farms here in
4 this right column with these states, much, much
5 smaller operations. We see a lot of, we've seen
6 a lot of interest from new and beginning farmers
7 in these states as well. Next slide.

8 And again, I know this is a lot of
9 technical information. We have a very extensive
10 website, you know, that covers a lot of these
11 rules. And this is where you can find a lot of
12 our educational outreach materials.

13 Please take a look. Any questions
14 about any of this, farmbill.hemp@usda.gov. We're
15 always available to talk you through any of these
16 rules and requirements. And that's our phone
17 number there at the bottom. Be very happy to
18 answer any questions you may have.

19 CHAIR RENTZEL: Okay. Thank you.
20 Questions for Bill?

21 MR. RICHMOND: Yes, ma'am.

22 MR. HUGHES: Remember to state your

1 name, Darrell Hughes.

2 MEMBER SERRATOS: Hi. Rebecca
3 Serratos. In terms of seeing more and more of
4 this product in local outlets, you mentioned
5 that, having that certification.

6 I'm assuming, if I were to onboard a
7 vendor of CBD or hemp seed, what am I looking
8 for?

9 MR. RICHMOND: That's a great
10 question. And so, the number one thing you're
11 looking for is a license.

12 And so, for our smaller growers that
13 are out there at Farmer's Markets on the weekends
14 selling, whether it's a CBD product, a grain
15 product, or even a fiber product, we advise that
16 they have their license displayed prominently
17 right at their, right on their table or right on
18 the booth. And so, people can see it.

19 It's a great awareness, a great
20 teaching tool for us as well, just to see that,
21 you know, USDA hemp production license. Wow, I
22 had no idea that USDA is even involved with this.

1 Is this real?

2 We put our phone number at the bottom
3 of the license, just so when consumers,
4 retailers, whoever in the supply chain wants to
5 verify the validity of this, they call us.

6 And it happens all the time. Just to
7 say, hey, just a question. I'm working with so
8 and so. They said they're a licensed hemp
9 producer, you know. Are they being truthful?
10 And absolutely. And so, it's a great way for us
11 to expand the awareness of our programs. So,
12 that's a good first step.

13 MEMBER GARREN: Donna Garren, Friends
14 and Food. So, are you, do you provide any
15 services to help those that are producing
16 products with those that they could sell into?

17 Because, you know, we had a pizza
18 producer that was putting hemp flour in their
19 pizza crust. But there was a lot of questions of
20 like, you know, are they going to have problems
21 with states? Or are they going to have problems
22 with USDA, FSIS, or FDA.

1 So, are you providing that level of
2 services, so that it provides more opportunities
3 for growers, you know, to produce those products,
4 and getting them into the food system.

5 MR. RICHMOND: Yes. It's a great
6 question. And I'll tell you that most of our
7 resources at USDA have been, and frankly still
8 remain to be focused on the production side.

9 And so, just around general planting
10 practices, in terms of how to grow hemp, how to
11 make sure that you are not growing a high THC
12 plant. How to make sure that you're following
13 the basic rules around production.

14 We have a lot of products and plans in
15 the works, especially with some of our sister
16 agencies over with the National Institute of Food
17 and Agriculture, which is our funding vehicle
18 that provides grants to, primarily to research
19 institutions around finding those places in the
20 value and supply chain to make those connections.

21 Making sure that our partners in food
22 service and on the commercial side understand

1 the, that this is an option now, that this is a
2 safe option, that this is a healthy option. And
3 that's the next chapter for this program.

4 MEMBER FRASIER: Bruce Frasier.

5 MR. RICHMOND: Yes, sir.

6 MEMBER FRASIER: Dixondale Farms.

7 Three years ago hemp was one of the hottest
8 topics in the growing world, where everyone sort
9 of, at least investigating, you know, going into
10 it.

11 We didn't have the processors here in
12 Texas. Processing didn't keep up the production.
13 Numbers have dwindled. What sort of numbers, I
14 guess a two part question.

15 What have the numbers dwindled? How
16 much decrease has it been since that initial
17 flurry of that and chinchillas, or something.
18 But, and also, the next question is, when will it
19 get so low that it isn't justifiable to use
20 resources of the USDA?

21 MR. RICHMOND: That's another great
22 question. And the background here is that, back

1 around the 2019, 2020 year we had a huge boom
2 year for CBD. There was a lot of money out there
3 where folks could make \$20, \$30, \$40,000 dollars
4 an acre growing CBD hemp.

5 Bottom has fallen out of the market in
6 excess of 90 percent declines in wholesale
7 pricing for CBD. And so, what's that led to is
8 less than half of the licensees we had in place.
9 And not quite half, but a significant decline in
10 broader acreage.

11 One bright spot that we've seen this
12 last year in 2022, and I'm hoping that this NASS
13 results that we'll see at 3 o'clock today will
14 speak more to this, is that 40 percent of acreage
15 going into fiber hemp, especially in the
16 southwest. And so Texas has been a great example
17 of that where we've seen big acreage going into
18 fiber this last year.

19 One thing to keep in mind is just the
20 economics around fiber hemp production or grain
21 hemp production are very similar to traditional
22 commodities where we need to have that scale.

1 We need to have those big acres in
2 order for there to be a viable return for folks
3 that have become involved. And so, that industry
4 is very much in transition right now.

5 I don't want to say moving away from
6 CBD, because that's not entirely true. But much,
7 much higher increase in folks growing for fiber
8 hemp and for grain hemp. We think that's where
9 the future is for the industry.

10 I'll tell you that as an agency, as a
11 department, that's where we're directing our
12 resources. Our resource dollars as well is into
13 fiber and into grain.

14 MR. HUGHES: So, at the lunch time is
15 there a last question for Bill? Going once,
16 going twice, sold.

17 MR. RICHMOND: Okay. We appreciate
18 the time very much. Thank you.

19 MR. HUGHES: Thank you, Bill. Pardon
20 me?

21 MEMBER BRIANO: I was asking, are hemp
22 seeds on the menu for lunch?

1 MR. HUGHES: No. Okay. So, a couple
2 of housekeeping comments. If there is anyone who
3 wants to leave their laptops or bag in the room,
4 you're fine to do that. We'll close the door.
5 There are cameras around. I'll let security
6 know.

7 Where we're going to have lunch is
8 literally on the third floor right above us,
9 307A. The best way that I've elected to get
10 there is to walk around this corner, if you don't
11 want to walk up three flights of stairs, take the
12 elevator straight up. You come off, it's right
13 in front of you.

14 And you may have to do that in groups,
15 because the elevators on this side are a little
16 tight. So, yes. Any questions? All right.
17 Let's go eat.

18 PARTICIPANT: When do we come back
19 here?

20 MR. HUGHES: That's a good question.
21 Yes, 1 o'clock, 75 minute lunch.

22 (Whereupon, the above-entitled matter

1 went off the record at 11:47 a.m. and resumed at
2 1:06 p.m.)

3 CHAIR RENTZEL: Okay. If we all are
4 ready I think we'll go ahead and get started here
5 with our afternoon session. Our speaker to kick
6 us off here this afternoon is Elizabeth Lober
7 from the Commodity Procurement Program.

8 And I think she's going to at least
9 address some of the issues and topics that we've
10 heard about this morning. So, welcome,
11 Elizabeth.

12 MS. LOBER: Thank you. Trying to find
13 my way. Hello, everyone. Welcome to D.C. We're
14 glad you're here. And thank you for inviting me
15 to speak. It's an honor to be with you all.

16 Okay. All right. So, I'm Elizabeth
17 Lober. And I am assistant to our Deputy
18 Administrator, who is Dave Tuckwiller. He's in
19 California at the ACDA conference, American
20 Commodity Distribution Association. So, I'm
21 acting for him.

22 So all this time I kind of wondered

1 what he does. Now I know. I've been very busy
2 while he's been gone. So, I hope I can do a good
3 job here for you.

4 Just a couple of things. The agenda
5 said we'd talk about procurements. And then
6 LFPA, local food purchase assistance, which is
7 what I want to focus on.

8 I just wanted to just mention a few
9 things that have come to our attention, as far as
10 our purchasing. And obviously, you know, we're
11 watching the weather in California. You all know
12 all about that.

13 So, you know, we're aware of that too.
14 And just trying to find our way through how the
15 flood's going to affecting the crops, and our
16 timing of solicitations and purchases, and all
17 that.

18 And we just also recognize that prices
19 are higher than last year. And we're, you know,
20 prepared to deal with that.

21 And also, that we've had a lot of
22 requests to try to increase lead time on

1 purchases, which is, you know, the time between
2 when we award the contract and the deliveries are
3 due.

4 So, we're aware that there's also in
5 some cases problems with getting packing
6 materials. And it's taking a little bit longer
7 for some of those things.

8 So, that's something else that we're
9 going to try to do the best we can to increase
10 lead times on purchases as a result of
11 difficulties getting packing material.

12 So, now I put on my LFPA hat, which is
13 the Local Food Purchase Assistance program. And
14 like I said, I'm an assistant to Dave Tuckwiller.
15 And also I am managing the Local Food Purchase
16 Assistance program, and the Local Food for
17 Schools programs.

18 So, we'll start out by just talking
19 about the goals of the program. They are to
20 maintain and improve agricultural supply chain
21 resiliency through cooperative agreements with
22 states and federally recognized Tribal

1 Governments.

2 The states and Tribal Governments will
3 enter into up to a two year agreement where they
4 will target purchases for domestic, local foods,
5 targeting socially disadvantaged farmers,
6 ranchers, and fishermen, to be distributed to
7 under served communities.

8 So, that's the, kind of the gist of
9 the whole thing. It's authorized up to \$400
10 million dollars under the American Rescue Plan
11 Act, or ARPA. Next.

12 So, we have three kind of overarching
13 goals of the program. And the first is to offer,
14 is to provide an opportunity for states and
15 Tribal Governments to strengthen their local and
16 regional supply systems.

17 Secondly is to help to support local
18 and under served farmers and ranchers through
19 building and expanding economic opportunities.

20 And then thirdly is to strengthen and
21 broaden relationships. And to try to increase
22 those community based relationships in hopes that

1 this will continue long after this program is
2 over.

3 So, go ahead. So, this, it's pretty
4 simple. There's two parts to the program,
5 procurement. And that's where states and Tribal
6 Governments are asked to target socially
7 disadvantaged farmers and ranchers to purchase
8 domestic local products.

9 And the distribution then is to
10 distribute the food within their state or
11 territory, targeting under served communities.
12 So, it's really a, it's two part program.

13 So, who is eligible for the program?
14 Well, the recipients of this agreement are going
15 to be state agencies, which could be a
16 commission, Department of Ag, you know, each
17 state has different agencies.

18 In some cases it's like their
19 Department of Ag, or their Commission of
20 Agriculture. In others it's whatever entity is
21 involved in food distribution.

22 It could be their Health and Human

1 Services Agency. So, it's not just limited to
2 Departments of Ag. We let the states determine
3 who best within their state could handle the
4 program. So, it's kind of a little bit new with
5 that approach I think.

6 And then the other partners we have
7 are federally recognized Tribal Governments. And
8 there's on award per state, as far as state
9 agencies. And there's, you know, however many
10 Tribal Governments apply and can meet the
11 requirements for the program.

12 The applications were due last fall.
13 And so we received 84 applications, which was
14 great. A little bit more than we expected I
15 think.

16 We received applications from every
17 state but one, also three territories, the
18 District of Columbia. And we received
19 applications from 31 Tribal Governments, which
20 was really exciting to us. So --

21 MEMBER FRASIER: Can you tell us what
22 was the one state that you didn't hear from?

1 MS. LOBER: Sure. Wyoming. Yes. So,
2 but we're excited that, you know, we're getting
3 some tribal participation there with new funds
4 that we're getting.

5 So then, the program was going really
6 well, and very popular, and a lot of demand for
7 it. So, the Secretary announced an additional
8 \$306, or \$464 million in commodity credit
9 corporation funds for the program.

10 So, with this funds \$400 and, \$364
11 million will be available for the states and
12 territories. And \$100 million is set aside for
13 the federally recognized Tribal Governments.

14 So, those states and territories that
15 all have, and tribes that already have an
16 agreement, they can amend their agreement. And I
17 don't think I mentioned this.

18 But the original agreements were for
19 two years. And if they amend their agreement
20 they can add an extra year to it. So, up to a
21 three year period of performance.

22 And then for new tribes that want to

1 participate, they'll start out with a new
2 proposal. And we're hoping to get some new
3 tribal participation as well.

4 So, I think the big thing, am I
5 getting, go to the next one. The big thing with
6 the Commodity Credit Corporation funds is they
7 have different rules around how that money can be
8 used.

9 So, it has to be unprocessed or
10 minimally processed foods. So, it can be dried,
11 frozen, canned. But what that eliminates is like
12 ready to eat meals, or pre-prepared foods. You
13 know, meats can fall into that, but not if
14 they're a stew, right.

15 So, dried fruits would fit into it,
16 canned fruits and vegetables, as long as it's not
17 mixed and made into something other than just
18 itself.

19 So, those are what's allowable for
20 this. In the first round we allowed
21 administrative cost, indirect cost, technical
22 assistance funds, outreach, things like that.

1 For the second round, which we call
2 LFPA+, with the Commodity Credit Corporation
3 money the money has to be spent on food, right.

4 So, in some cases there's storage
5 distribution cost involved in the purchase of the
6 food, or involved in the procurement that can be
7 included. But otherwise they're, it's straight
8 purchase the food with it.

9 So, it's a whole different kind of set
10 of rules with Commodity Credit Corporation funds.
11 You can go to the next one.

12 So, we're excited. So far we've
13 heard, well, let me just say too, one of the
14 requirements of the program is that the states
15 and tribes report quarterly on their purchases
16 and their distributions, as well as just giving
17 us a narrative of how it's going, and what
18 obstacles they have, how they're overcoming them,
19 and things like that.

20 But when we're asking for information
21 on purchases and distributions we're asking them
22 who they bought from, are they socially

1 disadvantaged, and what type of product did they
2 buy?

3 So, thus far we've received reports
4 from 24 states. And we're just at the tip of the
5 iceberg. We are just starting to get reports.
6 Obviously it's out of season for many states.

7 But thus far 64 percent of the
8 products they've bought are fruits and veg, are
9 produce. So, that gives you an idea. Followed
10 by meat and poultry, eggs, dairy, and milk.

11 We also expect there to be a decent
12 amount of fish and seafood, particularly from the
13 tribes. Because that's something that they, we
14 don't normally buy the quantities that they need.
15 We buy larger quantities.

16 So, you know, one of the things about
17 this program too is that it allows the tribes and
18 states to customize their program for what they
19 grow in their state, or what they have available
20 in their state, and what the people want.

21 And so, it's really customized per
22 state or per tribe, depending on what the

1 cultural foods are, local foods. So, for the
2 tribes it's really cool. They're doing some
3 really, really neat things.

4 We just talked to a tribe in Alaska
5 that wants to use the funds to buy seal meat.
6 So, not something I'm really that interested in.
7 But I think that's really neat that they can use
8 the funds for what's appropriate for them.

9 So, with that, we can go to the next
10 slide. I just have contact information here for
11 you. Again, I'm Elizabeth Lober. And I have my
12 email here. It's elizabeth.lober@usda.gov. And
13 I also have my team member here, Sarah Fong.
14 She's our team lead.

15 And then, what we've done is, we've
16 divided the country into regions. And we have a
17 specialist assigned to each region. So, I have
18 the names of the specialists that are covering
19 each region, and working directly with the states
20 or Tribal Governments.

21 So with that I think we, that's all I
22 have. So, I wanted to allow for times for

1 questions and answers. And I also do have a
2 handout. I'm not, I think I have enough. But I
3 can go up and get more if I don't.

4 This was written a little bit ago.
5 But it just kind of gives the background of the
6 program. And it's sort of aimed at if you wanted
7 to apply, or request an amendment. But it also
8 has my contact information at the bottom of it if
9 you're interested in that. So --

10 MR. HUGHES: And I also have the
11 presentation. So, I'll provide the presentation
12 to you all.

13 MS. LOBER: Great. Great.

14 CHAIR RENTZEL: Question?

15 MS. LOBER: Yes.

16 VICE CHAIR MARSHALL: I have a mic.
17 Well, I'll take two. Just real quick. If, do
18 you have a list of the states who have already
19 applied for the amendment?

20 So, if some of us are in a state that
21 hasn't applied maybe we can encourage our
22 Departments of Agriculture, or whomever, to

1 apply?

2 MS. LOBER: Yes, I do.

3 VICE CHAIR MARSHALL: Thank you so
4 much.

5 MS. LOBER: Matter of fact, I have it
6 right now.

7 VICE CHAIR MARSHALL: Okay, great.

8 MS. LOBER: Do you want me to just
9 read it out?

10 VICE CHAIR MARSHALL: Yes.

11 MS. LOBER: Because I'm a paper
12 person.

13 VICE CHAIR MARSHALL: Okay. Thank
14 you.

15 MS. LOBER: And I just write stuff
16 down. It's handy. Connecticut, Alabama, Texas,
17 Arkansas, Montana, Oregon, Alaska, Ohio, New
18 Mexico, Missouri, Washington, Iowa, Louisiana,
19 Maine, Massachusetts, West Virginia, and
20 Michigan, and Rhode Island.

21 VICE CHAIR MARSHALL: Thank you.

22 MS. LOBER: And of those we've already

1 awarded Connecticut, Texas, Alaska, Montana, and
2 Louisiana.

3 And also, we've had two tribes, or
4 actually three tribes apply. Chickasaw Nation,
5 which is in Oklahoma, the Cowitz Tribe in
6 Washington, the Mississippi Band of the Choctaw.
7 And we have a brand new one, which I don't think
8 I can say it. It's Poarch Creek Tribe in
9 Alabama.

10 VICE CHAIR MARSHALL: Is there a
11 deadline on the application?

12 MS. LOBER: Yes. It's May 12th.

13 VICE CHAIR MARSHALL: May 12th. Thank
14 you so much.

15 MEMBER SERRATOS: Hi. My name is
16 Rebecca Serratos from Arizona. Thank you for
17 this. I know a few of us were waiting for you to
18 give a presentation on this one, because it's so
19 timely.

20 I have a few questions. Mainly they
21 kind of all fall under, as USDA do you have any
22 expectations or organizing in terms of helping

1 states help themselves?

2 This is a lot of federal money all at
3 once into local food systems that didn't
4 necessarily have anything set up and ready to go.
5 And so, there was a lot of fury kind of on the
6 ground. Hurry up and get ready to put these
7 systems up.

8 So, I'm curious, like from a USDA
9 perspective, are you anticipating a tool kit,
10 best practices, a report of some kind that other
11 states can maybe draw upon that say don't have a
12 Farmer's Market Association on the state level?

13 MS. LOBER: Right.

14 MEMBER SERRATOS: Don't have any
15 listing of local. And therefore, how are they
16 ensuring that local food is being procured?
17 Don't have a lot of skin in the game in terms of
18 these local outlets. How best can we get our
19 state representatives and decision makers kind of
20 up to par on local food?

21 MS. LOBER: Right. Well, first of
22 all, one thing that they ought to do is, we have

1 monthly office hours. And we have time for
2 collaboration during that, questions, answers,
3 collaborations.

4 And the states spend a lot of that
5 time talking to each other. Like, has anybody
6 done this before? How have you done it? One
7 example is, some of them were having trouble
8 locating socially disadvantaged farmers and
9 ranchers.

10 So, you know, three or four of them
11 stepped up and said, hey, this is what I'm doing.
12 You know, put their emails in the chat and said,
13 hey, contact me after the meeting. Or, you know,
14 here's my information.

15 So, we've had this monthly call that
16 has been just fantastic. Everybody opens up. We
17 go over, during those calls, use it, at the
18 beginning it's a workshop, if there's anything,
19 like right now we're into reporting for the end
20 of the quarter.

21 So, we'll do something on what's
22 required in reports. But then we have a lot of

1 time for just conversation, questions, answers.
2 But we always have time for collaboration and
3 sharing of challenges, and sharing of success
4 stories.

5 And then there's also a lot of
6 interest in this program. And the Wallace Center
7 on, I'm not sure if, okay. They are actually
8 conducting a, sort of analysis of the program.

9 And they are putting together, and
10 they're working with Duke University. They're
11 putting together a sort of lessons learned type
12 of document as well. But we're doing, working
13 really hard at trying to capture all that.

14 But as far as like on the ground now,
15 the other thing that we've encouraged people to
16 do, and has worked in a lot of areas is to
17 partner with already existing programs.

18 And, you know, in some states they do
19 have the buy local initiative already started.
20 Some are, you know, really working closely with
21 food hubs that already are distributing local
22 food. Or, you know, food banks that have already

1 got something set up.

2 So, you know, we're encouraging
3 collaboration. We're doing these monthly calls.
4 But, you know, that's a good point.

5 I mean, the states could also have
6 requested technical assistance, you know, when
7 they were applying for theirs. Because they can
8 get administrative funds.

9 So, we gave them money for salaries.
10 We gave them money if they needed to hire
11 consultants, or additional people to help them.
12 And a lot of states did that. Some of them
13 didn't. So, those are the kind of things that
14 we've been doing to try to help them.

15 MEMBER SERRATOS: I'm curious too, in
16 terms of that fiscal cliff of after two, maybe
17 three years, depending on the extension.

18 Your third bullet point of creating
19 those partnerships, those relationships. Have
20 you seen any legislation from local states that
21 are anticipating needing to fund that at a state
22 level?

1 Because that's a lot of money to have,
2 especially for socially and under served,
3 disadvantaged farmers. And then to not have all
4 that money.

5 MS. LOBER: Yes. Well, I think some,
6 you know, some people are hoping that it's going
7 to continue through additional legislation,
8 perhaps in the Farm Bill, or things like that.

9 But yesterday I just happened to
10 attend an event in Maryland where they were
11 kicking off their program. And they had started
12 a program to do the same thing with their state
13 funds.

14 Like, they had, which, you know, they
15 were starting out with \$200,000 dollars. But
16 they already were like, this is going to be so
17 great. We're going to start our program and try
18 to build it alongside of this, so they would have
19 something in place when it was over, if it is
20 over.

21 MR. HUGHES: Any additional questions?

22 MEMBER VAN EECKHOUT: Hi. I'm David

1 Van Eeckhout. I work for Food Hub up in St.
2 Paul, Minnesota. And I also have a bunch of
3 questions. But I'll try and limit to just a
4 couple.

5 Number 1, is the LFPA+ a given for
6 most states? Because I know our state has said
7 like, well, if we get this extra money, don't
8 count on it.

9 I mean, being that we have a very
10 cyclical farm season, our deadline right now to
11 utilize the funds is September of next year,
12 which doesn't really allow for our main, you
13 know, kind of post harvest marketing season,
14 which would be in September and October.

15 MS. LOBER: Right.

16 MEMBER VAN EECKHOUT: And so, we're
17 really interested in that extension to go into
18 the next year. Because then we can have an
19 entire 12 month farm season within the program.
20 So, I guess, are most of the people who are
21 applying for the LFPA+ getting awarded?

22 MS. LOBER: Yes.

1 MEMBER VAN EECKHOUT: Yes. Okay.
2 Great. And then, Administrator Summers alluded
3 to this morning some funding coming around
4 infrastructure that hasn't been announced yet,
5 some grant funding.

6 And, you know, I think for us and for
7 a lot of other organizations, we would have loved
8 to have seen infrastructure funding before a
9 giant increase in purchasing.

10 MS. LOBER: Right. Right.

11 (Simultaneous speaking.)

12 MS. LOBER: Right. I know.

13 MEMBER VAN EECKHOUT: So, I guess
14 maybe it's more of a comment that I'm really
15 hopeful that that infrastructure funding is a
16 prelude to continued funding for some of these
17 purchasing programs.

18 MS. LOBER: Yes. Yes. I mean, that's
19 a big issue is, you know, the storage space, and
20 all that. And, you know, he knows what's coming
21 next, not me. But --

22 MEMBER VAN EECKHOUT: And then last

1 thing. I know pricing initially was really,
2 producers could set their own pricing. But that
3 was a little problematic in the beginning stages.

4 Has that changed now that you've, you
5 know, the program has started a little bit, so
6 that, you know, I know, I think when I've talked
7 to somebody in Wisconsin, which is doing the
8 program a little differently than Minnesota.

9 MS. LOBER: Right.

10 MEMBER VAN EECKHOUT: They had to
11 really adjust and set a ceiling on prices,
12 because some prices were just coming in out of
13 line.

14 MS. LOBER: Well, what we're requiring
15 them to do is to follow their state and local
16 procurement regulations. So really, you know, it
17 depends how they have their state procurement
18 laws set up, you know.

19 You would think that in most cases
20 there would be some type of a limit, or some kind
21 of a, whether it's a, you know, sealed bid, or
22 whatever they're, whatever procurement vehicle

1 they're using it should address price.

2 MEMBER VAN EECKHOUT: Okay.

3 MS. LOBER: But we're not getting
4 involved in telling them how to buy this stuff.

5 MEMBER VAN EECKHOUT: Okay, great.

6 MS. LOBER: Yes.

7 MEMBER VAN EECKHOUT: Thank you.

8 MR. HUGHES: So, this will be the last
9 question before we have to move on to the next
10 presenter.

11 MEMBER HODGES: Okay. Morris Hodges.
12 The first thing I put down here was, wow, kind of
13 like the signal we got from outer space some
14 years ago, maybe extra terrestrial excitement.

15 Because your model, your program is a
16 model for what I'm advocating on finding and what
17 you're doing with it for other grant programs.

18 Thank you.

19 I've met with Mississippi Department
20 of Agriculture and Commerce. We had a, well,
21 they emailed me a couple of months or so ago on
22 this program. I've communicated with net work

1 and et cetera. And asked them to share it. And
2 we had a webinar on this.

3 Mississippi is off the ground and
4 running with some kinks in it. They are working
5 on getting that done. But you didn't mention us
6 as the additional funding. The names you called
7 out, you listed the tribes.

8 MS. LOBER: Yes.

9 MEMBER HODGES: So, I will be reaching
10 out to them when I return home next week. I've
11 been affiliated with them about 40 years.

12 MS. LOBER: Right.

13 MEMBER HODGES: Okay. And then you'll
14 know about reaching out to you all, okay. So,
15 but our language suggests that it is not just for
16 socially disadvantaged, under served, like
17 farmers, whatever you want to call it. It is for
18 specialty crop producers, small specialty crop
19 producers. But especially under served
20 producers.

21 MS. LOBER: Right. And yes, just to
22 make sure that that's clear. The states are

1 supposed to target the under served producers,
2 and target the under served communities. It is
3 not a requirement.

4 So, in some states it's a real
5 challenge for them to find that many, you know,
6 local producers that meet that, those
7 requirements. So that's, you know, and it's, it
8 would make it very difficult for some to follow
9 their contracting regulations.

10 So, we're asking them to target it.
11 And we're asking them to report back on it too.
12 So, in their reports they will tell us. So, you
13 know, and they have goals.

14 They, and they had to tell us how they
15 were going to target the under served farmers and
16 ranchers. So, it's a big component of what
17 they're supposed to be doing. But it is not a
18 requirement.

19 MEMBER HODGES: Yes. Thank you. In
20 conclusion, in my opinion it's about outreach.
21 You run this, regardless of what agriculture
22 program you're talking about.

1 And I found that the best, one of the
2 best ways to do that is, that is, not, it ain't
3 about me. It's not us. By them reaching out to
4 me. And I also saw it on my email when I
5 subscribed.

6 And sharing it with, you tell one
7 person, this person tells that, and on, and on,
8 and the whole thing. That way it gets out to the
9 socially disadvantaged farmers. They are invited
10 to the webinars. And they understand that they
11 are eligible.

12 MS. LOBER: Right.

13 MEMBER HODGES: So, thank you all.

14 MS. LOBER: Right. Well, I just want
15 to say, I know we're out of time. But I feel
16 like there's more questions. Please contact me,
17 and I'll answer your questions.

18 You know, we're very glad to help.
19 We're very excited about this program. We've
20 seen nothing but good things come out of it so
21 far.

22 We've seen great, you know, the

1 reports, they'll be like Joe's Apple Garden, you
2 know, like really small purchases are being made.
3 Like, and there's some bigger ones. But it's
4 really cool seeing the local element of it.

5 And when we see the reports they're
6 just, you know, it's over 5,000 line items of
7 purchases. And thus far, it's just really, it's
8 working the way it's supposed to work it appears.

9 So, but anyway, my information is
10 there. Darrell has it. But please reach out if
11 you have more questions. I'll be glad to answer
12 them.

13 CHAIR RENTZEL: Thank you, Elizabeth.
14 I knew you would be popular. So, we appreciate
15 you taking time to spend with us.

16 MR. HUGHES: And, Kay, I have one
17 quick announcement. There's coffee in the back
18 for those who need a coffee. Now you can go
19 ahead.

20 CHAIR RENTZEL: Okay. Our next
21 speaker this afternoon will be Krista Dickson.
22 And she is the Director of the Food Disclosure

1 and labeling Division here at USDA. And she will
2 speak on bioengineered food. So, welcome,
3 Krista.

4 MS. DICKSON: Hello, everyone. Okay,
5 perfect. Well, first let me start and say, look,
6 I know I believe I'm the last presentation of the
7 day. So I understand, and I won't be offended if
8 you go back to get coffee. But hopefully you're
9 interested in this topic, and this is an
10 interesting presentation for you.

11 I wanted to start off a little bit by
12 just introducing myself to you. So I've been
13 with AMS now for just about a year and a half.
14 I've worked for USDA for nearly 20 years prior to
15 that, for the Foreign Agriculture Service, and
16 also spent some time at the U.S. Trade
17 Representative.

18 So you might wonder how on earth did
19 I end up doing bioengineered foods as well as our
20 division actually administers two statutes. One
21 is the National Bioengineered Food Disclosure
22 statute. It's also country of origin labeling.

1 So when we get to questions and answers, if you
2 have some questions on country of origin
3 labeling, I'm also happy to take those while I'm
4 up here.

5 I will say during my time at USDA with
6 the foreign ag service I was a part of the
7 original -- I was part of the team that actually
8 defended our country of origin labeling at the
9 WTO. So I learned the statute forwards and
10 backwards during the experience.

11 I also worked on a lot of technical as
12 well as sanitary and phytosanitary trade issues,
13 so BE, GE, food labeling, GMO labeling was a huge
14 topic of conversation for many years. And I
15 actually was the USDA delegate to the Codex
16 Committee on food labeling for many years and
17 part of the team that actually shut down the work
18 in the committee where we produced an annex about
19 labeling of GE foods is how I defined them.

20 So that is kind of how I ended up in
21 this position, and some of my background. I took
22 over in January 1 of 2022 this year as the

1 director when our previous director, Paul Lewis,
2 retired. So I'm excited to be here and to talk
3 to you today about the National Bioengineered
4 Food Disclosure standard.

5 Okay, so you can go to next. So
6 basically in the summer of 2016, Congress passed
7 an amendment to the Agricultural Marketing Act of
8 1946. That amendment required the Secretary of
9 Agriculture to draft regulations to establish a
10 national mandatory bioengineered food disclosure
11 standard.

12 By providing a uniform standard for
13 bioengineered foods, we increased the
14 transparency in our food system, and we give
15 consumers information about the bioengineered
16 status of the foods they consume. While doing
17 so, we also avoid a patchwork of state laws and
18 regulations that can be costly for manufacturers
19 as well as can be confusing for consumers.

20 It's important to note that this
21 statute is a marketing statute and not a food
22 safety statute. The statute, it's very young, we

1 just started compliance with the statute as of
2 January 1 of 2022. So we're really kind of
3 learning this as we go, and learning where we are
4 in compliance as we get through this first year
5 and a half or so of implementation.

6 Next, so this just quickly shows how
7 we're going to walk through the standard today
8 and hopefully some of the different parts of it
9 that are helpful for you.

10 Next, so first we're going to talk
11 about regulated entities. So there are three
12 different types of regulated entities under the
13 standard. Food manufacturers, and this is anyone
14 who packages or labels food for human consumption
15 and retail sales.

16 I will note here that sometimes
17 manufacturers decide to have co-packers pack
18 certain items for them. In this case, a
19 co-packer can also be a regulated entity. And
20 just so you understand what we look for, we
21 actually look for what is on the product label.

22 So if you are a co-packer, and you are

1 listed on the label, you would be the person that
2 I come to if I need records and if we have to do
3 an investigation. If the manufacturer is listed,
4 I would go to the manufacturer. So you, as the
5 manufacturer, would have to get and maintain
6 those records from your co-packer.

7 The second type of regulated entity is
8 an importer. Again, we follow the Customs and
9 Border Patrol definition of an importer which
10 essentially is anyone who imports foods for
11 retail sale in the United States.

12 Our final group of regulated entities
13 is retailers. And retailers, again, when
14 retailers are subject and on the line for
15 maintaining the records themselves, it's when
16 they package and label food for retail sales or
17 sell bulk food items.

18 So I think many of the fruits and
19 vegetables obviously end up in bulk bin, so if
20 that's the case, that retailer is going to be the
21 person who's responsible for maintaining records.

22 If for any reason, in the store you

1 package yourself a green, yellow, and red pepper
2 in a package, and you sell it that way, then you
3 would also have to maintain that record in the
4 instance that it was done within your store, and
5 it was not sourced that way.

6 Some of the regulated entities that
7 are excluded are restaurants of any kind,
8 cafeterias, lunch rooms, food stamps, food
9 trucks, trains, airplanes, bars, taverns, and
10 lounges. There's also an exception here for very
11 small food manufacturers. So if you have less
12 than \$2.5 million in annual sales you are also
13 excluded from the standard.

14 I will note that with very small
15 manufacturers that includes both food and
16 non-food receipts, is how we come to that number.

17 Next. So while suppliers are not a
18 regulated entity under the standard, we do
19 consider them very important. And we consider
20 their understanding of the standard and the
21 requirements to be very important. And that's
22 because often, and I believe many of you probably

1 are, you are the suppliers, and you are on the
2 hook for actually providing records to the
3 manufacturers.

4 I'll note that suppliers can also
5 include developers of novelty technologies. And
6 so we get a lot of requests from them too as
7 well, in terms of what sort of records they would
8 need to keep and at what point those records
9 would have to be conveyed.

10 I will say that any requirements or
11 requests for records are private between the
12 regulated entity and the suppliers. And we don't
13 govern those. And this is a little different
14 than the way country of origin labeling works.
15 If any of you are familiar with that, with
16 country of origin labeling, we actually have
17 statutory authority.

18 We can go back and reach back to the
19 suppliers and request those records ourselves and
20 do tracebacks. When it comes to BE foods, we
21 cannot. So therefore, as the regulated entity,
22 you are the person on the hook to have those

1 records.

2 We can go to the next slide, we
3 actually can skip to the BE food definition. So
4 just quickly going over the definition of a
5 bioengineered food, it is any food that contains
6 genetic material that has been modified through
7 in vitro rDNA techniques and for which the
8 modification could not otherwise be obtained
9 through conventional breeding or found in nature.

10 So in either of the cases, that it's
11 found in nature or produced through conventional
12 breeding, we do not consider that rDNA would be
13 detectible in those types of situations. So it
14 doesn't have to be disclosed. Similarly, there
15 are certain conditions or factors which I'm going
16 to talk about next where you would not need to
17 disclose.

18 (Simultaneous speaking.)

19 MS. DICKSON: So factors or
20 conditions, so the definition of bioengineered
21 foods also includes incidental additives. It's
22 the one exception we have for special factors and

1 conditions. So essentially we follow the
2 definition that FDA uses for incidental additives
3 which are essentially foods that are used in
4 insignificant amounts and have no technical or
5 functional effects.

6 So examples of incidental additives
7 can be things such as vanilla extract, fruit or
8 vegetable juices that are added for color
9 enhancement and, in some cases, ascorbic acid.

10 Now my one disclaimer to this is if you put it on
11 the ingredient list, because one thing is if you
12 follow the FDA regulations you don't have to add
13 it into the ingredient list. If you add it to
14 the ingredient list, we're likely going to ask
15 you for a record.

16 You can submit us a justification of
17 why it's an incidental additive. That could be
18 one why you could comply. But just be aware of
19 that. So if it's something that you know
20 qualifies as an incidental additive, just don't
21 put it on the ingredient list and we won't ask
22 you for anything related to it.

1 Next. So we're going to talk about
2 detectability a little bit. And if you are using
3 either a food or an ingredient derived from a
4 food that's on the BE list, what do you need to
5 do, essentially?

6 So we consider these are three areas
7 where, even if a food is on the list or an
8 ingredient that comes from it is on the list, you
9 would not necessarily have to disclose for a
10 product. Because we just basically would certify
11 that there would be no detectible in vitro rDNA
12 that would be in that product.

13 So the first is very simply if a food
14 is made from a non-bioengineered food. And that
15 can apply in cases such as you have a potato, and
16 basically you're sourcing that potato from a
17 country where they cannot produce potatoes that
18 are GE or GMO.

19 So you can very simply just provide me
20 the country of origin statement on where that
21 potato came from. And that would be one way that
22 you would not have to disclose for that, even

1 though potato is one of the others on the food
2 list, which you'll see when we get there.

3 Another way is that if the food has
4 been refined using a process that essentially
5 renders the modified genetic material
6 undetectable. You also wouldn't have to -- you
7 would not have to disclose.

8 And the final case is where you would
9 confirm the absence of rDNA by a batch by batch
10 or lot by lot test. And we understand that's the
11 most expensive and probably the least preferable
12 way that most folks are going to provide results
13 to us in terms of detectability.

14 We can go to the next slide. So
15 building on this a little bit, one of the areas
16 where we see this used a lot is for what we call
17 highly refined ingredients. So these can be
18 oils, for example, so oils that are made from
19 corn or soy, for example.

20 If those have been refined to a point
21 that there would no longer be rDNA, what you can
22 do is you can do a test, a process validation

1 that shows that, with that test, there would be
2 no rDNA left. You do that once. You submit it
3 to us. And then it's good for multiple years.
4 So that is not something that has to be done on a
5 lot by lot or case by case basis.

6 You can go on to the next slide. Oh,
7 wait, we should be at what is the difference
8 between BE and GMO, one slide back. Am I missing
9 one?

10 PARTICIPANT: Yeah.

11 MS. DICKSON: Okay, never mind. That
12 one isn't in there. So I had a slide in my deck
13 that didn't show up, okay.

14 So my list of bioengineered foods, so
15 you've heard me talk a little bit about the list
16 of bioengineered foods. AMS created this list in
17 order to help regulate entities determine whether
18 their food is bioengineered or not. We update
19 the list regularly through rule making processes.

20 The list includes all bioengineered
21 foods that are legally produced and authorized
22 for commercial production somewhere in the world.

1 Essentially if your food or food item appears on
2 this list you must either have a record that
3 shows that it wouldn't be subject or you have to
4 disclose it.

5 Also, if for any reason, I'll add
6 here, if you are using something that you know
7 is bioengineered, so for example you're maybe
8 importing something from another country, and you
9 know that they have a bioengineered variety of
10 something, and we have not yet added it to our
11 food list. If you have actual knowledge that the
12 product is bioengineered, you would also have to
13 disclose it, even if it's not yet on the list.

14 And we can go to the next. Okay. So
15 in terms of foods that are subject to the
16 standard, so basically the standard applies to
17 any foods that are regulated by the Federal Food,
18 Drug, and Cosmetic Act, by the Federal Meat
19 Inspection Act, the Poultry Products Inspection
20 Act, or the Egg Products Inspection Act.

21 You can go to the next slide, and now
22 I'm going to talk a little bit about, even though

1 we say it applies to all those foods, there are
2 still foods that apply to those acts that will
3 not be regulated. And I will say for fruit and
4 vegetables, this is probably not the most
5 important slide for you, because it applies more
6 to the meats.

7 But one of the ways we determine if
8 the food product itself is regulated or not is by
9 looking at the ingredients. And what I like to
10 use here is let's, like, use the example of, for
11 example, a can of soup. And let's say the can of
12 soup has in it vegetables as well as meat
13 products. And you want to know, okay, I think
14 I'd like to use my soup as a stew. So it might
15 have potatoes and carrots in it.

16 And potatoes is one of the things that
17 shows up on the bioengineered food list. So you
18 want to know is that can of soup covered. So for
19 my potatoes that are going into the soup, do I
20 need to include a certification -- do I need to
21 make sure I'm sending a record that would
22 demonstrate that it's not bioengineered if the

1 company doesn't want to disclose.

2 So the way we determine that is
3 actually looking at the ingredient list on the
4 product itself. So the first thing we do is we
5 look at the first ingredient. And if it's meat,
6 catfish, poultry, or an egg product, essentially
7 it is not subject to the disclosure standard. So
8 if you're buying a steak, for example, that is
9 not regulated nor do you have to disclose. So
10 that comes off of the list.

11 If, however, the first ingredient, and
12 this back to my soup example, is something like
13 vegetable broth, stock, or water, or poultry
14 broth, essentially we then look at the second
15 ingredient on the product. And if that product
16 is also essentially meat, catfish, poultry, or an
17 egg product, it also is not regulated.

18 So that is one of the ways we
19 determine whether it would be regulated or not.
20 So that would help you determine whether
21 something that you're supplying, for example, to
22 a soup manufacturer might need to have a record

1 with it.

2 We have a full determination tool
3 online that you can use that will actually ask
4 you a list of about 20 questions and walk you
5 through this. And so it will help you
6 understand. And I will start with what is the
7 first ingredient on your product.

8 I will say when it gets to poultry
9 broth, poultry broth is a little more complicated
10 than some of the other broths out there. And
11 there's probably five specific questions related
12 to poultry broth that we'll ask you.

13 So if you want to know the answer to
14 whether something is regulated or not, the
15 decision tool is wonderful. I highly recommend
16 that you go there and walk through the steps.
17 And at the end, it will give you kind of a result
18 of whether the product is likely to have to
19 disclose or not.

20 We also have a second decision tool
21 that's there that relates specifically to
22 alcoholic beverages. But I don't think anyone in

1 this group would necessarily need that.

2 Okay, can you go to the next one?

3 Yes. So the next slide we focus on exemptions.

4 We already talked about the two specifically for
5 entities, so we'll talk about product exemptions
6 now. So the first one is our threshold
7 exemption. And essentially that is something
8 where we allow each ingredient to contain up to
9 five percent of a BE substance as long as it's
10 inadvertent or technically unavoidable.

11 This one is important to understand.
12 And I think people don't always understand how it
13 works. So as written, this relates to the
14 percentage that the ingredient is in the product
15 itself and then that five percent. So if we're
16 talking about, going back to my soup example,
17 let's say potatoes make up five percent of the
18 soup. Your threshold would be five percent of
19 that five percent.

20 So that means for a potato, if we ran
21 a PCR test, we would need to see, for example,
22 that it had no more than 0.25 percent as the

1 threshold in order for it to be acceptable. And
2 that's important, because it's very different,
3 for example, than how the EU and many other
4 countries regulate, which is they have this
5 straight 0.9 percent threshold across the board.

6 But it does give you, in many cases,
7 it gives you a higher percentage. If the product
8 actually makes up a higher percentage of the
9 product, you get a very high percentage, like
10 four.

11 And honestly, if whatever the BE
12 substance is is making up a small percentage of
13 the product, it's also probably pretty unlikely
14 that we would ever trip that threshold. So it's
15 just a little bit about how our threshold is
16 structured and why.

17 So the second exemption, and we don't
18 need to spend a lot of time on this one, is
19 animals are fed bioengineered feed. That does
20 not automatically make them bioengineered. So
21 this applies to a chicken eats grains. Their
22 eggs are not considered bioengineered. The cows

1 have, you know, feed that again has alfalfa or
2 something in it that's bioengineered. That does
3 not automatically make the milk that they produce
4 bioengineered, nor does it need to disclose under
5 our definition.

6 And then the last category is anything
7 that's certified under the National Organic
8 Program is automatically exempted and no records
9 need to be kept for it.

10 We can go to the next. So disclosure
11 options, if you have to disclose what do they
12 look like? So there are four different ways you
13 can disclose on products. The first is an
14 on-package text which you can use where it will
15 need to say bioengineered food, contains a
16 bioengineered food ingredient. That's if there's
17 one ingredient or it contains bioengineered food
18 ingredients if there are multiple ingredients.
19 You can also use the symbol in either black and
20 white or color. There is no restriction there.

21 The third approach is our electronic
22 or digital disclosure. So that usually -- you're

1 using a QR bar code of some sort. And with the
2 QR code itself, you are also required to use the
3 words scan here for more information or something
4 similar to that. And you also have to include a
5 phone number on there.

6 So for electronic or digital
7 disclosure, there are, like, three different
8 components to it. I'll also note with electronic
9 or digital disclosure, if you use that option
10 when you go to the main page that it takes you
11 to, essentially the first page has to be the
12 product information page.

13 And it must include the on-package
14 text or symbol, as are the first two options when
15 you go to that page. And no marketing or
16 promotional material of any kind may be on that
17 page. So that's an important restriction.

18 And then the last option is the text
19 messaging. And specifically the text messaging,
20 I'd just note, it should say text in either a
21 command or a word for bioengineered food
22 information. That's how it would read. And when

1 you text that number, you have to come back
2 essentially with the language there that's the
3 on-package text description if you text the word.

4 If you really want to, you could
5 disclose in a -- wherever we have exemptions, so
6 for example, you're an entity that's exempted or
7 you have a food that's highly processed food, if
8 you want to declare that your food is
9 bioengineered, even though you might have a
10 process that completely takes it out, you can do
11 that and you can declare it, meaning it's on the
12 list somewhere. We don't allow you to declare it
13 if it's not on the list at this point. But if
14 you want to, you can voluntarily disclose it.

15 We can go to the next. In terms of
16 the format and where you can disclose it, so
17 essentially we look at the primary places. There
18 are two primary places which are on the
19 information panel adjacent to where the
20 manufacturer and distributor information is, or
21 on your principal display panel.

22 If for any reason it cannot fit on

1 those two panels, or it would interrupt other
2 information that's required by the FDA, you may
3 use any other panel on the product itself, and
4 that is acceptable.

5 We can go ahead to the next. So for
6 bulk containers, essentially here you have two
7 options. You can either put it on the food
8 itself, stickers is what we see very frequently.
9 However, if you want a more sustainable approach,
10 retailers can use a sign or placard that sits in
11 front of that bin. So either one is okay, and
12 can be acceptable. The retailer would just need
13 to make sure again they're retaining the records
14 there in case there were any concerns about it.

15 We can go on to the next. And we
16 already covered these three types of records
17 earlier. So I won't really go through these
18 again. You can skip to the next record, I think.

19 So these are examples of types of
20 records that you can use and keep to meet the
21 requirements that we just looked at. So the
22 standard allows for third-party certifications.

1 One of the most common types that we see there
2 are organic certifications from other countries.

3 You can use other third party
4 certification standards as well. We often see
5 the non-GMO project standard. I will just say,
6 just make sure if you're using those other
7 third-party standards as your record, that you
8 are looking at certifying to our standard.

9 We frequently see ones that just
10 certify to the EU. Those are not necessarily
11 acceptable as they are. You can often explain
12 them, and explain processes, and different
13 things, and they can be acceptable, but it
14 requires us kind of going through the records
15 with you.

16 The second one is you can include, and
17 I talked about this earlier, documentation that
18 shows that the ingredient is sourced from another
19 country that doesn't have BE production of the
20 food. Clearly, laboratory tests are acceptable,
21 process verifications are also acceptable.

22 We also often see and accept supplier,

1 we get a lot of supplier attestations. Supplier
2 attestations are acceptable. Just make sure, and
3 this is learning we are just now going through
4 sort of our first BE records review, make sure
5 that if you're using a supplier attestation
6 you're attesting to our standard and to our
7 requirements, not the EU requirements which we
8 see frequently. And that is important, because
9 certain definitions and certain things differ.

10 Next slide, so on recordkeeping,
11 basically as a regulated entity they are the ones
12 who must keep the records. They need to keep
13 them for up to two years in most cases. You can
14 choose the type of record that you want to keep.
15 Records can be in any format, either hard copy or
16 electronic. And they can be stored at any
17 business location.

18 Going through our first records review
19 which we're doing right now, I will say that one
20 of the things that we had a request for and we're
21 looking at, and if you do ever get a request for
22 an investigation, we allow for five days which is

1 what's in the standard to get records together.

2 What we found is there are a huge number of
3 records depending on what the product was.

4 The first one that we got, it was a
5 candy bar, and probably over 200 different
6 records, I think, that we got to certify to three
7 ingredients. We understand it can take a long
8 time to put that together. So it is important if
9 you get the letter and the request from us to
10 respond to us immediately, say you're working on
11 that request, and communicate if you need more
12 time to get those records together.

13 This is not a gotcha type exercise
14 where we're honestly trying to, you know, get you
15 on small technicalities, like we couldn't get the
16 records together in five days. We want to work
17 with you. It's going to be a very collaborative
18 process as we go through them.

19 We'll do a number of back and forths.
20 What we like to do is, sometimes if we get a
21 record and we can tell that you've made a good
22 effort at it, we'll contact you and explain to

1 you why that record might need improvement or
2 might not be a complete submission.

3 While we can't reach out to your
4 suppliers to get an additional record, you can.
5 And often we find that people have something
6 that's sufficient. So we will do everything we
7 can to let you demonstrate to us that you have
8 the records there. And, you know, so I don't
9 want anyone to panic if they ever see one of
10 these letters at any point. But that's just a
11 little bit, I think, on how the process works.

12 You can go to the next slide. We
13 already -- actually, you can skip this one,
14 because it's kind of redundant. This one too,
15 just go to the next slide. Yeah.

16 So on compliance and enforcement, so
17 the standard essentially really is enforced at
18 the retail level. Now that being said, there is
19 no, unlike country of origin labeling where we
20 actually go out and we do retail reviews for a
21 certain number of retailers every year, we do not
22 do that for the BE standard. The BE standard is

1 enforced primarily through complaints that we
2 receive in.

3 So what happens is that we receive a
4 complaint of a suspected violation. We then go
5 out, and we assess it, and we will possibly
6 initiate a records review if needed to
7 investigate a certain product. It's very
8 important to note here that, and actually this is
9 on the next slide. We can go to the next slide.

10 This talks a little bit about - this
11 is what our complaint portal looks like if you
12 submitted a BE foods complaint. So there are
13 certain pieces of information that we need in
14 order to undertake an investigation and for it to
15 be a meritorious complaint.

16 Some of the things that we actually
17 ask for are specifically we need exactly what's
18 on the ingredient list. There's a number of
19 questions we ask about the type of ingredients
20 that they suspect to be BE, and why they're
21 filing a complaint.

22 There's also information that we need

1 about the product name, and where the product was
2 purchased, and on what date. We also do accept
3 -- the complaint portal allows for the uploading
4 of photos. And we recommend that people send us
5 photos of the packaging or submit that in.

6 We can go on to the next slide. So
7 once we basically receive that complaint, what we
8 do is we analyze it to see if further
9 investigation is warranted. In some cases we
10 conduct a records audit which is what I've been
11 talking about.

12 I will say at the moment that a
13 complaint is received, if you are the regulating
14 entity, you will receive a letter from us letting
15 you know that a complaint has been filed. We
16 will then schedule a meeting with you for sort of
17 the initiation of a records audit at this point.
18 And then we'll go through that process.

19 At the point that the audit is
20 completed, you will appear as the regulated
21 entity. You will get back the results of that
22 audit. So you will know exactly how each of your

1 records was assessed.

2 This is very important at the end. We
3 do not actually have the authority for BE to
4 recall any foods, or to actually levy any fines.
5 People say, well, how do you enforce it? What we
6 do is, if there is a negative finding of a food
7 that we find does require disclosure that was not
8 labeled properly, it is placed on our website.

9 As of this point, there has been
10 nobody that has been placed up there. But
11 somebody, I'm sure, at some point, will be placed
12 on that list.

13 If you want to go to the next slide,
14 this is the thing everybody is most interested
15 in. So since January 1 of 2022 and
16 implementation started through April 10th. How
17 many complaint cases have been vetted. So we've
18 only had 17 complaints that have been filed so
19 far. Of those, 14 of the complaints were closed,
20 and the bulk of them for no reasonable grounds.

21 I'm going to be honest, I think what
22 we see the most frequently is we get a lot of

1 things. My potato chip contained yellow dye
2 number something or other that causes cancer.
3 Well, clearly that's not something that falls
4 within the BE standard, so we closed the
5 complaint out.

6 We also get a number of complaints
7 where we don't have enough basic information to
8 pursue it. You know, there's basic pieces of
9 information we need in order to be able to
10 initiate a records review. So sometimes they
11 fall short on those grounds.

12 Altogether, we've had three
13 investigative complaints out of those 17. Two
14 were closed. And those first two were closed,
15 those really related to placement of where the
16 declaration was on the package. And really when
17 we investigated, and we looked at them, the
18 placements were correct given the options that
19 exist for where you can place disclosures.

20 And right now we do have one open
21 complaint case. This is the one I've referred to
22 a little bit. And this is one where we're doing

1 a full records review on it. And I will say I
2 think, based on some of our learnings as we're
3 going through this process, we do understand,
4 especially on supplier attestations, third-party
5 certifications, that we've had some lessons that
6 we've learned going through the process.

7 And we're going to make some
8 additional information available that we hope
9 will help with what kind of records we're looking
10 for to ensure that you have a record that would
11 be successful.

12 And that should be my last slide, yes,
13 at which point we can open it up for questions.

14 (Simultaneous speaking.)

15 MR. HUGHES: I was going to --

16 (Simultaneous speaking.)

17 MS. DICKSON: That seems fast.

18 MEMBER PUMPLIN: Nathan Pumplin, CEO
19 of Norfolk Healthy Produce. We have a
20 bioengineered, high antioxidant purple tomato.
21 We got non-regulated status under the secure rule
22 last September, and we're working to bring it out

1 to market now.

2 So I have a few questions. The first
3 one is if you find that there's someone who's
4 labeling their product with a bioengineered
5 label, and there's a suspicion that it's not
6 actually bioengineered, will that be investigated
7 and promoted in a similar way?

8 MS. DICKSON: We would certainly
9 investigate and see. I don't know that we have
10 come up with how we might handle that. I can't
11 imagine that anyone would actually want to
12 disclose and call it bioengineered if it's not.
13 But, you know, we haven't had the case yet. So I
14 think certainly we would look at that.

15 I mean, I think that whole purpose of
16 posting things on the website will be to show
17 where complaints are coming in, what are they,
18 and are they justifiable or not. And I think the
19 more of those we do post as we work through the
20 different complaints, I think the more helpful it
21 will be to everyone to understand, well, this is
22 not a violation of the standard, and this is a

1 violation of the standard.

2 MEMBER PUMPLIN: Yeah. And so the
3 comment there is there's obviously a lot of
4 similarities between the USDA organic label and
5 the bioengineered label. But the bioengineered
6 is seen as sort of a negative. Obviously the
7 organic is a premium and a positive. I'll be
8 interested to see how that goes forward.

9 The other question I have, so our
10 tomato is not yet on your list. It will be.
11 Right now if you're selling regular tomatoes I
12 guess you're exempted from any sort of
13 disclosure. Am I correct in interpreting once
14 ours is on the list than any other tomatoes being
15 sold will need to have additional record keeping
16 and disclosing?

17 MS. DICKSON: They would, that's how
18 it works. Now one thing we do strive to do --

19 CHAIR RENTZEL: No.

20 MS. DICKSON: -- is as we go through

21 --

22 (Simultaneous speaking.)

1 MS. DICKSON: We are trying to be as
2 specific as possible in those modifiers as we're
3 looking at tomatoes. And in fact, I think many
4 of you have probably seen our proposed rule. And
5 on the first BE list, and what you saw when I put
6 it up, we had summer squash on there.

7 And so one of the requests that we had
8 was that's too broad, right. So in the proposed
9 rule we are seeking to narrow that modifier for
10 summer squash. And in fact, you know, even what
11 we've proposed -- what was in the proposed rule
12 came back, and we had comments that that wasn't
13 narrow enough. So honestly, it's going probably
14 even more narrow than that at this point.

15 So we are seeking to, as much as
16 possible, as we add these items to the list, to
17 really keep it to only those items that truly are
18 BE. And I think a good example with this, Arctic
19 Apples for one, right, where Arctic Apples were
20 placed on the list from the beginning.

21 In that case, it was easy. We could
22 do it by the brand name. Also with summer

1 squash, it was harder. We looked at mosaic, and
2 we're, like, we can't use, you know, mosaic in
3 this case, because mosaic's still included, you
4 know, several types that were not BE.

5 So we are looking to that, and how do
6 we do we get down -- and we're being very
7 innovative, we've already come up to those, but
8 how do we make that narrow and finite?

9 MEMBER PUMPLIN: So I could maybe save
10 my neck if we said purple tomatoes are BE, and
11 then anything that's not purple would escape.

12 MS. DICKSON: I'd have to look at it
13 to know, but yeah, we can look at -- yeah.

14 MEMBER PUMPLIN: Look forward to open
15 discussion. Thank you.

16 MS. DICKSON: Exactly.

17 (Simultaneous speaking.)

18 MEMBER GARREN: So you indicated you
19 don't have enforcement authority to initiate a
20 recall. But your partner organization, FSIS, and
21 FDA, in regards to truth in labeling, wouldn't
22 they have the authority to initiate recalls?

1 MS. DICKSON: They do but for
2 different purposes. So they would not have
3 necessarily authority to pull it back in this
4 case, you know, for BE labeling, since that falls
5 to our regulatory authority.

6 Now where you can see it is at the
7 state level. Sometimes states have state laws.
8 And under the state laws they may have recall
9 authority to do certain things in those cases.
10 And certainly if we have a case like that, where
11 we see something, we reach out to the state and
12 we check that. And we refer it to the state, and
13 we refer it to them for enforcement if that's the
14 case.

15 MEMBER GARREN: And it just seems like
16 if you put it up on the website, like, how long
17 does it stay up on the website, you know, in
18 order to -- I guess, so it's completely off the
19 market or they just always stay there?

20 MS. DICKSON: Well, I've got to be
21 honest, that's one we're still figuring out at
22 this point.

1 Since no one has brought it up yet, we
2 haven't wrestled with the idea. Because it's
3 true. It's, like, how do you know when it's off
4 the market, especially when you get into the
5 processed foods. Like, you want it to stay up
6 there so if any of that product's in the market,
7 you know, at any time, people can look it up and
8 understand what it is and know they should have a
9 disclosure, and it is a BE food.

10 Again, our main objective here is we
11 want to provide consumers what they're looking
12 for which is the assurance, you know, on whether
13 there's BE in the product itself.

14 MEMBER CIRULI: So I have five
15 questions, all unrelated.

16 Chris Ciruli. So my first question's
17 going to be about the summer squash, right. The
18 only thing I'm aware of is yellow. Is that the
19 only squash that is in question, or is it Mexican
20 or green, Mexican being known as gray?

21 MS. DICKSON: Yes, and honestly I'm
22 not as familiar with --

1 MEMBER CIRULI: Okay.

2 MS. DICKSON: -- yellow or gray. What
3 I know is what we were looking at was we got down
4 to the mosaic varieties, and then we're looking
5 at, you know, what within the mosaic variety
6 would still be there. And then there's other
7 ways to look at, really what they're looking at
8 is how are you addressing the virus or what is
9 the trade.

10 And so I think what they're looking at
11 is something along the lines of, like, a protein
12 coat, like mosaic.

13 MEMBER CIRULI: So we were --

14 MS. DICKSON: So we did that --

15 MEMBER CIRULI: -- treating mosaic
16 like a disease, right. So mosaic is a disease
17 that makes it, like this forms.

18 MS. DICKSON: Exactly.

19 MEMBER CIRULI: Yeah. And then I've
20 never seen eggplant on there. Do you know
21 anything about eggplant, like what eggplant
22 they're specifically talking about, or just

1 eggplant in general?

2 MS. DICKSON: I don't know off the top
3 of my head. But I know there is a biotech
4 engineered one out there. I'd be more than happy
5 to send it to you if you'd like to know --

6 MEMBER CIRULI: All right. The rest
7 of my comments are totally unrelated to this, but
8 since you want to go over country of origin --

9 MS. DICKSON: Sure, have at it.

10 MEMBER CIRULI: I really like your
11 complaint form that you have up there. I don't
12 know why they don't have that for organics or
13 other items, but I like that. So I don't know if
14 your organic cohorts have that type of complaint
15 form. It's a nice one to have.

16 So mine would go more about, like, on
17 consumers there is a sticker that you guys change
18 from black and yellow for, like, radioactive that
19 you went to irradiation, and you went to, like, a
20 blue flowery sticker. So no consumer really
21 knows what the blue flowery sticker means, right.

22 So it's supposed to be on product, and

1 it is on some product. And when you talk about
2 enforcement there's no actual enforcement at the
3 store level that you label that differently even
4 though it's in part of the recommendation, right.

5 So what we're seeing on our end is a
6 lot of comingling of mainly Hispanic and Asian
7 chains that don't know about the regulations. So
8 when people bring irradiated mangos into the
9 country, they are labeled. But there's no
10 disclosure on the selling part of it, right. So
11 they're supposed to be sold separately and not
12 comingled with other mangos.

13 MS. DICKSON: Right.

14 MEMBER CIRULI: But when you go to the
15 store, it's just in general thrown in there, and
16 there's no disclosure. So I know that's really
17 not in your bailiwick to deal with, but since
18 we're just airing our thoughts here with you, if
19 you have someone up in another departments that
20 could deal with those type of issues we would
21 love to know.

22 MS. DICKSON: Yeah, and I would say

1 even when it gets to country of origin, if
2 they're in the same bin, the really should be
3 labeled in a clear way where they're labeled
4 differently, where each would have a very
5 different sticker that shows different origins.
6 But you're talking about where you have some
7 coming in that are irradiated from other
8 countries. So they should be showing that.

9 And honestly, even more helpful is
10 what a lot of retailers do sometimes is they'll
11 have the placards where it says both are in the
12 bin, so you know to kind of pick up and look for
13 one versus the other.

14 And we certainly, we do try to look
15 for that and enforce that when we see it at the
16 retail level, when we're out there doing those
17 inspections. And I'm going to be honest, that's
18 one of the areas where we see, I think, the
19 biggest violations for country of origin labeling
20 are in fruit and vegetables.

21 And it's usually in those big bulk
22 bins for that purpose, that people are

1 comingling, they're throwing things in. Half of
2 them are labeled, half of them aren't labeled.
3 And you don't know if they're the actual same
4 origin or not. And what you find is, depending
5 on the origin, they can have very different
6 characteristics, right, which is why we require
7 that to be labeled, if that's helpful.

8 MEMBER BENSON: James Benson, you had
9 said you had a slide on bioengineered versus GMO
10 that you left out.

11 MS. DICKSON: Yes.

12 MEMBER BENSON: Can you just briefly
13 explain that --

14 MS. DICKSON: Sure.

15 MEMBER BENSON: -- the difference in
16 the eyes of the USDA. The non-GMO sticker on
17 produce, I mean, if you walk through the produce
18 department today, how many items do you see
19 stickered non-GMO? And I don't think the
20 consumer really understands. They think GMO is
21 bad.

22 MS. DICKSON: Right. Well, and I'll

1 say the biggest difference between BE and GMO, or
2 GE foods, is that bioengineered is a very, very
3 specific definition that talks about in vitro
4 rDNA, and specific plant breeding techniques, and
5 only allows for, you know, two specific
6 exceptions to when something would not be BE
7 which is the found in nature really or produced
8 through conventional breeding.

9 The GE and GMO foods, what we find is
10 that many countries use them. It's not well
11 defined anywhere, in fact that was why the Codex
12 work, like, crashed and burned many years ago.
13 No one could agree what was in the definition,
14 what it meant.

15 So certainly I think one of the
16 reasons we say we did not go with those two terms
17 was because they were so well -- they were not
18 well defined, and we were afraid it would create
19 a lot of confusion. Also the statute directed us
20 to use bioengineered foods, so we had to go down
21 that road.

22 But one thing I think that we're doing

1 to help clear that up in the minds of consumers,
2 there's a big campaign that we're working on
3 called the Feed Your Mind initiative where we're
4 really putting out a lot of materials to help
5 explain those differences and to help explain
6 this is what a bioengineered food is versus this
7 is what a GE or GMO food may be. And this is
8 what you can expect when you buy something with
9 that terminology on it.

10 And I will say, you know, the standard
11 does allow for it. You can use, for example, the
12 terms GE or GMO. We don't prohibit the use of
13 those terms in any way. The only thing is that,
14 just because you don't have to disclose for BE,
15 does not mean that you can automatically put on
16 your product this is a non-GMO, non-BE food.

17 So you still have to adhere to those
18 third party certification standards and those
19 definitions that FSIS and FDA and others
20 maintain.

21 MEMBER FRASIER: I'm Bruce Frasier,
22 Dixondale Farms. What about the food kits that

1 are comingling, putting in potatoes, squash, my
2 melons --

3 MS. DICKSON: Yeah, ha, ha, ha.

4 MEMBER FRASIER: -- you know, putting
5 a kit together, and they may have some
6 bioengineered products included in that kit. Do
7 they have to -- do they stick that label on the
8 entire kit where my customers all of a sudden
9 will be calling saying and saying is your
10 cantaloupe bioengineered?

11 MS. DICKSON: They so, just like they
12 would on a processed food. So even if only one
13 or two ingredients on that food, for example, are
14 bioengineered, it has to have the disclosure.
15 Same thing if it's a kit, and the kit has five
16 different fruits and vegetables in it, and one of
17 them is.

18 Now you can make as clear as you want
19 which one is or which one is not, you know, in
20 terms of how you label it, but certainly the
21 minimum disclosure that it is required, that
22 either the symbol, or the text, or one of those

1 four options would be on the package to signal
2 that something in that package --

3 MEMBER FRASIER: But the consumer
4 would not know which one was?

5 MS. DICKSON: No, they don't under the
6 current rules.

7 MEMBER GARREN: So if it's direct to
8 consumer, like they are shipping it directly to
9 the consumer, in a box, they'd have to do that?

10 MS. DICKSON: You know, that's one I
11 haven't considered before. So honestly I have to
12 take that one back and think about it. So if
13 it's just loose in a box, right, I see Mike
14 looking at me, ha, ha.

15 MEMBER GARREN: Yeah. Mike, you know,
16 does that, but that's all right --

17 MS. DICKSON: But I'm assuming --
18 (Simultaneous speaking.)

19 MEMBER GARREN: -- yeah.

20 MS. DICKSON: -- well, and I guess it
21 depends how they put it in the box. Like, you
22 know, they could put individual stickers on those

1 things in the box --

2 MEMBER GARREN: USDA could --

3 MS. DICKSON: -- that would be --

4 (Simultaneous speaking.)

5 MS. DICKSON: Yeah. All right, ha,
6 ha, ha. I have to be honest, that's one I
7 haven't previously considered.

8 MEMBER PUMPLIN: Kind of related to
9 Bruce's question maybe, but do you have any plans
10 to track data on the sales, sort of market data
11 of bioengineer groups carrying the labels?

12 And so I talked to a lot of retailers,
13 for instance, when the law went into effect.
14 They're selling rainbow papaya from Hawaii, or
15 they're selling the pink little pineapple. And
16 then, you know, start of the year they had to
17 start putting the stickers on it. So they have
18 their own sales data of what the impact is.

19 Everything I've heard is no change
20 whatsoever. But I think that would be
21 interesting to a lot of people to address those
22 kind of concerns.

1 MS. DICKSON: Yes. So it's really
2 difficult. Because we don't, like I mentioned,
3 unlike, for example, country of origin where we
4 generate data, because we go out and we do these
5 reviews each year, we don't go out and do active
6 monitoring, you know, at the retail level. So
7 we're not generating data on that.

8 Now we have become aware that there is
9 some data out there that has some information in
10 it on bioengineered foods. We can track text at
11 this point and look at those numbers. It
12 doesn't, unfortunately, track symbols at this
13 point. So there's bits and pieces of it that we
14 may be able to look at, I think, as we move
15 forward.

16 It seems like text disclosures are the
17 things I can probably, you know, we may be able
18 to look at and, you know, provide some
19 information on as we move forward. And certainly
20 we're looking. Are there different data
21 collection things out there that would help
22 inform us. But unfortunately, it's just not

1 something that's real well, you know, necessarily
2 reported on scanner data like you can get from
3 many other things.

4 MEMBER VAZQUEZ: Yes, Jorge Vazquez,
5 Latin Specialties. So following up or building
6 up on Christopher's comment, I think we need a
7 little bit more clarity or a resource tools from
8 the USDA explaining what varieties fall into the
9 GMO or not, you know.

10 Because there is a lot of training
11 that goes on in the industry. And I don't think
12 most people are aware of what's GMO or not, you
13 know. Sometimes not even the farmers know of the
14 product is GMO or not.

15 MS. DICKSON: Okay. Well, and
16 certainly one thing that we're going to start to
17 do as we're moving forward on the regular
18 rulemaking process is having a regular request
19 for information that comes out in the Federal
20 Register.

21 So one thing I would encourage is if
22 there are varieties, if there are things on the

1 list where you feel like they're too broad at
2 this point, I mean, sort of like we got the
3 request for squash, and to narrow the summer
4 squash down, and what that means.

5 Now I'll be honest, I didn't think
6 about it in terms of red, yellow, green, what
7 that means. So I think we have to look at that
8 a little bit as well. But certainly you can
9 always request that. And any time that comes in,
10 that goes into the formal rulemaking process.
11 And we will look at and, you know, and reassess
12 anything that's already currently on the list.

13 That being said, we also have BE food
14 disclosure information that you can -- or inbox,
15 the BE food disclosure USDA.gov that you can send
16 to. So you can send us questions at any time.
17 And I have a team of people who literally monitor
18 that email inbox every day and get responses back
19 within five to ten days.

20 So if you ever have questions about
21 varieties, about anything, and whether they would
22 be included in something that's on the BE food

1 list, you can send those to us, and we will go
2 out and research.

3 And I have a lot of technical folks
4 who can provide you a really good answer on which
5 specific variety. They could go down the whole
6 list of squash probably for you, off the top of
7 their head and tell you that. Because they
8 looked at that at the point that we went into
9 adding the product to the BE food list.

10 MEMBER GARREN: This is more of a
11 comment. Since you have these questions that are
12 being answered --

13 MS. DICKSON: Uh-huh.

14 MEMBER GARREN: -- do you have a FAQ
15 page that could be generated with those questions
16 that are coming in?

17 MS. DICKSON: We do. And we often,
18 what we do is we monitor what's coming into our
19 inbox. And if we notice that there's a question
20 that's been coming in we have three or four
21 different -- in fact, our FAQ pages, because we
22 have a number of them, are kind of itemized by

1 different topics. And so what we do is we tend
2 to add those into the FAQ pages so there's more
3 guidance there for you.

4 MR. HUGHES: Any other questions?

5 Excellent, thank you, Krista.

6 MS. DICKSON: Thank you so much.

7 MR. HUGHES: We really appreciate you
8 coming. Okay.

9 MS. DICKSON: Sure.

10 MR. HUGHES: Yeah. So before we go
11 into the next part of the meeting, we're going to
12 do our group glamor shots outside. So here's
13 what I need from everyone to make sure that you
14 have your USDA visitor badge with the V in the
15 bar code. I don't want you to go outside without
16 that, because I can't get you back in, especially
17 if you leave your license inside, which is what
18 we intend to do, just have everyone walk outside
19 and --

20 MS. BARTLEY: Yeah, when I say you
21 won't take off the ID. I have to have it to get
22 back in.

1 MR. HUGHES: Yeah. Tab is our
2 official photographer. And she's going to edit
3 the photo to make everyone look beautiful.

4 PARTICIPANT: Tab, that's terrific.

5 MR. HUGHES: And 25 years younger.

6 Okay, let's head out, because she's
7 got hard deadline to meet for some other stuff.

8 (Whereupon, the above-entitled matter
9 went off the record at 2:26 p.m. and resumed at
10 2:34 p.m.)

11 MR. HUGHES: Darrell Hughes, DFO
12 speaking. I just wanted to state a couple of
13 things for the record mostly. We did have, I
14 would say, three to four people who registered to
15 attend in person. But then when I followed up to
16 give them instructions on attending, they said,
17 oops, didn't mean to register to attend. So
18 there were no oral comments. We completely
19 skipped that section today that's on the agenda,
20 so I just wanted to acknowledge that.

21 The second thing that I wanted to
22 acknowledge is that we received written public

1 comments from one stakeholder. One of the public
2 attendees who registered said hey, well since I
3 can't attend in person, can I provide written
4 comments?

5 And I said, yeah, absolutely, since
6 you're already registered.

7 And he provided those comments just
8 the other day, and I think I forwarded it, you
9 know, to the entire body. You all received that,
10 thumbs up? Yes, yes.

11 (Simultaneous speaking.)

12 MR. HUGHES: Okay, great. Just wanted
13 to get that covered since we sort of sped right
14 over that. The Chair and I knew that there were
15 no oral or written comments that we needed to
16 address for the record.

17 The next thing is what we're going to
18 do for the remainder of the day which is
19 basically the subcommittees that you're part of,
20 we're going to get in groups, pull some chairs up
21 on the side and have engagement time.

22 I'll take it to Kay to sort of talk

1 more about that if you want.

2 CHAIR RENTZEL: I can, yes. Are all
3 the chairs back in the room at this point in
4 time? Okay.

5 I consulted with the chairs to see how
6 we wanted to go through this next section. And
7 since this is our first time meeting together in
8 person, all of them agreed that they felt it would
9 be good to take this time to engage in person in
10 our subcommittees.

11 And then tomorrow when we have the
12 open discussion, then we can open it up and share
13 a little bit more with each of the subcommittees
14 giving reports accordingly.

15 So let's see, you all know the chairs
16 better than I do but, Chairs, do you want to
17 indicate, stand up, do whatever, and we can
18 figure out -- okay, there's one, two, three.

19 (Simultaneous speaking.)

20 CHAIR RENTZEL: Okay. All right,
21 well, I thought if there's just four groups, we
22 could maybe have a cluster up here in the front,

1 on either side, or in the very middle, and two
2 back here. And we'll just go ahead and do some
3 subcommittee work if --

4 MR. HUGHES: Okay, yeah. And you're
5 just pulling up chairs.

6 CHAIR RENTZEL: Yes.

7 MR. HUGHES: To create little pods.

8 CHAIR RENTZEL: Let me also ask who
9 distributed these?

10 MR. HUGHES: Oh, I did.

11 CHAIR RENTZEL: -- for us? You did?
12 Do you want to mention a little bit more --

13 MR. HUGHES: Yes.

14 CHAIR RENTZEL: -- about them --

15 MR. HUGHES: I will.

16 CHAIR RENTZEL: -- please?

17 MR. HUGHES: Okay. So our colleague
18 Karla Stockli was not able to attend today, but
19 it just so happened she had a meeting on the
20 calendar regarding dried fruit and engaging with
21 the USDA, so on the dried fruit and potentially
22 using it across various school programs. And we

1 had a lot of the samples left. And I thought,
2 hmm, maybe I should share this with the other
3 representatives, and Karla will probably love
4 that idea.

5 And so I had a ton left and spread
6 them out on a table. Try them. And if you love
7 them, maybe send Karla Stockli an email and say I
8 tried your dried fruit, and it is amazing.

9 CHAIR RENTZEL: Thank you.

10 MR. HUGHES: And there is a document
11 that says what the mix is, so I can tell you all
12 what the mix is. I just have to get the pamphlet
13 in the back.

14 CHAIR RENTZEL: Thank you.

15 (Whereupon, the above-entitled matter
16 went off the record at 2:38 p.m. and resumed at
17 3:42 p.m.)

18 CHAIR RENTZEL: Okay. I think we'll
19 call this back into, I don't know, whatever the
20 official terminology is, but -- back on the
21 record. Thank you. Okay. Okay.

22 I think most of the working groups had

1 kind of finished up or come to the point in time
2 when they were needing a break, and it is getting
3 close to the end of the day. And so we thought
4 we ought to just kind of bring you all back and
5 thank you for your work this afternoon. I know
6 it is a lot of interaction. And I think the
7 small group working was very good.

8 So with that, unless somebody else has
9 some comments or -- Darrell does.

10 MR. HUGHES: Yes. I have got some
11 quick comments. What I want to say is that
12 tomorrow on the agenda, we've got an open
13 engagement period as well. And during that
14 period, there are two things that I would like to
15 do, which it may mean that we don't break out
16 into groups.

17 It's, one, discuss the structure of
18 our subcommittee workgroups and second is to sort
19 of have each of the subcommittee leads come and
20 give a "this is what we are thinking from this
21 subcommittee's perspective." Just so that we can
22 have something on the record about what each of

1 the groups -- or just engage everyone. It
2 doesn't have to be a recommendation specifically,
3 just what the discussion is surrounding.

4 CHAIR RENTZEL: And then am I correct
5 in my understanding, Darrell, that we will be
6 able to engage as like a full group once those --

7 MR. HUGHES: Things are handled?

8 CHAIR RENTZEL: Yes.

9 MR. HUGHES: Absolutely.

10 CHAIR RENTZEL: Okay. Okay. All
11 right.

12 MEMBER BRIANO: We'll have our
13 breakout subcommittee meetings and then we'll
14 have the update to the total group, correct?

15 MR. HUGHES: We will have our -- let's
16 first do the discussion about our subcommittee
17 structures. Then we'll -- actually no. Let's do
18 the update from the subcommittee leads first and
19 then the structure about our subcommittees and
20 then we can break off into groups.

21 CHAIR RENTZEL: Okay.

22 MR. HUGHES: Is that okay?

1 MEMBER BRIANO: Yes. We spoke about
2 the charge for tomorrow so we'll have to bring --

3 MR. HUGHES: Oh, that's a good point.
4 Okay. Let's not worry about the update from the
5 subcommittee leads. Let's only deal with the
6 structure of the subcommittees and then you all
7 will break off into subcommittees because a lot
8 of the -- tomorrow what's more important is
9 discussing the charges in the afternoon. And
10 there is going to be 75 minutes for that, for
11 each of those charges. Go ahead, Donna.

12 MEMBER GARREN: So the charges -- so
13 there are two charges I see on the agenda. Will
14 those be assigned a specific subgroup because --

15 MR. HUGHES: They already have been
16 assigned a specific subgroup, subcommittee. So
17 the market news charge, the data reporting and
18 analysis subcommittee, they have engaged with
19 John Okoniewski a couple times already.

20 MEMBER GARREN: Okay.

21 MR. HUGHES: And so when John presents
22 tomorrow, he is presenting to the entire body.

1 But there are some members here that will have
2 some background.

3 MEMBER GARREN: Okay.

4 MR. HUGHES: And the same thing with
5 SEI, the Inspections Infrastructure, they have
6 already engaged with them. And so there are some
7 people in the room that will have some knowledge
8 to share and ping ideas to bring everyone up to
9 speed.

10 CHAIR RENTZEL: Okay. Everyone clear?

11 MR. HUGHES: Yup.

12 CHAIR RENTZEL: All right. Well, with
13 that, one of the things I would like to do is
14 remind you of the meet and greet reception that
15 has been sponsored by the American Frozen Food
16 Institute by the International Fresh Produce
17 Association. Sorry. I had to cheat and look
18 because the next one gets longer. It is the
19 American Fruit and Vegetable Processor-Grower
20 Coalition.

21 These three organizations represent
22 every segment of our business from fresh to

1 frozen to processed. And certainly we appreciate
2 their sponsoring the reception tonight.

3 At the request of my leadership, the
4 three of us here, we have made arrangements and
5 Chairman Glenn Thompson, Chair of the House Ag
6 Committee will be attending the reception this
7 evening to kind of give us a Farm Bill update.
8 So you can look forward to that at tonight's
9 reception so.

10 MEMBER GARREN: And that's -- she's
11 underplaying this. To get GT Thompson to come to
12 something that he is not paid for is huge because
13 he is a \$10,000 minimum gift in D.C. for
14 receptions. So the fact that he is coming, that
15 is saying a lot.

16 (Simultaneous speaking.)

17 CHAIR RENTZEL: I will say GT is also
18 from the State of Pennsylvania, which is where I
19 am based as well as Julie, so I played a few
20 Pennsylvania constituents. Although we're not
21 really in his district, I did play that card with
22 him. He has been a longtime supporter of Ag, so

1 we are very thrilled that he has agreed to come
2 out to the reception tonight so.

3 If you are not familiar with the
4 hotel, you are going to look like you are going
5 back in the bowels of the building to find this
6 reception room, and you are.

7 You will see the entrance to FEMA with
8 all the security guards and everything. You keep
9 going back down the hallway past the security,
10 and FEMA will direct you to the room. It is
11 Congressional II, and it is back a hallway.

12 MEMBER DEATLEY: That's at the Holiday
13 Inn?

14 CHAIR RENTZEL: It is at the Holiday
15 Inn. That is correct, but you like you're -- if
16 you're standing in the lobby, and you're looking,
17 the registration is to the left, the 21st
18 Amendment is to the right, which is the bar
19 there. You go back past the bar, just past that,
20 you turn left, and you go down the hallway as far
21 as you can go until you see FEMA. And when you
22 see FEMA, turn right and go back that hallway.

1 And that is where the room is.

2 MEMBER DEATLEY: It's right on the --

3 (Simultaneous speaking.)

4 MR. HUGHES: What's the password?

5 CHAIR RENTZEL: What's the password?

6 No. It is on the main floor of the hotel. And

7 it will run from 5:00 to 7:00 tonight so.

8 MEMBER DEATLEY: Do you know if the

9 Holiday Inn has parking?

10 CHAIR RENTZEL: Yes, they do have

11 parking. It is on 6th Street. There are

12 actually two parking areas. There is a parking

13 area across the street and then there is one just

14 as you go past the Holiday Inn to the left.

15 That's the one that actually takes you into the

16 hotel parking area. Okay? Any other business

17 for the good of the group?

18 MEMBER DEATLEY: Do we leave our names

19 here?

20 MR. HUGHES: Yes.

21 CHAIR RENTZEL: Okay. So with that,

22 we will recess until tomorrow morning at 9

1 o'clock.

2 MR. HUGHES: Do we have to do a
3 motion?

4 CHAIR RENTZEL: I don't think so. Oh,
5 leave these name tags on the table. Yes, yes.
6 Please take these. Yes. Please take these with
7 you for tonight.

8 MR. HUGHES: So we are officially
9 recessed for the evening?

10 CHAIR RENTZEL: We are officially
11 recessed for the evening.

12 MR. HUGHES: Okay.

13 (Whereupon, the above-entitled matter
14 went off the record at 3:51 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript


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

Before: USDA

Date: 04-19-23

Place: Washington, DC

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
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FRUIT AND VEGETABLE INDUSTRY ADVISORY COMMITTEE

+ + + + +

THURSDAY,
APRIL 20, 2023

The meeting came to order at 9:02 a.m. EDT in Press Room 107-A located at the Whitten Building, 1400 Independence Avenue SW, Washington DC 20250, Kay Swartz Rentzel, Chair, Presiding.

COMMITTEE ATTENDEES:

KAY SWARTZ RENTZEL, Chair
 REGINALD MARSHALL, Vice Chair
 ANGEL SANTIAGO, Secretary
 AMY BAKER, Member-Representative
 HAVEN BAKER, Member-Representative
 JULIE MASSER BALLAY, Member-Representative
 JAMES BENSON, Member-Representative
 MICHAEL BRIANO, Member-Representative
 CHRISTOPHER CIRULI, Member-Representative
 JENIFER DEATLEY, Member-Representative
 DAVID EINSTANDIG, Member-Representative
 BRUCE FRASIER, Member-Representative
 ISABEL FREEMAN, Member-Representative
 ANDREW GARCIA, Member-Representative
 DONNA GARREN, Member-Representative
 MORRIS HODGES, Member-Representative
 DARWIN INMAN, Member-Representative
 ALYSSA MELENDEZ, Member-Representative
 ANTHONY MIRISCIOTTA, Member-Representative
 NATHAN PUMPLIN, Member-Representative
 SUSAN SUTPHIN, Member-Representative
 REBECCA SERRATOS, Member-Representative
 DAVID VAN EECKHOUT, Member-Representative
 JORGE VAZQUEZ, Member-Representative

USDA STAFF:

CHRISTOPHER PURDY, SCP Deputy Administrator
DARRELL HUGHES, Designated Federal Officer
JOHN OKONIEWSKI, Director, SCP Market News
RYAN WILSON, SCP Inspection Director

GUEST SPEAKERS:

TONY DORN, Chief of Environmental, Economic and
Demographics Branch
JERRY RAYNOR, Director of Financial Assistant
Program Division
MICHAEL WHITT, Branch Chief
JOHN OKONIEWSKI, Director, SCP Market News
RYAN WILSON, Director, SCP Inspection Director

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

2 (9:02 a.m.)

3 MR. HUGHES: Good morning everyone.

4 I'm just going to do a quick quorum check. I can
5 confirm for the chair that we have quorum.

6 CHAIR RENTZEL: Okay. Well, good
7 morning everyone. Hope you enjoyed last evening,
8 I think again one of our sponsors is still here
9 in the room with us, but I love what I saw in the
10 room, to see all the engagement among the group,
11 and that's what it was designed to do. So I hope
12 you enjoyed it as well.

13 With that we'll go ahead and get
14 started, and I'd like to I guess reconvene the
15 meeting from yesterday's recess. And I'm going
16 to invite Chris Purdy to the podium, or wherever
17 he wants to speak from, we can hand him a mic.
18 Sorry Chris. I was told to do this, so --

19 MR. PURDY: Yes, yes. I just want to
20 take a moment, I appreciate it. Chris Purdy with
21 AMS specialty crops.

22 I think most of you know by now, but

1 Darrell is going to be moving up to the
2 administrator's office. He's done such a good
3 job here with the committee.

4 He's done an incredible job with the
5 committee in terms of identifying potential
6 members, getting everybody on board, setting the
7 agenda, handling logistics, and even down to
8 making sure people stand right in the picture.

9 So we're going to miss Darrell.
10 Hopefully he's up there for just a little while,
11 but in the meantime, Andy Hatch, who's standing
12 back in the room here, is going to be taking over
13 running the committee. So you'll be seeing more
14 of Andy, he'll be reaching out to you.

15 Andy's very experienced at running the
16 Fruit and Vegetable Industry Advisory Committee

17 A number of years ago he used to run
18 them on a consistent basis, so you've got someone
19 who knows what's going on, who knows how to run
20 these committees and help get the most
21 information and helpful conversation out of it.

22 So you're going to miss Darrell, but

1 happy with Andy, and hopefully Darrell will be
2 back fairly soon. Thank you.

3 MR. HATCH: I look forward to working
4 with you all over the next few months. I imagine
5 it's going to be mostly convening the
6 subcommittee meetings. I'll be available to kind
7 of help arrange any future full committee
8 meetings, or anything that's necessary, but I
9 look forward to talking with you all.

10 PARTICIPANT: Thank you.

11 CHAIR RENTZEL: Thank you. Well, we
12 look forward to working with you as well, so.
13 Thank you. And Darrell, you will be missed. We
14 may invite you back as a special guest.

15 Okay. With that we'll go ahead and
16 move on to our first agenda item for today.

17 Our first item for today is data and
18 survey overview presentation from NASS, which
19 will be given by Tony Dorn who is the chief of
20 Environmental Economics and Demographics Branch.
21 So, oh, there he is. He's up there and ready to
22 go.

1 MR. DORN: All right. Will do. Good
2 morning everybody.

3 PARTICIPANT: Good morning.

4 MR. DORN: Good morning. Yeah, so
5 it's good to be here, glad -- pleasure to be here
6 to talk about the farm labor survey that NASS
7 does.

8 Right off the bat, I know there's a
9 lot of interest in the farm labor survey and
10 labor wage rates and right away, even the title
11 of the survey can be confusing, so we call it the
12 farm labor survey. It's also known as the egg
13 labor survey or the labor survey or FLS, all the
14 same thing, it's the NASS farm labor survey.
15 Next.

16 Just as a bird's-eye view, what NASS
17 does, National Agricultural Statistics Service,
18 what we do, we're a designated principal
19 statistical agency, that means we're an
20 independent statistical agency, so what we do, we
21 provide statistics, the facts, the fact-finders
22 for agriculture, if you will.

1 So what we don't do, we don't do
2 policy-making, we don't set regulations, we don't
3 do any kind of enforcement or anything like that.
4 We're independent of all those functions and we
5 don't have a political appointee within NASS to
6 maintain our statistical independence.

7 Of course confidentiality of data,
8 because most of our surveys, including the farm
9 labor survey, are collected voluntarily by
10 farmers.

11 Our census products are mandatory, but
12 most of our surveys really are voluntarily. We
13 rely on farmers to report to us to provide
14 accurate data so that we can provide accurate
15 statistics.

16 So keeping the confidentiality of that
17 data is vital for us, so we do have
18 confidentiality pledges, we have of course
19 security training, and we take care everything
20 that we can do to make sure that the data remains
21 secure with us.

22 So only authorized persons working for

1 NASS or employees can access individual records,
2 and that's why when we publish usually state-
3 level data or national-level data, we're very
4 careful not to disclose any individual
5 information when we do publish those statistics.

6 Next. Just a little bit of a history
7 of the farm labor survey.

8 As probably many of you know, there's
9 been quite a few years that the farm labor
10 survey's been under the microscope really and
11 looked at, and some of the changes that we've
12 undergone, at least to highlight a few of them,
13 since 2014, the survey collected data for field
14 workers, livestock workers, and supervisors,
15 managers by occupational groups based on the
16 relevant detailed occupation categories based
17 from the Bureau of Labor Statistics SOC codes,
18 Standard Occupational Classification systems.

19 So that started in 2014, and also
20 prior to 2014, before that, the survey collected
21 data according to the farm labor survey aggregate
22 categories, and those are field workers,

1 livestock workers, supervisors, managers, and
2 other workers.

3 And beginning in November of 2019, the
4 annual average livestock workers base wage rates
5 were published.

6 And for a while, the base wage rates
7 and gross hours were published beginning in
8 November of 2019, and the base wages and base
9 hours were published in February of 2021, which
10 was the delayed November 2020 release. That's
11 where that was in.

12 And the uses for these data were
13 limited, so really that data collection was
14 discontinued after April 2021.

15 Next. Here's an important overview of
16 what the farm labor survey is.

17 The reference periods, because it's
18 such a burden for farmers if we would ask them to
19 report all the wages of all their hired workers
20 for every day of the year all year long, we
21 really have reference periods, so we collect data
22 two times a year, but for each of those two times

1 we collect two quarters.

2 So we collect in the first period --
3 January and April is when we first send out the
4 questionnaires to collect those two periods.

5 So the reference weeks, you know, for
6 2022 were January 9 through 15 and April 10
7 through 16. So basically one-week periods are
8 the reference weeks for how we collect data for
9 wages and hours worked.

10 The sample sizes right now are about
11 17,000 and the collection methods, mail,
12 telephone, internet, and you know, sometimes
13 face-to-face, whatever we do to try to make
14 reporting easier is how we collect the data.

15 The primary data items, of course, the
16 number of hired workers, gross hours worked, and
17 wage rates. We do have a revision policy if
18 there are late data. We rarely have any kind of
19 late data that we revise previous year or
20 previous quarter data, but that is available if
21 we ever come across that.

22 Next. And methodology. I know it's

1 early in the morning, but, you know,
2 statisticians like to use big words like
3 methodology, so some of the highlights on our
4 methodology are starting in 2020, we used model-
5 based estimates of hired workers, average hours
6 worked, average wage rates, and the associated
7 sub-items reproduced from the current survey.

8 And that really helped to provide more
9 precise estimates to support our estimates, not
10 to make big changes or anything because we rely
11 on the data that's reported by the surveys, but
12 it helped in precision, including a model to
13 support that.

14 And the sample size, we really
15 optimize that to account for overall declining
16 response rates, not just in the farm labor
17 survey, but across all across government agencies
18 and across all surveys, just there's a general
19 decline in response rates, and we kept the sample
20 size higher to account for that.

21 There were no program or countdown
22 changes in 2022, which is very rare because we've

1 had a lot of changes for many years now, so that
2 was a nice thing to have where things are stable
3 for us.

4 Next. Of course some of the uses of
5 farm labor survey, you're very familiar with the
6 US Department of Labor uses the annual average
7 hourly wage rates for the AEWRs and the H-2A
8 program, so we're completely independent of --
9 you know, we produce a publication and the
10 reports go on our website, and that's really all
11 that we do.

12 The Department of Labor takes the
13 information that we have and they do their thing.
14 We don't have any kind of cooperation or
15 partnership in setting those wages rates or doing
16 anything like that, that's part of our
17 independence.

18 But there are more uses beyond that.
19 I know there's some programs like USDA. We use
20 that to calculate the wage rate index, part of
21 the Parity Index in the NASS reports, and BAA
22 uses the farm labor survey data also for

1 information such as national income and products
2 accounts, and calculations of real farm value
3 added from farm employment GEP by state and farm
4 output estimates, and in supplements to farm
5 wages, employments, and more.

6 And a lot of times we just stumble
7 across, we'll get calls that there's maybe state
8 programs or researchers or universities or just
9 whoever using our data so it's hard for us to
10 track. I know all the uses of farm labor survey,
11 but a lot of times it surprises us who's using
12 our data and the extent and the importance of
13 that, beyond just what we're aware of.

14 Next. So for H-2A and contract
15 workers, we get that question a lot, are they
16 included? Well, exactly what we define as and
17 ask farmers for to report is that on the
18 questionnaire, we ask farmers to report any
19 directly hired and paid workers.

20 So there's a potential for H-2A
21 workers to potentially be included, but really
22 directly hired, that's where our definition has,

1 and that's been consistent through the years.

2 And since contract workers, usually
3 they're not directly hired or paid by the farm
4 operation or the farmer, they're excluded, since
5 a lot of times the farmers won't know the numbers
6 of hours necessarily each worker works and have
7 access to that information, so that's exactly
8 what we ask and collect data for.

9 Next. Here's just an example of the
10 number of workers from one of our publications
11 just to give you an idea. You can see that we
12 break those out into the categories of 150 days
13 or more, or less than that too. And that's just
14 the general historic representation of temporary
15 versus more full-time work.

16 So that's the type of information.
17 And you can see the different quarters, we
18 publish those and the reference weeks for those
19 quarters, too.

20 Next. And here's just a graphic to
21 show the number of hired workers. Of course, you
22 know, you might expect it's very seasonal and

1 since, you know, there's a jagged line since we
2 don't have every single month, every single week
3 in there, it's just our reference periods of
4 course during the crop years and everything.

5 Let's see, April, and the fall months
6 during the harvest season definitely are the
7 peaks, and the other quarters are the valleys.

8 Next. Just to give you an idea, how
9 does our, well, our data track, as far as annual
10 combined field and livestock wages, which is what
11 the DOL uses, just to kind of show how does it
12 look also n a graph?

13 So you can see the field and livestock
14 wages there combined in the blue chart, and also
15 that's just for reference, I also put down in I
16 think the dark blue there, the BLS Occupational
17 Employment Survey, the code there for the mean of
18 agriculture workers.

19 So it's the dark blue line, you can
20 see it's blended in there with the other line.
21 So that's a completely independent survey of
22 ours, and really it tracks quite a bit, you know,

1 over the years, so you can see our wages have
2 been increasing but it's nice to see in a way
3 that confirms that there's an independent federal
4 survey that also tracks fairly closely along with
5 ours, so.

6 Next slide. And over the years too,
7 this is an interesting table, how much wages
8 increased over the years, so since 2017 and 2018,
9 especially starting at 2018, we're looking at, you
10 know, six percent, five percent year over year
11 and wage rate increases.

12 So wages have really been increasing,
13 and of course, 2022 was a little bit more, you
14 know, seven percent, and we'll see this year too
15 with everything else and the crazy economics that
16 we're seeing these days you know, what it's going
17 to be in 2023, we'll see when that comes out in
18 November, but so far it's been fairly consistent,
19 and of course, increasing.

20 Next. And this is really the table.
21 We'll talk about a little bit more, but in our
22 publication you can see the hired workers for the

1 U.S. dollars per hour and then below the gross
2 wage rates that we published in November, and
3 we'll have another publication coming up in May
4 too, but that'll just be for the two quarters
5 that kind of start off the year.

6 Next. The regions for the farm labor,
7 of course we can't publish all states, well,
8 Florida and Texas being the large size, of course
9 there are states that we publish individually but
10 for instance like the Southeast includes Alabama
11 and South Carolina with Georgia, just because of
12 the sample size, and when we combine statistics
13 and surveys we can publish those numbers with
14 more accuracy and with disclosing individual
15 states, so that's why the regions are combined
16 for most states.

17 And these are how the farm labor
18 regions have been defined over decades, so that's
19 why we have these.

20 Next. And just to give you kind of a
21 heat map or cool map index kind of to see where
22 the highest wage rates are across the state, as

1 you might expect, California's dark blue, the
2 highest wage rates, and then the Southeast and
3 Delta are the lighter color blue, just to show
4 how the 2022 at least annual average field and
5 livestock wage rates vary across the country.

6 So it's kind of easy to see, it's kind
7 of nice to see that graphically just to get an
8 idea across the country, and it's what you might
9 expect.

10 Next. All right, and here's just a
11 snapshot of half of the regions and states that
12 we publish too for the 2021 and 2022 and percent
13 of previous year, so you can kind of see how the
14 regions and states, how we publish at the lowest
15 level compare.

16 Of course, not surprisingly in 2022,
17 every single region was up, and of course like
18 Florida and Delta region here -- Florida and the
19 Southeast, I should say, are definitely
20 increasing the most at 14 and 15 percent.

21 And all the other ones are up at least
22 six percent on this slide -- well, three percent

1 for Appalachian II.

2 And the next. And then the other
3 states -- I just couldn't fit all that in one
4 slide -- are also increasing as well in the other
5 regions, so. You can see we had quite a few
6 increases and there is of course more variation
7 by the regions and states. It's not quite as
8 smooth because there are variations in states and
9 regions, and with the survey along those lines,
10 so.

11 As you can see, the more -- just plug
12 in the more data that we get, the better data
13 that we have, you know, the better accuracy and
14 precision we have because ground truth from the
15 farmers -- we survey farmers, that's what we do,
16 so that's really important to make sure we get
17 the best data from them as possible.

18 All right, next. And I won't go
19 through all of this, it's probably small for you
20 to see here, apologize for that, but here we do
21 publish workers and wage rates by SOC code and
22 you can see there's the graders and sorters,

1 equipment operators, and so on.

2 So those, we do have that already
3 broken out by the types of work, packers and
4 handlers and managers too. In the bottom, I
5 think you can see that probably in the bottom two
6 breakouts.

7 So we break apart the farmers,
8 ranchers, and other ag managers, and the first-
9 line supervisors, so those are also separate SOC
10 code categories that we have data for that we
11 currently publish.

12 Next. And again here's the
13 information about the sample sizes and also the
14 response rates.

15 We publish that information just to be
16 as transparent as we can, to show what regions
17 and sample sizes in the regions, and the response
18 rates that we're getting in those regions. Of
19 course you can look back at years and there's
20 just been a general decrease overall response
21 rates just because it's more difficult to get
22 that data from farmers.

1 So the next slide, I think, and you
2 can see, you know, the Northeast Appalachian, and
3 we're ranging, you know, in the 40, 50 percent
4 range at least for response rates. So that's why
5 we've kept our sample sizes higher to get the
6 quantity of data that we need to keep publishing
7 the data.

8 Next. We do have, if you really want
9 to get technical, documents called Methodology
10 and Quality Measures on our website. That has
11 information about how we do the processes, all
12 the steps, that goes from sampling to data
13 collection to analysis, to estimation, everything
14 in detail as far as how we do our survey, conduct
15 our survey, and produce the report.

16 So those are out there available, we
17 have coefficients of variation. You can see
18 that's really a measure of the I guess precision
19 of the data, how precise that is.

20 So you can see back in 2021 the field
21 on livestock 0.7 percent, that's just a percent
22 of how the -- well, indications vary around the

1 estimate, so it's very precise. Really 0.7 is a
2 very good coefficient of variation, so you know,
3 we keep that sample size, and that's really how
4 we sample to make sure that we're getting as
5 precise estimates as possible.

6 Like I said, that information and more
7 if you really want to get technical, is out there
8 in the quality measures report.

9 Next. And that is all, so go ahead.
10 Thank you. And I'll be glad to stay here I guess
11 for questions, if you would like? Yeah, go
12 ahead.

13 MEMBER GARREN: So --

14 MR. HUGHES: State your name.

15 MEMBER GARREN: Donna Garren. So,
16 does your data -- it's not over-represent, but is
17 it higher in the major crops versus specialty
18 crops?

19 MR. DORN: Well, how we've sampled,
20 we've collected data, we call it control data, so
21 over the years, for those operations we know,
22 especially like in the census of agriculture, we

1 ask farmers how many, you know, hired workers do
2 they have? So we capture that and we have that
3 information, so whatever type of work we
4 stratify, like they're by number of workers.

5 So the operations -- well, you know,
6 like nursery, that kind of thing, with a large
7 number of hired workers, so those get in a higher
8 strata, so we make sure we sample so we get the
9 coverage of the types of the types of operations
10 with the highest number of workers. That's how
11 we really sample.

12 So we have more of a direct way to
13 make sure we have coverage of the workers. If
14 that makes sense?

15 MEMBER GARREN: Yeah.

16 MR. DORN: Okay.

17 MEMBER GARREN: So, you did this in
18 2020 to 2022. Do you see -- like, you had some
19 that were no responses.

20 Do you investigate that further to see
21 like, if they've gone out of business or, you
22 know, determine, you know, what's the fall-off

1 rate for those that were possibly impacted by the
2 pandemic?

3 MR. DORN: Right. And since we sample
4 by coverage, usually, you know, the larger
5 operations do stay in business, but we often get
6 that. We try to make sure when somebody does say
7 they're out of business, we find out what
8 happened to the operation, did somebody else take
9 over so we don't just lose them? And we make
10 sure we keep that consistency.

11 Sometimes we'll, you know, get them
12 back in the sample.

13 If some other company or farmer took
14 over for them, we definitely ask that because,
15 you know, of course, you know, if we don't hear a
16 response we want to know that they're in business
17 and we try the best we can to keep contacting
18 them, at least for follow on for census and
19 things like that to know what happens.

20 And we have representation in every
21 state, so we have at least one state statistician
22 and some regional field offices as well, so we

1 have local ground troops so we're not just all
2 working here out of D.C., so we can reach out to
3 our partners, like the Department of
4 Agriculture's extension, whoever, universities,
5 to find out more about, especially really
6 important information, producers who might go out
7 of business so we can be sure what happened.

8 MEMBER GARREN: Great, thanks.

9 MR. DORN: Yeah.

10 MEMBER FRASIER: Okay, Bruce Frasier,
11 Dixondale Farms. All right, let's talk about the
12 input into this. If you're not getting farm
13 labor contractors, what percentage of the people,
14 farmers are using farm labor contracts,
15 specifically in the fruit and vegetable?

16 MR. DORN: That's a good question, I
17 don't have a number for that. Yeah, that's not a
18 question we've asked farmers directly because we
19 survey farmers -- I guess we've never asked them
20 are you using farm labor contractors? We've
21 never asked that question, so that's a good
22 question, I don't have that.

1 MEMBER FRASIER: Well, my gut feeling
2 is that we're missing probably half the labor
3 force by not including farm labor contractors in
4 the calculations.

5 So with that, I question the fact that
6 the AEWB keeps rising, now it's rising about a
7 rate of \$1.00 an hour.

8 So I guess my second question is how
9 many people are using H-2A labor? And you say
10 the direct hires. Do we say how many direct hire
11 you use, and H-2A labor and local labor, and
12 comparing the pricing accordingly, the cost?

13 MR. DORN: Right. Well there is -- I
14 think ERS has a charted note of how many, I think
15 it's over how many H-2A workers there are. And I
16 know it's going considerably -- I think it's
17 several hundred, 200,000, 300,000, something like
18 that now. Probably all you have that statistic -
19 - somebody might have that better than me.

20 MEMBER FRASIER: Right. You --

21 MR. DORN: But yeah, they do track
22 that.

1 MEMBER FRASIER: You're in the
2 ballpark. Okay. So the majority of the people,
3 if they're not using farm labor contractors, and
4 they're hiring people direct, I would suspect
5 that a lot of those are using H-2A workers.
6 Okay?

7 So when they report their wages,
8 they're reporting basically the AEW. Do you
9 find a correlation where they say their wage rate
10 is the same as the AEW, which they are mandated
11 to pay?

12 MR. DORN: Right, we haven't, you
13 know, we don't ask that either, you know, what we
14 have of the standard questionnaire. That
15 question keeps coming up.

16 And we don't have necessarily a direct
17 data answer for that but you can see, I mean,
18 wages keep going up, so if it was circular, and,
19 you know, the wages might be more sticky than
20 they are too, so, you know, apparent, you know,
21 we haven't really seen that effect yet, but it is
22 something that we're watching and we haven't done

1 anything necessarily directly to get more
2 information about that in our surveys, but it is
3 a factor that we're aware of.

4 MEMBER FRASIER: All right. So if
5 you look at the H-2A workers and you look at the
6 direct hires of these people, I question how can
7 the average wage be going up so dramatically at
8 six or seven percent when the vast majority of
9 the wage range of number of workers is at that
10 wage that's mandated by the AEWB?

11 MR. DORN: Right, and that's a good
12 question and I've talked about that with other
13 groups too, and we don't exactly ask that
14 question to break out the H-2A versus who is
15 directly hired outside of that H-2A, so
16 obviously, you know, we're getting enough
17 responses in that too, that are direct hired that
18 must be outside of that H-2A focus, so.

19 And yeah, so that is something that's
20 going on. I don't have a direct number to tell
21 you exactly how many percent of our survey is H-
22 2A because we don't ask that.

1 MEMBER FRASIER: Okay. Now the other
2 question is, if we're looking at a particular
3 week, you ask I think the question in the survey
4 says how many workers did you have for this
5 particular week? And it asks how many hours did
6 they work? Is that correct?

7 MR. DORN: Right.

8 MEMBER FRASIER: That particular week?

9 MR. DORN: Yes.

10 MEMBER FRASIER: And the total wages.
11 So, from that data, you have total wages, you
12 have total hours, now you're coming up with an
13 average of what the wages are, or you're coming
14 up with the mean of what -- so, Employee A works
15 40 hours a week at \$10 an hour, you know, say you
16 have ten employees -- eight of them are probably
17 working just the minimum number of hours.

18 You have two that are working that may
19 be at the \$18 or \$20 an hour. So when you
20 average them out, you're going to inflate the
21 average and the mean would be much lower.

22 MR. DORN: Well, it's more complicated

1 than just taking the straight mean. When we do
2 our statistics, we have expansion imputation for
3 non-response, we have the model that also goes
4 into that, so it's not just a straight mean kind
5 of thing that's going on there.

6 If that helps explain it because, you
7 know, sometimes farmers might report the number
8 of workers and maybe not the wages, so then we'd
9 have to account for the wages by some other
10 response, so that's why, you know, if farmers
11 don't report, we use like farmers for imputing or
12 like categories to also impute for the non-
13 response.

14 So we don't just necessarily take
15 straight means and things like that. It's a
16 little more complicated than that.

17 MEMBER FRASIER: Okay.

18 MR. DORN: But yeah. If that makes
19 sense?

20 MEMBER FRASIER: It makes it more
21 complicated.

22 MR. DORN: It is a little more

1 complicated than just with simple --

2 MEMBER FRASIER: And we're paying the
3 price. So, you know, would it be a better system
4 to actually have a printout of the employees from
5 that particular week?

6 AEWRS can generate that printout of
7 how many employees, what each one was paid to get
8 a more realistic data for you to analyze what is
9 the mean, or what is the predominant wage that's
10 being paid for graders versus tractor drivers, et
11 cetera?

12 MR. DORN: Yeah, that could be helpful
13 for us. The one thing I guess, you know, we ask
14 in the survey just those numbers quickly because
15 we're trying to turn the data around quickly, do
16 the analysis, get the publication out quickly,
17 too, so, you know, if we take more time to do,
18 and more in-depth or, you know, looking at
19 individual workers and things like that, that
20 would probably take more time necessarily.

21 So that could, you know, put at risk
22 getting the numbers out there when we need to I

1 think. So, you know, if it'd help for, you know,
2 farmers to report something better, you know, we
3 could see about that as far as if there's a way
4 we could use that data and get it in quickly to
5 the system.

6 MEMBER FRASIER: And finally, what
7 would happen if there was a revolt among farmers
8 and they just basically provided information that
9 was saying that our wage rate's \$8 an hour?

10 MR. DORN: Well, let's hope that
11 doesn't happen, but we do have a history of
12 trends, you know, from the reporters that we have
13 and of course we looked at historic trends and
14 everything, so that's a lot of ways that we can
15 catch things that look unusual.

16 Now, if everybody, you know, if people
17 got together, things like that, hopefully that
18 wouldn't happen, we'd have to take a bigger look
19 and take a step back, you know, so that would be
20 something that would really be problematic.

21 MEMBER FRASIER: Yeah, the concern
22 amongst, you know, certain ways, you know, our

1 AEWRS keep going up and up every year.
2 Eventually, you know, it's just not the impact of
3 the bottom line or, you know, earning or making
4 revenue, making a profit.

5 It's the concern about the fact that
6 this is forcing possibly more transition to
7 producing these out of the country. Okay?

8 That you could go to British Columbia
9 and pay three or four dollars an hour less for
10 labor in their AEWRS than you would in Washington
11 State.

12 You can go to Ontario versus Michigan,
13 you can go to Mexico versus Florida, you can go
14 to Mexico versus, plus the impact of these just
15 and the next generation is succession planning.
16 Do you want to invest in all the housing and all
17 the things for H-2A housing because you know that
18 this is the future, this is where you have to
19 find labor to do this.

20 Does the next generation want to take
21 that risk and say I'm going to invest all this
22 when these wages are going up a dollar an hour?

1 Okay. Within ten years from now, you know, if
2 that's the case, they'll be over \$25, \$30 an hour
3 for H-2A users or the -- it becomes a prevailing
4 wage I guess is what I'm saying because I have
5 both H-2A and local and even though I bring just
6 a minimum amount of H-2A people on, need to
7 supplement my local labor, you know, I live on
8 the Mexican border, so we have pretty much
9 plentiful, except not enough, we got about 80
10 percent of what we need.

11 So I guess, you know, that's the
12 impact of these wage rates going up every year.
13 It's just not in the profit of the certain farm.
14 It's the future, especially the fruit and
15 vegetable producers. We're going to see a big
16 impact down the line I think as far as moving to
17 other countries.

18 MR. DORN: Right, and that's why, you
19 know, we, all the team working on it en masse and
20 working on the report are well aware, you know,
21 over the years, have worked on it for quite a few
22 years, we're well aware of how important, you

1 know, all our data is and this data especially
2 too, so that's why we, you know, our goal is to
3 have the best numbers out there that accurately
4 reflects what's going on based on what we're
5 asking, so that way, you know, I mean, we don't
6 deal with policy again like I mentioned, or even
7 forecasting, really, especially for this survey,
8 so we don't really do any of that, we just try to
9 get the best number.

10 And then, you know, the other
11 departments, agencies, the policy makers can take
12 it from there, so that's really the scope of what
13 we do, and you're right, there's lots of impacts,
14 things like that, that's why we try to get the
15 best data out there for the best decisions, you
16 know, that can be made for agriculture.

17 MR. HUGHES: So we're going to have
18 two more questions, one from David, then Julie,
19 before we move to the next presentation.

20 MEMBER EINSTANDIG: Yeah. Good
21 morning, David Einsteadig.

22 Just a couple follow-up questions from

1 Bruce, and I think the issue of data integrity
2 and accuracy is what you're talking about, and
3 you know, forgive my ignorance, I'm not involved
4 in this actual recording day-to-day so I don't
5 intimately understand the process, but is it
6 accurate to say that the methods of telephone,
7 mail, et cetera and the voluntary recording, that
8 sort of stops where the inquiry is as to the
9 accuracy?

10 There's no documentation of payroll,
11 there's no follow-up to actually see if the
12 information that may even just be articulated
13 verbally, is accurate? Is that right?

14 MR. DORN: Well, it's mostly right.
15 Yes, we don't do like audits and go back to ask
16 for payroll, things like that, we don't do that.

17 But, you know, we do have historic
18 trends, we have comparisons of cross-records
19 across regions, we do trend analysis, a lot of
20 trend analysis for quality control and look at
21 and follow up with any outliers if something
22 looks strange from, you know, one report or a

1 couple reports.

2 We do follow up and verify that. We
3 don't go back necessarily. We don't have the
4 time or the resources or even the scope to go
5 back and do kind of audits or anything, so.

6 MEMBER EINSTANDIG: Okay. So --

7 MR. DORN: So, sort of, yes.

8 MEMBER EINSTANDIG: So to follow up
9 the trends, you also indicated I think that the
10 trend is that the responsiveness is decreasing
11 and not increasing, correct?

12 MR. DORN: Yeah, yeah --

13 MEMBER EINSTANDIG: So the actual
14 information from the producers is decreasing
15 because you're getting less responses, and I
16 think you also said that part of what occurs is
17 you get partial responses and then you use
18 modeling to fill in the blanks? Is that right?

19 MR. DORN: Yeah, and that's always
20 been the case. And to offset like, the declining
21 response rates, that's why we've increased sample
22 sizes, kept them at higher rates than we would

1 have normally and, you know, we may have to keep
2 adding sample sizes to offset that. So we do
3 things to offset that --

4 MEMBER EINSTANDIG: I get that.

5 MR. DORN: And non-response, partial
6 non-response is something we deal with in all our
7 surveys.

8 MEMBER EINSTANDIG: And so lastly,
9 when you get a partial response, do you document
10 that as a full response? Like, when you say that
11 the responses went down two percent, are you
12 including responses that were not complete?

13 So what I'm getting at is, what's
14 trending is, you're getting less and less
15 responses and you may even be getting less than
16 what you're reporting because partial responses
17 are getting reported as responses, but they're
18 not full responses, so my question is, has there
19 been any discussion within the department as what
20 can we do to get actual data and not have to rely
21 on modeling that has all of the variables that
22 Bruce articulated and wage rates that are pushed

1 up by mandatory rules and regulations?

2 Is there anything that's been
3 discussed as to try to increase the accuracy of
4 the data, other than just modeling?

5 MR. DORN: Well, going back to -- oh,
6 I lost my train of thought. A couple things with
7 that. What was the first part of that question?
8 I'm sorry, maybe I'll --

9 MEMBER EINSTANDIG: Well, I was
10 getting to the conclusion that I think that the
11 reporting that responses are X might actually be
12 less than X because you're probably including
13 partial responses as full responses.

14 So my question was if it's a --
15 there's no check of if the information is
16 correct? You don't even know if the person
17 responding understood the actual scope of the
18 question, and the trend is that you're getting
19 less and less responses, and maybe less than what
20 you think because they're partial.

21 Has there been any discussion
22 internally say hey, other than modeling and other

1 than putting in assumptions, because Bruce
2 articulated the problem with some of that, and we
3 know when you assume, even though you're looking
4 for anomalies, is there anything to say, how can
5 we get better and more accurate responses
6 efficiently and not relying on just modeling is
7 my question?

8 MR. DORN: Well, as far as, you know,
9 we've always had partial responses and things.
10 In the critical items, I mean, there's a record-
11 level response rate, and if the record's not
12 usable, we don't include that as a response, so
13 that's not really anything that's changed over
14 decades as far as what we've done.

15 So you know, and based on the
16 voluntary nature, yeah, we don't go back.

17 We have to deal with OMB's Office of
18 Management and Budget as far as every time we
19 contact farmers, and we have to get approval
20 because there's a, you know, respondent burden is
21 something because that would be something if we
22 went back, we would have to get approval from

1 OMB, to have that extra respondent burden there'd
2 have to be fundings and programs to go through
3 all those additional resources, so it's not just
4 something that we can say we're going to do
5 independently.

6 We have to work with OMB who is
7 overruling factor with statistical agencies.

8 So, you know, it's not something
9 necessarily that would be easy to do, so there'd
10 have to be a reason -- I mean, more justifiable
11 reason I guess and program that would say that we
12 would do that, especially different for one
13 survey versus other surveys because, you know,
14 that's something that we normally haven't done so
15 I'm sure, you know, it'd be a big factor to do
16 something new and different like that.

17 MEMBER EINSTANDIG: My last question
18 or point is, is there any check and balance
19 between, for example, the Department of Labor
20 that audits H-2A all the time throughout the
21 country and actually does get actual data and
22 payroll?

1 Is there a check and balance between
2 the survey in determining the rates and actually
3 the department is actually reviewing payrolls to
4 make sure that there's no anomalies there?

5 Do you know if that occurs?

6 MR. DORN: We don't share that type of
7 data with the Department of Labor, no, we don't,
8 because, you know, we produce our reports to the
9 statistical agency, and the data's not shared in
10 between.

11 MEMBER EINSTANDIG: Thank you very
12 much.

13 MEMBER MASSER BALLAY: Okay. Hi,
14 Julie Masser Ballay. So with the divisions of
15 the workers that you collect, you said you're
16 doing the field workers, livestock workers,
17 supervisors, and then other, but when you're
18 talking about the field workers -- I'm just
19 getting confirmation -- you're not delineating
20 between like skilled versus non-skilled?

21 So, you know, whether you're just
22 picking berries or whether you're driving a

1 tractor, that isn't delineated?

2 MR. DORN: It is, on the questionnaire
3 there's a specific -- I think it's a whole page
4 designated to exactly the type of work that's
5 done and the category, so it's very delineated in
6 the --

7 MEMBER MASSER BALLAY: But is that
8 part of what's published?

9 MR. DORN: Well that's how it is,
10 like, so that way we can communicate and farmers
11 read that and know which categories to include
12 and exclude. So overall the SOC codes would be
13 the most comparable way that's published --

14 MEMBER MASSER BALLAY: But then what
15 gets published is going to be the codes that --
16 just like, for instance, the unskilled?

17 MR. DORN: Right. Well yeah, and the
18 field and livestock combined, and then the SOC
19 codes that we pull should be published. And --

20 MEMBER MASSER BALLAY: Okay.

21 MR. DORN: Yeah, if that makes sense.

22 MEMBER FRASIER: There are 12 AEWRS

1 that we presented as far as farm labor work. In
2 other words, they're going to break it down and
3 one of these bills is going to have -- or the
4 AEWR is going to be 12 different ones, when that
5 guy's driving a van, he's got to be a truck
6 driver. How do they get from three categories to
7 12, I guess?

8 MR. DORN: Well, and see, I don't know
9 if they're going to use part of the SOC code,
10 that table I showed, or that, I don't know.

11 I mean, we're not involved in that
12 kind of policy regulation at all, we're not
13 involved with that, so, you know, we haven't been
14 asked to collect any different data or there's
15 not a program for new statistics, but, you know,
16 the SOC codes that we publish are fairly close to
17 that, but I don't know what they're doing. You
18 know, we don't talk, or, that's their policy
19 part, we provide the data that we have.

20 MEMBER MASSER BALLAY: So then I have
21 another question about your sampling, so it's
22 broken out by regions.

1 When you sample, are you making sure
2 that the sample is kind of spread out over the
3 region? Do you find that there's clusters? You
4 know, when you're getting the -- and when you get
5 those non-responses, how do you account for
6 maybe, you know, one section of the region is not
7 responding, and you have a very slanted in
8 another area?

9 MR. DORN: Right, and that's where we
10 do sample according to the regions and states
11 too, it's not just a national level.

12 So we take all that into account
13 during sampling and response rates, and if there
14 was regions that were trending down, we
15 definitely would bump up, you know, the sample
16 sizes in those areas to account for that, and if
17 it gets to be, you know, unfortunately on the
18 labor survey, sometimes when we're down to county
19 level or other data that's thinner, sometimes we
20 end up where we don't publish, if it's going to
21 disclose individual information or the data's
22 just not usable, we won't publish that data.

1 Of course, fortunately we haven't had
2 to do that and gotten into that degree of a
3 problem with a lack of data because that would,
4 you know, be very difficult I'm sure for the
5 programs they use our data, but we have enough,
6 we ensure that we have enough where we don't have
7 that problem at least so far, and hopefully that
8 continues and we can keep adjusting.

9 MEMBER MASSER BALLAY: Okay. And then
10 finally, with this, you are capturing the min an
11 and the maximums, though, correct? Like, so, you
12 know, people, you know, have minimum labors in a
13 region versus, you know, the maximums for longer
14 term workers and you have that --

15 MR. DORN: Right, the number of hired
16 workers, yes.

17 MEMBER MASSER BALLAY: No, for minimum
18 wage, like, basically if I'm going to hire
19 somebody in new, I'm going to start, you know,
20 pay them, you know, this lower wage, but now that
21 they've been with me for a while I'm going to pay
22 them this higher wage. You know?

1 MR. DORN: Right.

2 MEMBER MASSER BALLAY: I'm going to
3 bump them up each year. So, my longer-term
4 workers would be paid higher. So in other words,
5 you have a bracket of data, right?

6 MR. DORN: Right, we don't classify it
7 as far as like, other than just the definitions
8 of the type of work. We don't classify it by
9 like, experience of the individual worker groups.

10 MEMBER MASSER BALLAY: No, I'm sorry.

11 MR. DORN: Sorry.

12 MEMBER MASSER BALLAY: I'm just simply
13 like, saying, like, when you're capturing the
14 data, you know, there's, you know, some workers
15 will be paid \$10 an hour, some workers will be
16 paid \$15 an hour, and now I have a minimum of \$10
17 and a maximum of \$15, my average is, you know,
18 13.5 or something like that.

19 MR. DORN: Right.

20 MEMBER MASSER BALLAY: Right?

21 MR. DORN: Yeah, that's part of our
22 analysis, yeah, that we look at, and if that's

1 your question, we definitely look at those, that
2 part of the analysis.

3 MEMBER MASSER BALLAY: Yeah, but that
4 data would be captured and would be, could be
5 included in the publication I guess is what I'm -
6 - yeah.

7 MR. DORN: Oh, yeah, we'd have to
8 discuss that with our -- because sometimes if you
9 publish a minimum, it could be an individual
10 report, so we aren't able to, you know, publish
11 an individual report to disclose that. So that's
12 minimum or maximum --

13 MEMBER MASSER BALLAY: Yeah. Would
14 that like --

15 MR. DORN: There could be some kind of
16 fuzzy range where you might be able to --

17 MEMBER MASSER BALLAY: Five
18 percentile, ten, you know, 95 percentile?

19 MR. DORN: Yeah, there could be
20 something fuzzy like that that we could publish,
21 yeah.

22 MEMBER MASSER BALLAY: Yeah.

1 MR. DORN: But it couldn't be a
2 specific target number, right.

3 MEMBER MASSER BALLAY: Right, okay.
4 Okay, thank you.

5 MEMBER INMAN: Okay, Darwin Inman, and
6 my question's not related to labor, so. I'm over
7 here.

8 MR. DORN: Okay, sorry. You know, his
9 voice is coming from somewhere.

10 MEMBER INMAN: My question's not
11 related to labor, it's just kind of a general
12 NASS question.

13 Has there been any talk about
14 eliminating subjective estimates and I'm
15 specifically speaking to like the almond
16 estimate, there's a subjective in May, then it's
17 the objective in July, and they can -- because
18 the subjectives is done by phone calls to
19 growers, hey, what do you think your crop is this
20 year, what's it look like?

21 That number can change pretty
22 dramatically over those two months when they

1 actually go out and count nuts on trees and do
2 weighing, and things like that, and quality
3 surveys.

4 And it can greatly affect market one
5 way or another both times, which traders love, of
6 course. But, you know, farmers, handlers, and
7 things like that don't.

8 Has there been any discussion about
9 eliminating the commodity subjective estimates?

10 MR. DORN: I'm not sure about the
11 almond statistics in particular, but, you know,
12 of course we have our crop progress report that's
13 similar to that, you know, with the different
14 conditions and things like that.

15 And I mean, those are very popular
16 data items, so I know with that, you know,
17 there's not any discussion. I don't know about
18 the almonds specifically if there's been any
19 discussion, but not that I know of, but I could
20 easily check back with you on that if there is
21 anything.

22 MEMBER INMAN: Yeah --

1 MR. DORN: But I kind of doubt it, but

2 --

3 MEMBER INMAN: Yeah, I mean, just
4 because there's two it's kind of strange, you
5 know, I know some people in industry like that
6 because they are trading, you know, based on
7 fluctuation, but a lot of other folks would
8 prefer to probably see just the objective because
9 it is typically closer to actual where the
10 subjective in May you haven't had June drop or
11 all those kinds of things that can happen in
12 fruits and nuts, you know. It can just skew very
13 badly in one direction or another.

14 Plus it depends on who answers the
15 phone. You know, some people will say, well
16 large farmers always have somebody answering the
17 phone, some people say well, small farmers are
18 home so they answer the phone, and things like
19 that.

20 You don't actually talk to, you know,
21 sometimes you're talking to a secretary on a
22 large farm, sometimes you're talking to, you

1 know, the actual farmer and things like that. It
2 can fluctuate just immensely. But, you know?

3 MR. DORN: Right. Yeah, I can follow
4 up. I doubt there's probably a discussion on
5 that but I'll follow up and let you know, or let
6 the group know.

7 CHAIR RENTZEL: Okay. Well, thank you
8 very much, Tony. It certainly was a very
9 engaging presentation and conversation that
10 followed. We certainly appreciate it.

11 So okay, with that, we will next hear
12 from NRCS on a topic that was frequently brought
13 up yesterday, the EQIP topic and this particular
14 topic is one that is driven by the Labor and
15 Production Committee. So with that I will turn
16 it over to Bruce and let Bruce give us kind of a
17 top line and --

18 MEMBER FRASIER: Who is this guy?
19 (Laughter.) All right, I'm Bruce Frasier,
20 Dixondale Farms. I'm head of the Labor and
21 Production Committee.

22 Coming out of our committee, one of

1 the recommendations we want to make is to expand
2 EQIP. Right now, if I'm correct, EQIP covers
3 land conservation, water conservation and there
4 is also a line in there as far as a transition to
5 more organic production. Am I correct? Right
6 now, basically it pretty much is focused on land
7 conservation, improvements, water conservation
8 with pivots, irrigation methods. What we want to
9 address is EQIP funding for artificial
10 intelligence down the line and robotics
11 specifically.

12 Right now, I just purchased an
13 artificial intelligence cultivator. People from
14 California brought in one that was a laser. It
15 was a million and a half dollars. Right after
16 they left, my phone popped up. I got a pop up ad
17 for another artificial intelligence, so I guess
18 my phone was listening to our conversation and I
19 purchased one that's a mechanical cultivator that
20 was 365,000. Nonetheless, that's a big chunk of
21 money that's a long term investment. Now we
22 can't depreciate it all, there's no accelerated

1 depreciation so we're looking at using EQIP
2 funding to maybe assist farmers in being able to
3 afford the equipment.

4 MR. HUGHES: Just to jump in really
5 quick. Bruce's comments are meant to be sort of
6 a recap of a discussion that the Labor Production
7 and Infrastructure Sustainability, both
8 subcommittees engaged with NRCS on. That summary
9 from Bruce, we will likely go back to during the
10 Q&A. I didn't want you to think that you had to
11 skip over your presentation to dig right into
12 that, so we can dig into your presentation and
13 then go back to that discussion, because I'm
14 pretty sure there's going to be a lot of zingers
15 thrown your way. (Laughter.)

16 MEMBER WHITT: Definitely not a
17 problem. I'm pretty sure that the new cultivator
18 that you have is probably a lot more advanced
19 than the old 1973 International Cub that I had
20 back when I was growing tobacco. So, I guess
21 just so I understand who I'm working with here, a
22 show of hands if you've worked with the Natural

1 Resources Conservation Service, you've heard or
2 learned about EQIP before in the past. Okay,
3 most of you, but we do have some folks all right,
4 so, I'll provide a little bit of an overview,
5 just about our agency and what it is that we do.

6 I'll just touch briefly on some of the
7 programs we offer and then I'll be working my way
8 towards sort of the question that you were having
9 about how are we funding some of the conservation
10 efforts that are out there, especially in light
11 of the emerging technologies. It's definitely an
12 exciting time to be around. I mean technology is
13 just advancing so quickly.

14 MR. HUGHES: I'm sorry to interrupt
15 you, Darrell speaking. We probably should
16 mention who you are for the record, just so that
17 the court reporter --

18 MEMBER WHITT: Oh, my apologies. I'm
19 Whitt. I'm the Policy Branch Chief within our
20 Financial Assistance Program Division. My
21 general role is I lead a team that develops the
22 agency policies for implementing some of our Farm

1 Bill Programs, specifically our Financial
2 Assistance Programs.

3 We have easement programs and I have
4 a colleague that handles those and then there in
5 the back in the, is it the bluish-green shirt,
6 Mr. Ronnie Maurer. He's my colleague. He's the
7 Branch Chief for the Programs Branch, so he
8 really works with the day-to-day implementation
9 of the programs, getting the funding out to the
10 states, the annual sign up guidance and those
11 sorts of things. We work closely together to
12 make sure that we get our programs out and get
13 the funding out and we try to do so in a way that
14 is as farmer friendly as possible.

15 As I said, I'm with the Natural
16 Resources Conservation Service so you can see we
17 have a mission, we have a vision and what we're
18 trying to achieve. To boil it all down, I mean
19 we're really here to help people help the land.
20 That was, I think, our old motto. We've morphed
21 and grown over time, but really our true vision
22 or mission is we work individually with farmers

1 and ranchers, industry stakeholders and others to
2 address natural resource issues that are out
3 there. Working with farmers, doing conservation
4 planning, identifying resource concerns such as
5 soil erosion, water quality issues, wildlife
6 habitat improvement, air quality, energy -- all
7 the several resource concerns that we have --
8 soil, water, air, plants, animals and then we
9 also factor in human considerations and I might
10 have missed one. So, that's where we're going.
11 We work with farmers to try to look for those
12 opportunities to make your operations more
13 sustainable as well as profitable.

14 Briefly, if you want to learn more
15 information about us, there is a handy, useful
16 website farmers.gov. You can find a lot of
17 information about our programs, about our agency
18 and the services we offer. You can find local
19 field offices. We have, I don't know, somewhere
20 in the neighborhood of 3,000 field offices across
21 the US, not every county, but quite a few of them
22 as well as in parishes and cover some territories

1 as well. You can find access to that information
2 on this site, program information.

3 I don't know if you'll be sharing a
4 copy of these PowerPoints, but there is a link in
5 here directly. If you want to find out more from
6 your local service center, you can go to this
7 link and look up your state and county or parish
8 and find your local service center and engage
9 with our local field office staff.

10 Today, I'm going to be focusing mostly
11 on the Environmental Quality Incentives Program
12 or EQIP, but we do offer some other conservation
13 programs. These are all voluntary conservation
14 programs, nobody's forcing you to participate.
15 One of the things I love about our agency is we
16 actually get requested to come out and to provide
17 assistance. Generally, when we're looking at the
18 EQIP program, we lovingly refer to that as our
19 fixit program. If you have gully erosion or
20 you've got run off issues going into streams or
21 you need to develop wildlife habitat, this is the
22 program that will go out there and fix that

1 resource concern through the implementation of
2 various conservation practices.

3 We also have the Conservation
4 Stewardship Program and this program is for those
5 producers who have really done a great job over
6 the years, but there's still just that little bit
7 more we can get. Think about you're implementing
8 a practice and maybe it's addressing soil
9 erosion, but if we made a slight little tweak to
10 how we're implementing that practice, maybe we're
11 also getting a water quality improvement or an
12 air quality improvement. This program works with
13 you to fit in those little tweaks through what we
14 call enhancements to help address some additional
15 resource issues and make those operations even
16 more sustainable.

17 The other program I have here is the
18 Regional Conservation Partnership Program. As
19 sort of the name indicates, this is a partner-led
20 program. They submit proposals, we enter into
21 partnership agreements to focus on regionally
22 critical or important items that the partner is

1 working in. They leverage and bring in funding
2 from other sources, state, private, other federal
3 resources and it's all to really focus on a
4 regionally targeted issue that they're trying to
5 accomplish. And region can be a small area
6 within a state. It can be an entire state. It
7 could cover several states. Regional is sort of
8 dynamic depending on the type of issues that
9 they're looking at addressing.

10 Again, these are voluntary programs
11 and they all essentially work to provide an
12 incentive payment to those producers to implement
13 a practice or an activity or an enhancement
14 geared towards making those resource issues
15 either nonexistent or less of a problem. Again,
16 most of our program contracts, we do work
17 directly with farmers and rancher to enter into
18 these contracts. The regional conservation
19 partnership program, there's a partnership
20 agreement, but a lot of the actual conservation
21 goes on the ground through contracts with
22 individual producers, either directly through us

1 or from the partner.

2 Focusing in a little bit more on EQIP,
3 we have three different types of contracts that
4 we really focus on. There's our EQIP classic if
5 you will, that's what's been around since, I
6 believe, the '96 Farm Bill, '02 Farm Bill
7 somewhere in there. These are contracts we've
8 worked with individual producers. They can be up
9 to 10 years in length. Most times we try to
10 encourage to keep those a little bit shorter just
11 because, I mean, here recently we've all
12 experienced inflation so the longer those
13 contracts go on, the more impact inflation, even
14 in normal circumstances, will have on the
15 viability of being able to continue with those
16 contracts.

17 We also have the Conservation
18 Incentive Contracts, this was brand new in the
19 2018 Farm Bill. These are similar to EQIP, there
20 are some slight nuances. The contracts are at
21 least five years and we can extend those up to
22 10, but really the intent of the incentive

1 contracts is to get really focused on priority
2 resource concerns within a specific region of the
3 state. Targeting no more than, I believe, it's
4 three priority resource concerns and we really
5 try to focus those contracts and those efforts to
6 incentives, bring the max of conservation going
7 on, it's more of a surgical approach to
8 addressing resource issues.

9 Then, we also have Conservation
10 Innovation Grants and I'll touch on this a little
11 bit later, but these are an actual grant versus a
12 producer contract where we will work with a lot
13 of times producers, extension agent services,
14 universities and others. They will take some
15 proven technologies and we can do on farm
16 demonstration trials to show how effective they
17 are or maybe there's a technology that's proven
18 in one part of the state but we need to see if it
19 works in another part of the state or the US
20 because of geographic differences and what have
21 you. This is one that really we use to help
22 accelerate some of these newer and emerging

1 technologies, get that information, get that
2 feedback so that we can try to incorporate that
3 information into our everyday practices.

4 If we're curious about where does EQIP
5 fit, you know, where can we implement this, well
6 there's a whole lot of places we can implement
7 it. It works for crop and livestock producers,
8 non-industrial private forest owners, pasture,
9 range, crop land and all kinds of different land
10 uses. It's good for large operations and small
11 operations, medium-sized operations. We
12 implement EQIP in both rural and urban ag ops
13 sceneries and we've actually even supported aqua
14 cultural operations. Everything from coastal
15 estuaries, you think about shellfish production
16 and inland rice and shrimp ponds and what have
17 you and more. I mean it's a very, very flexible
18 program. It's got a lot of opportunity to
19 address a lot of resource concerns.

20 The Farm Bill has about, I think we're
21 up to about two billion dollars in annual
22 appropriations for EQIP and that's not counting

1 the additional funding we got through the
2 Inflation Reduction Act. This year we got an
3 additional 250 million just this year under the
4 Inflation Reduction Act to put towards EQIP
5 specifically and then that ramps up exponentially
6 between now and 2026 and assuming we get those
7 appropriations, what's 2026? Just over three
8 billion in addition to what we would get through
9 our normal EQIP. The potential for over five
10 billion dollars just for EQIP by 2026, depending
11 on what Congress does with the Farm Bill.

12 Like all programs, there are
13 eligibility requirements. Most farmers and
14 ranchers don't have issues with meeting these so
15 when we're looking at the actual producer,
16 there's applicant eligibility. So, are they
17 within an adjusted gross income level? Do they
18 have a farm operating plan with the Farm Service
19 agency, one of our sister agencies? Are they in
20 compliance with highly erodible land and wetland
21 compliance provisions of the '85 Farm Bill. Farm
22 records are important. There are also land

1 eligibility requirements. EQIP is limited to
2 agricultural land. Again, that agricultural land
3 exist in a lot of different settings and
4 sceneries, but we do have to identify that there
5 is crop or livestock or non-industrial private
6 forest land, aquatic operations and the like
7 occurring.

8 The big one, and this is the one that
9 we'll tier off here a little bit, is there has to
10 be a resource concern that a practice will
11 address. One of the primary goals of EQIP is to
12 address resource concerns while also maintaining
13 profitability, sustainability and some cases our
14 practices can increase profitability. There's
15 nothing wrong with that, we actually encourage
16 that. There's more likely for the practice to
17 have longevity if it not only addresses the
18 resource concern, but helps your bottom line. We
19 like that, that's great. Sometimes it's hard to
20 distinguish when a practice is addressing a
21 resource concern and when it's just helping the
22 bottom line. If it's only helping the bottom

1 line, it's not going to be eligible for the
2 program, but if we get that resource benefit,
3 it's going to be eligible even if it also
4 provides that profitability.

5 As I mentioned, the Environmental
6 Quality Incentives Program is designed to
7 implement conservation practices and so we have
8 several conservation practices, everything from
9 fences, grassed waterways, irrigation systems.
10 We've got vegetative practice, management type
11 practices. Pest management is probably one we'll
12 talk on. Nutrient management, irrigation water
13 management. We'll have forestry practices geared
14 at improving forest lands, so tree planting or
15 appropriate thinnings, wildlife practices,
16 plantings and pollinator habitat and those sorts
17 of things.

18 Each practice comes with what we call
19 a standard. That standard provides the general
20 prescription for how that practice can be
21 implemented and in what types of settings that
22 practice is most appropriate and it's somewhat

1 flexible right? Because you can imagine trying
2 to implement nutrient management in the midwest
3 versus the coastal plains versus the arid west,
4 range land, pasture land, organic, non-organic.
5 The standard provides the general outline of how
6 to implement that practice. Those go through a
7 federal regulation process. I think they're
8 updated generally every five years so that we can
9 bring in additional and new information.

10 We do often release new practices
11 through either an interim conservation practice
12 and these can be driven from the state level. It
13 could be driven from the national level. We have
14 a lot of states that are trying to test new and
15 emerging opportunities. We can release an
16 interim standard and then that gives us a period
17 of time to be able to study the effectiveness of
18 that practice and then either decide whether or
19 not it's something we should adopt permanently or
20 if it's not delivering the intended benefits, it
21 can go away and we look for another opportunity.

22 Of course, I mentioned many practices

1 do support multiple application techniques,
2 trying to address a lot of different settings so
3 you can imagine someone maybe that's brand new,
4 just getting started learning nutrient management
5 or irrigation water management, you're not going
6 to hit them with the Cadillac, right? You want
7 to teach them to drive in the old Cavalier or
8 Chevette, you know, whatever your old vehicle is,
9 right? Then once they get the basic
10 understanding and premise of what nutrient
11 management is then we can work to accelerate the
12 understanding and really accentuate and
13 accelerate the level at which they're practicing
14 nutrient management.

15 Now we'll get to sort of the payments.
16 We talked about all the great things that
17 practices can do, so each practice we will have
18 payment rates. Depending on how that practice is
19 implemented, that rate may vary within a
20 practice. So, think about a fence, we can build
21 a barbed wire fence or a woven wire fence. You
22 get around heavy pressure areas, you may need a

1 wooden fence or guardrail to keep the animals
2 from busting through because of the high
3 pressure. Each of the ways that you install that
4 fence comes with a different cost. We factor
5 that in and we have various rates that we can
6 offer depending on how that practice is typically
7 implemented within the region of the US.

8 What we factor into those payment
9 rates would include costs associated with labor
10 and different types of labor. Is it general
11 labor? Is this something that requires a skilled
12 operator? Are we doing a construction practice
13 versus a management practice where you're hiring
14 a crop advisor, those sorts of things. The types
15 of materials that go into building that practice.
16 Is it vegetative? Is it grass seed and
17 fertilizer and lime? Is it structural -- wood,
18 concrete, steel, PVC? So, we have those and then
19 we can also factor in some foregone income,
20 right? Sometimes the practice may take land out
21 of production so we're putting in a filter strip
22 along a stream. You're taking that land out of

1 production, so often times those practices will
2 include foregone income to help offset some of
3 the lost income you would get from that area.
4 Sometimes working with a practice may reduce your
5 yield a little bit, so, we've got a big drought
6 going on in the midwest. We worked with
7 producers to go from irrigated crop land to
8 dryland farming to try to reduce the amount of
9 water they're drawing out of aquifers and, of
10 course, if you're not irrigating, you're not
11 getting as much yield so we can include foregone
12 income that will account for that yield
13 difference between the irrigated and non-
14 irrigated crop.

15 We can also provide some technical
16 assistance payments. We have different
17 practices, we used to call them conservation
18 activity plans, we've since made them a little
19 bit more focused in that some of them are more of
20 a planning activity, so developing a specific
21 plan to support your operation -- a nutrient
22 management plan, an organic system plan,

1 irrigation plan, forestry plan. So it's really
2 putting the plan together on how to adopt certain
3 practices and where to implement them and what
4 strategies to use in implementation.

5 Then we also have a design
6 implementation activity so this is really putting
7 together the true formula for that practice once
8 you have the general plan of where the practice
9 should be and what have you. Then we also have a
10 conservation evaluation and monitoring
11 activities. We have just a few of these, but
12 these are really looking to provide information
13 that may help inform you as well as us over the
14 long term on how effective that practice is with
15 your operation. Like, we have edge of field
16 water quality monitoring, so we're really trying
17 to measure the amount of soil and nutrients
18 coming off that field in relation to the various
19 practices that you have.

20 That information could be used to
21 figure out okay, well is this practice really
22 working for me or am I putting in all this extra

1 effort and we're still getting a lot of excessive
2 runoff, maybe I need to try something different.

3 During the phone conversation this is
4 one I know we talked about a little bit, is when
5 we're talking about materials versus equipment
6 and how we pay for those sorts of things. We
7 generally have three categories of practices.
8 Those that are management in nature, so we're
9 trying to work with you to change how you
10 implement a practice. How long you irrigate,
11 where you're irrigating, how much fertilizer,
12 where you're planting, how often you apply it,
13 the time of year, the formula, you know, those
14 sorts of things. So, just working with you on
15 those management strategies that can offset
16 whether or not you get increased runoff or water
17 quality issues or what have you.

18 Then, we also have another class that
19 we consider vegetative practices. So, as the
20 name implies, we're planting the filter strips or
21 the grass waterways or tree plantings, wildlife
22 plantings those sorts of things. And then last,

1 we also have structural practices, so think about
2 a waste lagoon, an irrigation system, so the
3 actual pivot system or drip irrigation system,
4 things like that.

5 How we factor those particular costs
6 in those somewhat varies depending on the
7 practice. Sometimes just looking at a particular
8 item, you'll think oh, well, that's equipment,
9 well no, with this practice it's actually a
10 material. I wanted to just kind of touch on that
11 just a little bit. I know you're talking about
12 these very expensive weeders, be it laser or
13 mechanical, but it's using a lot of technology.
14 We would not be able to purchase that equipment.
15 That would be considered equipment under that
16 practice and we would not be able to provide a
17 direct payment to purchase that equipment, but we
18 do factor in that if there's a cost to use that
19 equipment, such as like a rental rate or
20 something like that, so we have a reduced tillage
21 practice where we're not purchasing no till
22 drills, but we do recognize there's a cost

1 operating a no till drill to adopt that practice.

2 Producers can use that to offset a
3 purchase cost if they want or if they're leasing.
4 Sometimes that's more affordable and it just
5 depends on what fits for them.

6 Something that may look more like
7 equipment but is actually a practice, we have
8 pumping plant practice. You'll see a big
9 irrigation pump and you're like well that's a
10 piece of equipment. Well, because of the
11 standard it's a structural practice that's
12 actually considered a material. Sometimes
13 there's a little bit of gray area, it can be
14 little tricky to try to figure that out and some
15 of the general guidance we use, like if somebody
16 is building a fence, we're not going to cost
17 share or provide a payment for someone to buy a
18 tractor and buy the post hole digger or the
19 driver, but we do recognize hey, there's a cost
20 operating that tractor, there's a cost operating
21 that equipment and so sort of a rental rate, if
22 you will, is what gets factored into that.

1 I think the last thing that I want to
2 touch on here just a little bit is the
3 Conservation Innovation Grants. These are
4 competitive grants. We were averaging about 20
5 million a year and the IRA, the Inflation
6 Reduction Act, is actually going to increase that
7 this year and going into the future. I think it
8 puts it closer to 50 million a year that's going
9 to be available. We've had, I guess, 711 CIGs
10 awarded since 2004 worth almost it looks like
11 286.7 million. So this is the program where we
12 look for those innovative technologies to see how
13 can we best incorporate that into our standards
14 so that we can get more efficient, be it weeding
15 or improved irrigation practices. Something I
16 was hearing recently is you think about these
17 large range land operations, thousands of acres,
18 do we build miles and miles of fence to
19 facilitate an appropriate prescribed grazing
20 pattern or something that's new and emerging
21 coming out are these radio collars that they can
22 put around each cow's neck and they have the

1 radio station towers. They can monitor and
2 influence that prescribed grazing pattern
3 remotely without having to build all this fence.
4 Maybe the cost per acre on prescribed grazing
5 goes up a little bit, but if you're not building
6 all that fence and managing all that fence, that
7 may pan out a little bit. This was a program
8 that was influential and that's something we're
9 actually working on trying to bring into our
10 normal program operations.

11 That was the last slide I had. I just
12 wanted to touch through that and then I wanted to
13 make sure we had plenty of time for questions.
14 Ron, if you want to come up, maybe we can tag
15 team these.

16 MEMBER BRIANO: Check.

17 MEMBER WHITT: It's working.

18 MEMBER BRIANO: I'm Mike Briano. I'm
19 with Harris Woolf California Almonds. I don't
20 like how it's working. We are a 30 plus year
21 almond processing company, been growing since
22 1974. We have, in the last seven years, had a

1 real focused look at sustainability and corporate
2 and social responsibility given water factors in
3 California and some of the constraints that the
4 growers have. We're looking at historic low
5 prices in almonds currently given inflationary
6 pressures and supply chain issues. So, we have a
7 ton of almonds and a ton of issues associated
8 with rising costs for the growers.

9 We have made a program that provides
10 direct payments to growers for particular
11 stewardship and I take your words here, we have
12 irrigation water management practices, pollinator
13 health and habitat, cover cropping, carbon
14 reduction and sequestration and recording of good
15 farming practices through eco-practices and then
16 participation in the California Almond
17 Stewardship Program. Along with one of our
18 largest CPG partners, we provide direct payments
19 to growers. We have 200 plus growers
20 representing about 85 million pounds of almonds.

21 We feel like we're leading the space
22 in this fight here. We're trying to do the right

1 things, be responsible, but also allow our almond
2 farmers to continue the process. These programs
3 EQIP and CIG, would we as a group be able to
4 incorporate some of these funds on some of these
5 broader topics as a resource? Instead of you're
6 looking at one or two growers, you have access
7 now to 200 growers and we have a pool of that
8 money that obviously there would be some sort of
9 oversight to the things and the participation of
10 this, but would some of these funds be able to
11 build programs for grower/owner processors, they
12 represent larger groups as opposed to just a
13 single farmer here or there.

14 MEMBER WHITT: Great question. So,
15 and I didn't mention earlier, but one of the
16 things that I love about EQIP and CSP is these
17 are locally led programs and so through our field
18 offices they'll run local work group sessions, so
19 they provide input from their local stakeholders,
20 which can include producers, ag industry groups,
21 wildlife groups, what have you, just depending on
22 what the makeup is and the region that they're

1 in. They solicit feedback on what's needed in
2 that area, what resource issues are there and
3 that helps to influence sort of the priorities in
4 which we're allocating funds. You know, do we
5 set up a specific funding pool to specifically
6 target a set of resource concerns on a type of
7 land use or what have you.

8 We also have state technical
9 committees and these committees support our state
10 conservationists, who are sort of the head person
11 over each state. They have a lot of sway in sort
12 of the targeting of funds across the entire
13 state. So, there are ways to do that where if
14 you've got a good group of producers and they're
15 advocating they can work through their local work
16 group, work through the state technical
17 committee, ensure that their voices are heard,
18 the resource needs and issues are understood, so
19 that we can try as best we can to support that.
20 Through the Conservation Innovation Grants, yes,
21 there's definitely opportunities for a partner to
22 device a project. One of the things about CIG is

1 it is supposed to benefit EQIP eligible
2 producers, so the more actual producers you have
3 engaged, the better that agreement or that grant
4 looks or that proposal looks.

5 If you're wanting to get maybe a
6 little bit more surgical on that, you could
7 probably look at, that's one of the great things
8 with the Regional Conservation Partnership
9 Program, we send out a notice for funding
10 operations for that and if you're bringing in
11 other sources of funding for that, be it private,
12 state, other federal agencies, what have you, all
13 that can work together to really focus in on
14 those needs if the proposal is selected. Thank
15 you.

16 MEMBER SERRATOS: Hi, I'm Rebecca
17 Serratos. I have a question on your relationship
18 with FSA and then coming at it from the opposite
19 scenario of super small farmers and usually
20 individuals, there seems to be like a chicken and
21 egg scenario in terms of engaging with NRCS and
22 engaging with FSA at the hyper local level,

1 especially for those of us that are more rural
2 and maybe are far away from a field station. How
3 closely do you all work with FSA?

4 MEMBER WHITT: Well, ideally we're
5 working extremely close. Now that's not to say
6 there's not personality conflicts that develop
7 out there, but ideally we're working hand in
8 hand. We do consider them a sister agency, they
9 consider us a sister agency and often times we
10 are co-located in the same service center so that
11 when you go into the office, and because we share
12 so many records, we depend upon each other for
13 support services. We provide technical
14 assistance for some of their programs. They
15 provide some of the producer record management
16 for our programs. So, ideally, they're working
17 very closely together to support you as a
18 producer to get the services that you need, get
19 the records established that you need, so that
20 you can participate in their or our programs.

21 MEMBER SERRATOS: Awesome. Do you
22 know in terms of like eligibility, you all are

1 looking at a ton more money for a lot of these
2 programs moving forward. Have you had questions
3 on expanded eligibility for farmers nationwide to
4 be able to access your programs?

5 MEMBER WHITT: With the Inflation
6 Reduction Act, the funding came in to support the
7 programs under their existing authority, so if
8 the program was already limited by adjusted gross
9 income limits, contract or payment limitations,
10 those limitations are still in effect. This is
11 just additional funding. The one thing the
12 Inflation Reduction Act does do is it focuses its
13 funds more on climate smart ag and forestry type
14 practices. You wouldn't necessarily have the
15 full suite of NRCS Conservation Practices
16 available, just those that are really focused on
17 those climate smart resource issues.

18 MEMBER SERRATOS: Okay. So, in terms
19 of like say the 2018 Farm Bill and expanding
20 services to historically underserved farmers and
21 ranchers, eligibility requirements kind of come
22 hand in hand with that population of farmers.

1 Are you having conversations on how to serve more
2 of that population moving forward with this money
3 or is it just kind of status quo on your program
4 offerings and just you do more grant awards over
5 the year?

6 MEMBER WHITT: I mean definitely
7 getting more awards out there, but absolutely
8 providing additional services to our historically
9 underserved producers, so limited resource
10 farmers, beginning farmers, socially
11 disadvantaged tribes, veteran farmers and
12 ranchers, there is a big focus not only within
13 the program, but also within this administration
14 to make sure we're doing more to reach the
15 farmers that haven't been reached before. We've
16 got a lot of emerging urban farming going on,
17 that's on the forefront of what we're doing, so
18 we're trying to break in and provide as much
19 assistance as we can in urban areas, but also
20 still service those producers out in more
21 traditional rural areas because we get new and
22 beginning farmers out there as well.

1 MEMBER SERRATOS: Right, but in terms
2 of like say five years' worth of sales data would
3 still be a requirement? Kind of those nitty
4 gritty eligibility --

5 MEMBER WHITT: No, we don't have an ag
6 history requirement for the program.

7 MEMBER SERRATOS: But that's the FSA
8 side and an FSA side would want that first before
9 say getting a farm number to then go over to you
10 guys to talk about EQIP.

11 MEMBER WHITT: If that's happening
12 locally, we probably need to have a different
13 conversation, yeah.

14 MEMBER SERRATOS: Thank you.

15 MEMBER WHITT: Having additional
16 history helps with establishing certain records
17 and they may have programs that require that, our
18 conservation programs don't have a five year
19 farming history requirement. The only history
20 requirement we would have is actually with our
21 irrigation practices because it's geared more
22 towards reducing, again we're trying to get

1 additional resource benefits and if we're
2 installing new systems, generally you're having
3 an impact on the available water as opposed to
4 conserving the water that's already being used.
5 So, it's got a two out of five year history.

6 VICE CHAIR MARSHALL: Good morning,
7 this is Reggie Marshall from Tennessee. I have a
8 couple of questions, but, Rebecca, real quick if
9 someone is having problems getting a farm and
10 tract number, I'm on the Tennessee State Farm
11 Service Committee, you can complain to the state
12 committee about that because that shouldn't be
13 required.

14 Question to you, sir, the first
15 question is in urban agriculture, there's very
16 little land and hydroponics and aquaponics
17 operations are needed in those environments.
18 With your water conservation programs, are you
19 guys looking to allow hydroponics and aquaponics
20 in urban environments, not in the ground, but
21 above ground operations as a part of your EQIP
22 program?

1 MEMBER WHITT: One of the areas that
2 we're really looking at within the urban areas,
3 like I said, there's a lot of, oh what do they
4 call that, controlled environment agriculture
5 going on. They're wanting to do a lot more of
6 that, not necessarily just in greenhouses, but in
7 warehouses that are converted into grow rooms.
8 The way the Farm Bill is currently written, it
9 focuses on land eligibility. We have to be able
10 to be able to tie our practices to eligible land
11 and so in some cases, those operations we may be
12 able to deem those on eligible land, but there
13 are certain urban operations, you know, we're
14 starting to see a lot more rooftop gardening
15 going on. Maybe somebody's apartment complex,
16 one of the apartment rooms has been converted.
17 Some of those areas, we're just not quite there
18 yet, the current law as written doesn't allow us
19 to get that far, but there may be some controlled
20 environment ag operations, like greenhouses and
21 structures that are solely supporting
22 agricultural production that could meet some of

1 that eligibility.

2 Then looking at the resource issues
3 that may exist -- energy, lighting may be a big
4 one, the building envelope improvements. We're
5 looking at how well is it insulated, those sorts
6 of things. Water conservation, irrigation and
7 water management, pest management all those
8 practices could still potentially apply in some
9 of those situations.

10 VICE CHAIR MARSHALL: But would it
11 have to be in the ground is what I'm asking?

12 MEMBER WHITT: Like the plant itself
13 in the ground?

14 VICE CHAIR MARSHALL: No, the system.
15 So, there are grow towers that don't require any
16 type of attachment to the ground. You can put
17 them in your house. They can produce a
18 profitable crop for a family or an individual.
19 So, that's where I'm going with this because if
20 we're going to have an impact on socially
21 disadvantage, underserved minorities and
22 distressed people, we've got to include that.

1 MEMBER WHITT: Yes and I don't
2 disagree, so a lot of it will just depend on
3 where is that grow tower or that hydroponic
4 system, where is that located. If it's a
5 dedicated structure, we can get past that land
6 eligibility because it's just like a dairy
7 operation has a milk parlor and confined barns
8 and that sort of thing, right? But, we don't
9 work on the farmer's house.

10 VICE CHAIR MARSHALL: Right.

11 MEMBER WHITT: Kind of a thing, so
12 that's just where we're at with the current law.
13 Congress is actively looking at updating the Farm
14 Bill. We'll see what they give us. We let them
15 know what the interests are out there, how our
16 current rules are impacting participation and
17 that sort of thing, but it's up to them to decide
18 how far they want move that envelope.

19 VICE CHAIR MARSHALL: Okay and the
20 last question is for fruit and vegetable growers,
21 if I have cattle on my farm, I can apply for a
22 well through NRCS, but if I'm raising fruits and

1 vegetables right now, I can't get a well dug
2 through the EQIP program, which without water, my
3 crops don't flourish, so what's being done about
4 that?

5 MEMBER WHITT: That might be more of
6 a state driven issue. A well generally by itself
7 is not going to be what addresses many resource
8 concerns. It would be probably more of a
9 facilitating practice. If you had an irrigation
10 system and let's say you were drawing water out
11 of a stream and we need a different source of
12 water to improve your irrigation system, a well
13 may be applicable in that situation. But as far
14 as installing new wells just for the purpose of
15 supporting irrigation doesn't necessarily provide
16 that conservation benefit often times.

17 VICE CHAIR MARSHALL: But it's
18 critical for new and beginning farmers because if
19 you've never farmed then you don't have a history
20 of irrigation, right?

21 MEMBER WHITT: Right.

22 VICE CHAIR MARSHALL: So, we need

1 something in place for that.

2 MEMBER WHITT: Right and during the
3 last, I think it was under the '14 Farm Bill, we
4 did put in a waiver provision to the irrigation
5 history and it was for socially disadvantaged and
6 limited resource producers. At that time, it
7 wasn't necessarily expanded for beginning farmers
8 at that time, but we have a new Farm Bill
9 hopefully on the horizon and we'll be able to
10 take a closer look at that.

11 VICE CHAIR MARSHALL: Okay. Thank you
12 so much.

13 MEMBER WHITT: Yep.

14 MEMBER BAKER: Yes, Haven Baker with
15 Pairwise. We use CRISPR technology for plant
16 genetics and so I have a two-part question I
17 guess. I understand that NRCS is funding a
18 program with Colorado State to study carbon
19 sequestration. Is that under CIG or is that
20 something separate?

21 MEMBER WHITT: I'm not familiar with
22 that one. It could be a commodity program, it

1 could be CIG, it could be RCP I mean there could
2 be a --

3 MEMBER BAKER: So I guess the -- and
4 this might come out of our committee too -- my
5 understanding of that program, it's only focused
6 on real crops and there's not good science on
7 what carbon sequestration means to fruit and veg.
8 We're not even looking for government funding, we
9 would like to provide solutions, but we don't
10 know what the solutions should entail. So that
11 is, I think, one thing to be studied specifically
12 from the fruit and veg perspective is what are
13 going to be the best practices for carbon
14 sequestration in the future?

15 MEMBER WHITT: We do have a new office
16 that's the Dana's shop Climate Team and Climate
17 Resilience Team and they're really at the
18 forefront of looking for and coordinating a lot
19 of those studies, bringing that information in.
20 Right now, we do have a set of practice we know
21 are delivering on those climate benefits,
22 sequestering carbon, reducing greenhouse gases

1 and that sort of thing, but we're also looking
2 for additional studies so that we can better
3 quantify how some of our other practices and in
4 what setting our other practices are delivering
5 those benefits.

6 MEMBER BAKER: And maybe that could be
7 a followup item at some point to understand how
8 much of that work that's being set up actually
9 pertains to fruit and veg. Thank you.

10 MEMBER WHITT: Yep.

11 MEMBER VAN EECKHOUT: David Van
12 Eeckhout. Going a little bit back to some of
13 what Rebecca was saying about underserved
14 producers and access to EQIP funds, looking at
15 some of the stuff that came through in the
16 Inflation Reduction Act, it's talking about
17 basically a doubling at least of EQIP funds that
18 are designated specifically for those producers
19 and it seems like, and correct me if I'm wrong,
20 but it seems like to date the most interaction
21 with those producers has been through the high
22 tunnel practice. Are you exploring other ways to

1 better serve those communities besides just that
2 one practice?

3 And one comment I would have is FSA
4 has a great program in their microloan program,
5 RMA now has a micro farm insurance policy. I
6 would love to see something through NRCS that was
7 basically kind of a micro conservation program,
8 whether that's part of EQIP or something else,
9 but a way to interact with those producers who
10 otherwise aren't currently interacting with the
11 NRCS.

12 MEMBER WHITT: Yes and specifically
13 urban ag is a very new arena. We've been
14 dabbling in the urban ag arena for a number of
15 years now, but as far as the impetus behind a lot
16 of the outreach efforts and setting up an office
17 of urban ag to really get out and hear what the
18 customer needs are, that's really taking place, I
19 mean as we speak. It ramped up here a few years
20 ago and the momentum is really growing. So, yes,
21 absolutely the seasonal high tunnel is an
22 extremely common practice.

1 We also implemented some other
2 practices. We've released a new one dealing with
3 raised beds. In some of the urban areas you may
4 have an issue with maybe some of the previous
5 facilities that were in the area, so we want to
6 make sure that there's good, clean soil for those
7 who want to utilize, keep the food safe. We can
8 still work with nutrient management and pest
9 management. I talked a little bit about our
10 payments and sort of the things that we can pay
11 for so we're really looking at our payment rates
12 to make sure that they're applicable in these
13 really small scale settings. A lot of our
14 settings, we're used to working with small and
15 medium and large operations so you think oh,
16 well, we basically use by the acre or so many
17 hundreds of acres or what have you, but we start
18 getting in these micro settings, we need to look
19 at it's a fixed cost kind of a deal, right? It's
20 a per each or do we do it by the square foot?
21 So, we're really accelerating a lot of our
22 studies on that.

1 MEMBER EINSTANDIG: Can you tell me in
2 general do you have a sense of what the time line
3 is on the new practices? Like if you go to your
4 state committee or even start at your local and
5 get to your state to talk about a new practice,
6 how long does it take to get something like that
7 implemented?

8 MEMBER WHITT: It kind of depends on
9 the situation to be honest with you. Are we
10 making a tweak to an existing practice? So, I
11 talked about interim standards where we're
12 introducing a new practice. Sometimes we can do
13 what's called a variance, so it's a slight tweak
14 to a practice that allows us to study to see if
15 we get that additional flexibility. If I had to
16 put a time line on it, it's probably not one that
17 we would like. It's probably two to three years
18 in the normal case situation. We have had
19 situations where we have greatly accelerated that
20 and gotten practices or interim standards out in
21 about a year or so. But we're definitely looking
22 for ways to improve that process as well because

1 there's the technical side of getting that
2 practice out and then there's also the program
3 implementation side and we work closely hand in
4 hand with our other deputy areas within our
5 agency to try to coordinate that as much as we
6 can.

7 MEMBER EINSTANDIG: Okay, thank you.

8 MEMBER HODGES: Morris Hodges, Morris
9 Watermelon Farm, LLC, a small specialty farm in
10 Mound Bayou, Mississippi. I've been working with
11 the NRCS since I started my farm in '18 and in
12 '19, I reached out to NRCS and ran into a pretty
13 good guy, a Caucasian, he's not Black. So here's
14 my deal, I've had not such good experience with
15 FSA. Loan denial, insurance claims denied,
16 denied, you know the game. But NRCS are okay
17 with me right now. (Laughter.) (Simultaneous
18 speaking.)

19 MEMBER WHITT: Well, I hope we all
20 stay okay with you.

21 MEMBER EINSTANDIG: Let me go to my
22 notes here. Right now, the money, lots of money,

1 has gone into NRCS for EQIP recently. I applied
2 for land leveling in '19, didn't rank in two
3 years in a row. The last two years ranked, but
4 didn't have any funds available. Now, I
5 understand last time I checked, 10 percent of the
6 budget is allocated to small specialty crop
7 owners that are farmers. I don't know how much
8 my office has spent on EQIP or if they've spent
9 the 10 percent on us or not because there's no
10 transparency.

11 Here's the deal, let's move past that
12 and I've been on numerous webinars with NRCS and
13 my Congresswoman, etc., etc. and the last
14 language was that -- I inquired about if you
15 didn't have enough funding in '21, why shouldn't
16 those who didn't get funded in '21 because of
17 lack of funding, be at the top of the list in
18 '22? That sounds logical to me. I was told that
19 no, you have to go back into the ranking pool.
20 It makes no sense to me. I understand that since
21 has been changed, so I'm hopeful that this year,
22 I will be funded.

1 Let me be clear, this is not about me,
2 I'm just an example of the history that we know.
3 It needs to stop, that type of behavior.
4 Fortunately, again, that rule has been changed.
5 I understand EQIP is a year round funding
6 program, correct?

7 MEMBER WHITT: Maybe to provide a
8 little context to that. We get an annual
9 appropriation each year for that. We accept
10 applications year round, but often times we run
11 out of funding before we're able to service all
12 the applications that we receive from prior years
13 as well as new applications we received that
14 year.

15 MEMBER EINSTANDIG: Yes, correct,
16 exactly what my guy said. Jason Matheson is his
17 name, good man. So, in conclusion, I just want
18 to say this. I remember when they first told me
19 about you didn't rank high enough, okay. Next
20 year, you didn't rank high enough. So, on many
21 webinars, NRCS, I've made the statement I'll say,
22 ranking, and you don't tell me how you rank. I

1 don't know. So, I said, you take the NFL, Major
2 League Baseball, NBA. The worst team in the
3 league gets the first pick the next year, that's
4 ranking. They ranked last. That creates parity
5 in the league. No team dominates. So, in my
6 case, my farm looks like a roller coaster. If
7 you rank it with the other farms in the county,
8 then I'm the worst team in the league so why am I
9 not funded? I just wanted to make that
10 statement. I think we're past that now again
11 since that they designed it that you don't have
12 to go back in the ranking pool again. So, I'm
13 just hopeful that this year that I'll be funded
14 for that program, the land leveling program.

15 In conclusion, fencing. I was told I
16 wasn't eligible for fencing unless I had some
17 type of animal. I have vegetables, watermelon,
18 cantaloupes and hemp. Deer like hemp. I'm
19 adjacent to a national wildlife refuge. Is that
20 something, would I be qualified for a fence?

21 MEMBER WHITT: I guess maybe to touch
22 on a couple of those points. EQIP is a

1 competitive program, so we are looking to find
2 those applications that are going to provide the
3 most environmental benefit within that period of
4 time. We are looking at the model of how we
5 accept applications and manage them through our
6 ranking process and then make decisions on
7 funding. We're looking through sort an Act Now
8 model to see if we can't sort of change that
9 dynamic a little bit so that folks aren't having
10 to wait so long constantly to find out whether or
11 not they're going to receive funding. But it's
12 not a guaranteed funding program. It's always
13 going to be based upon the amount of
14 environmental benefit that your operation and
15 practices that you're applying for are going to
16 provide with respect to the priorities that are
17 established at the state and local level.
18 They're going to be the ones that identify
19 whether it's mostly focused on water quality or
20 soil erosion or irrigation management those kind
21 of strategies.

22 Keep in mind, it's this big pot of

1 money and we do break it up to provide a lot of
2 different focused areas. So, hopefully you're
3 being evaluated in several of those focus areas
4 because you should qualify for many of those
5 focus areas. But, again, it will never be a
6 guarantee of an opportunity to receive funding.

7 With the fence practice, I talked a
8 little bit earlier about our program is designed
9 to achieve resource benefit and when it also
10 provides that profit benefit, you know, that's
11 great but if all it's doing is assisting on the
12 profit side, then it's not going to be one that's
13 eligible for the EQIP program. So, building a
14 fence to exclude wildlife often falls on the
15 profit side without necessarily yielding that
16 conservation benefit, so most likely that's not
17 going to be eligible under the EQIP program.

18 MEMBER EINSTANDIG: Yeah, I get that.
19 Thank you. I'm hopeful that it will be approved
20 this year and not just for me, for the farmers
21 that have experienced what I've gone through and
22 given up. A lot of them don't go there no more

1 and the benefit of future farmers, small
2 specialty crop farmers and socially disadvantaged
3 whatever you want to call it, I call it Black, to
4 be more successful within NRCS. Thank you, sir.

5 MEMBER WHITT: Yep.

6 CHAIR RENTZEL: Okay, we're going to
7 have Bruce kind of wrap this up for us.

8 MEMBER FRASIER: All right, first
9 question was how much additional funds did you
10 say, 5 billion, is that right?

11 MEMBER WHITT: I don't have the break
12 down by program. Between this year and 2026,
13 EQIP, CSP and RCP combined will be just over 11
14 billion dollars.

15 MEMBER FRASIER: 11 billion, okay.

16 MEMBER WHITT: In total, for all those
17 years.

18 MEMBER FRASIER: And that's the time
19 frame that you have to spend that money?

20 MEMBER WHITT: So, with the IRA
21 funding specifically --

22 MEMBER FRASIER: Or allocate it.

1 MEMBER WHITT: We have until September
2 30, 2031, to not only get it spent but those
3 funds have to be paid out by 2031.

4 MEMBER FRASIER: Okay.

5 MEMBER WHITT: So, we can't have a
6 contract go beyond that date.

7 MEMBER FRASIER: Okay, all right. So,
8 let's go back to our AI and look at possibly what
9 I consider the benefits of this piece of
10 equipment I purchased. One is we look at the
11 plant health, all right? Because of the fact
12 that this, when we take a break I'll show you the
13 equipment in motion, but nonetheless it's plant
14 health, greater production. It also means less
15 herbicides, pesticides and water usage, so I can
16 tell immediately after cultivating the field, we
17 did half the field with just hoe hands and we did
18 half the field with our mechanical cultivator.
19 We could tell immediately the uptick in growth
20 and less water that needed to be used because of
21 the aeration of the soil. The labor savings is
22 one factor, that's availability of labor is

1 really why we purchased this.

2 Having said those things, the
3 benefits, where does this piece of equipment fall
4 in EQIP?

5 MEMBER WHITT: I think the potential
6 for something like that would be, it sounds like
7 it's part of a pest management strategy. When
8 we're looking at pest management we're not trying
9 to tell people not to use pesticides. If they
10 want to use pesticides that's fine, but if you're
11 using them, are you applying it at the right
12 times, at the right rates? Are you using small
13 drops or large drops to reduce drift and that
14 sort of thing, right?

15 For those producers who are looking to
16 go organic, there's definitely a lot of organic
17 strategies. We also work with them as part of
18 their pest management strategy, how are they
19 addressing those resource issues, like you
20 mentioned, the amount of water being used and
21 soil runoff and those sorts of things. I see
22 that as an emerging technology, dovetailing

1 probably more with that practice. How new it is,
2 whether or not it's something that already fits
3 within the strategy of the practice now? We'd
4 probably have to get with our colleagues in the
5 science and technology division.

6 Then we would also have to look at
7 what was the cost of the technology as far as,
8 again, we can't purchase those machines or
9 equipment for producers, but there's a cost per
10 acre to run that or cost per hour or something
11 like that. That's something that could
12 potentially factor into that payment rate. If
13 it's something that's brand new that we're unsure
14 of whether or not it fits, that's where that CIG,
15 the Conservation Innovation Grant, program is a
16 great program to assist with studying that. So,
17 you're keeping those records, you mentioned I
18 used this much less water, I've used this much
19 less fertilizer or this much less labor, you get
20 to analyze sort of all those benefits.

21 MEMBER FRASIER: Okay. Thank you.

22 MEMBER WHITT: Yep.

1 CHAIR RENTZEL: Okay. Mike, Ronnie,
2 thank you so much for what you do for us in this
3 area. We appreciate your time this morning and
4 your explanations of the program as well.

5 With that, we're going to go ahead and
6 take a 15-minute break. I think we'll reconvene
7 here at 11:05.

8 (Whereupon, the above-entitled matter
9 went off the record at 10:49 a.m. and resumed at
10 11:06 a.m.)

11 CHAIR RENTZEL: Okay. As you're
12 coming in and getting seated, I'm just going to
13 go ahead and turn it over to Darrel, because he's
14 going to kind of lead the discussion through this
15 next phase that we have on the program, or the
16 agenda.

17 MR. HUGHES: Yes, indeedy. All right.
18 So, Darrel Hughes speaking, the FVIAC Designated
19 Federal Officer.

20 So, during this open engagement I want
21 to sort of use this opportunity to handle various
22 business items. And, not necessarily travel

1 business items.

2 I'm going to do travel business items,
3 I know there are some per diem questions. We'll
4 do that later right before we wrap the meeting.

5 The first question, who's leaving
6 before 3:30? Is anyone leaving before 3:30?

7 (No response.)

8 MR. HUGHES: Okay. Perfect. So,
9 everyone will be here until the meeting adjourns
10 by 4:00 p.m.? All right.

11 MEMBER DEATLEY: I'm leaving at the
12 break.

13 MR. HUGHES: At the break? Okay.
14 I'll connect with you. Jenifer.

15 All right. So, the main things I want
16 to discuss with you all, the structure of our
17 subcommittee workgroups. Sort of talk about the
18 expectations or our plan for recommendations as
19 we move forward over the next several months and
20 Andy Hatch steps in to support that.

21 And then, just thinking about the next
22 full committee meeting. When and where and how

1 that looks.

2 So, the first thing that I want to --
3 let's go back to the structure of the
4 subcommittees. As you all know, we had in the
5 early states, lots of duplication.

6 And, it wasn't anyone's fault. It's
7 just a lot of interesting things that turned out
8 to be the same USDA subject matter experts, like
9 for Food Safety Subcommittee and the Consumption
10 and Nutrition Subcommittee.

11 A lot of the topics, but some topics
12 are more specific to food safety, but there's
13 lots of engagement there that clashed in a good
14 way. And, the same thing for Labor Production
15 and Infrastructure and Sustainability.

16 And so, that got me to thinking, why
17 not find a way to consolidate so that we have a
18 streamlined approach, but an approach that is
19 beneficial to the recommendations overall?

20 When I had the meetings with, I'll
21 just use Labor Production and Infrastructure and
22 Sustainability, that meeting with NRCS, it was

1 like really engaging. Lots of course just
2 pinging back and forth.

3 And I was like, you know what, this
4 could be, it may be worth this time around,
5 instead of having these five subcommittee
6 workgroups, we have a subcommittee that is Food
7 Safety, Consumption and Nutrition. That's a
8 unit.

9 And then, Production, Sustainability
10 and Infrastructure, and that's a subcommittee.
11 Labor -- that conversation is still included;
12 I'll just drop it so that it's not so many words.

13 And then, I think that what we should
14 do is keep the Reporting Data and Analysis
15 Subcommittee. That's fine a standalone, that's
16 new. And, I don't see any reason why we would
17 need to roll that particular committee into any
18 of the others.

19 And so, this is just me throwing the
20 idea out. And, I don't know if, I think if we,
21 after hearing this, if there's a need for open
22 discussion.

1 I guess we can, do we have to make a
2 motion to open discussion on consolidating
3 subcommittees? Or --

4 MEMBER FRASIER: I make a motion to
5 fire Chris.

6 MEMBER BRIANO: Second.

7 (Laughter.)

8 MR. HUGHES: Done, I guess.

9 CHAIR RENTZEL: I think that was just
10 a humorous motion.

11 MR. HUGHES: Yes.

12 (Laughter.)

13 MEMBER FRASIER: Well, I think this
14 committee can be in -- if you want to comment on
15 it, if you do.

16 MR. HUGHES: Oh, if we combine
17 committees, what happens to the leads?

18 CHAIR RENTZEL: Yes. I think we need
19 to just have a discussion before we move to
20 motion, unless you would like to move to motion
21 and then discussion. But, it gets a little more
22 complicated following Robert's Rules of Order.

1 So, I -- as the Chair I'd like to
2 propose that we just move right to some
3 discussion.

4 MR. HUGHES: Awesome.

5 CHAIR RENTZEL: And come to kind of
6 some -- express your concerns at this point in
7 time. So, please use your microphone.

8 If we can, pass it up and down. I'm
9 not sure where they all are right now. We've got
10 one here.

11 MR. HUGHES: We've got one there and
12 --

13 CHAIR RENTZEL: We'll find the other
14 one. But, I will recognize.

15 MEMBER BRIANO: I will start real
16 quick, if you don't mind. Okay?

17 CHAIR RENTZEL: Go ahead.

18 MEMBER BRIANO: This is Mike Briano.
19 Are we required to have charges for each of these
20 individual committees?

21 Or required a certain amount of
22 charges that we work on in a year or two? And,

1 do we have to have separate subcommittees?

2 MR. HUGHES: Okay. So, I'll deal with
3 the charges. There's no requirement to have
4 charges, because I mean, the charges are lit --
5 that's literally an ask from USDA when we need
6 insights or guidance from you all.

7 So, whether you have charges or not
8 will be dependent on whether USDA presents them
9 to you or not.

10 MEMBER BRIANO: So, regardless of
11 number, we just need to have quality suggestions
12 that we're bringing forth, regardless of whether
13 that comes from Sustainability or Food Safety?

14 MR. HUGHES: Yeah. I wouldn't worry
15 about the buckets too much. Because the charge,
16 whatever issue we're having, it will naturally
17 fall in the right workgroup based on the subject
18 matter.

19 MEMBER BRIANO: So, then it really
20 doesn't matter if we have five subcommittees or
21 two subcommittees or three subcommittees.

22 MR. HUGHES: Well, from an operations

1 standpoint it does. Because then if you want to
2 re-engage with NRCS and then so does Labor and
3 production want to re-engage with NRCS on EQIP
4 and potentially modify the program, it makes
5 sense for those to be under --

6 MEMBER BRIANO: It needs to be under
7 Sustainability and Infrastructure.

8 MR. HUGHES: It will what?

9 MEMBER BRIANO: It -- finish your
10 thought. Go ahead.

11 MR. HUGHES: It would make sense to
12 have those two subcommittees just operate as one
13 unit, because from -- that same program has a
14 production component to it. Which is why Bruce
15 was really engaged and wanting to engage with
16 EQIP.

17 MEMBER BRIANO: Okay.

18 MEMBER CIRULI: I feel that as far as
19 like our committee merging into the Food Safety
20 Committee that I'm fine with that. I'm happy to
21 step down as lead to whoever the chairman is of
22 the Food Safety Committee.

1 I think it makes more sense to have
2 more people giving their input.

3 MR. HUGHES: Exactly.

4 MEMBER CIRULI: And, I would say that
5 the people on my committee were not experts on
6 the subject matter that we're in charge of.

7 So, if we could broaden that, we're
8 happy to broaden that group.

9 MR. HUGHES: Great.

10 MEMBER INMAN: Real quick, what --
11 what is the committee's -- (audio interference)
12 What's the organization done in the past?

13 MR. HUGHES: As far as subcommittees?

14 MEMBER INMAN: Yes. This is Darwin.

15 MR. HUGHES: Okay. So, right. In the
16 past I feel like we've had anywhere from three to
17 four to five. It just varies.

18 And so, here's what I'll say, in the
19 past, it seemed like the subcommittees were
20 driven on a specific issue like broadband, or
21 real development, or labor production has been a
22 subcommittee that I've seen around that hasn't

1 left at all.

2 But, as the USDA initiatives and
3 programs and services have evolved, they're --
4 you look at the prior subcommittees from let's
5 just say, five, six, ten years ago, it's like
6 okay, well, if we want to engage with them on
7 this topic, where does it fit?

8 And so, this particular subcommittee
9 I -- prior to you all being appointed, I came up
10 with high level buckets, where any topic that you
11 come up with could be placed in a subcommittee.

12 And so, the five that we developed
13 were basically on that mind set. They could be
14 evergreen subcommittees.

15 And so now, this suggestion is just
16 the progression of, or, I would say the
17 modernizing the approach that I came up with.
18 Instead of there being five and having to manage
19 five different subcommittees that have
20 duplicative thinking at times.

21 Can shrink them down to three, have
22 more engagement in the subcommittees because

1 there are more members. And then, you still have
2 the evergreen subcommittees that we don't have to
3 change or add new committees in two years or
4 three years.

5 Go ahead David.

6 MEMBER EINSTANDIG: Yeah. David
7 Einstandig. First, okay, I'm really impressed
8 with the quote from the Robert's Rules of Order.
9 I mean, that's -- that's going into the well.

10 That's nice.

11 CHAIR RENTZEL: I like to keep it
12 simple.

13 MEMBER EINSTANDIG: Yeah. Just to
14 buttress what Chris was saying. I think
15 absolutely -- I think the subcommittees are too
16 small.

17 And, I think that's evident on the
18 breakout sessions that we've had, you know, the
19 Teams meetings or the Zoom meetings. I think
20 absolutely you're going to get much more quality
21 dialog if we have different lenses.

22 MR. HUGHES: Yeah.

1 MEMBER EINSTANDIG: I just don't think
2 it's going to -- we're going to get the quality
3 that we need. I mean, this room is great, but we
4 don't get together that often.

5 And, if this was our full time job and
6 everyone's full time job and we had four or five
7 people in a subcommittee, yeah, you would get
8 into the granularity, you would have the time to
9 research issues.

10 But, the ability to have more people,
11 whether it's 10 or 12, and being able to give
12 their experiences, I think we're going to get a
13 lot better work.

14 And, probably identify, it may be the
15 same number of issues or recommendations, but, I
16 think they're going to be much more robust. So,
17 I fully support that.

18 Julie and I were talking right before
19 you started, and we said, based upon the dialog
20 that we had between our two subcommittees at the
21 work -- at the open session we had, that we
22 should do, we should get together jointly,

1 because we had an overlap.

2 And I think, even data, even the Data
3 Subcommittee was overlapping a lot with that we
4 were talking about in Labor.

5 MR. HUGHES: Right.

6 MEMBER EINSTANDIG: And, we got
7 together and said, we want to make sure we
8 weren't working on the same thing. So, I think
9 you could even think about that.

10 But, I'm fully in support of having
11 larger subcommittees and consolidating.

12 MR. HUGHES: Someone pass Amy a mic.

13 MEMBER BAKER: Hi, Amy Baker. I
14 actually kind of like to almost argue the
15 opposite. But, here's an idea, because I hate
16 when people always say, well, it depends.

17 And, that's kind of where I'm landing.
18 I almost feel like we need to present as a group
19 the different ideas or challenges that we want to
20 try to solve for.

21 And then, maybe as a group we find,
22 you know, let's say of the four subcommittees

1 that we have right now, or five.

2 MR. HUGHES: Five.

3 MS. BAKER: That maybe there's ten
4 different ideas that have, you know, that we put
5 up on a board.

6 And then, we as a group decide where
7 can we make the biggest impact, you know, to
8 change or recommendation. And then, we re-divide
9 if we need to. You know what I mean?

10 MR. HUGHES: Right.

11 MEMBER BAKER: Because I haven't heard
12 from the other committees on maybe what their
13 ideas or strategies are. And, I think that would
14 be helpful to know.

15 MR. HUGHES: And so, we did that
16 approach in the prior two committees. And, it
17 was not effective.

18 MEMBER BAKER: Oh, okay.

19 MR. HUGHES: It was not effective at
20 all. And, it becomes not effective because
21 ultimately when each of the workgroups put their
22 recommendations forward, then you bring it to the

1 group, you're passionate.

2 And, at that point, it's almost
3 complete. And so, everyone's like yeah, we could
4 include that but let's add this to it or let's
5 add this phrase.

6 But, you know what, we need to just
7 keep it. Let's just, let's put both forward.
8 And, before you know it, you have 33
9 recommendations or 14 recommendations.

10 And, when you move that amount of
11 recommendations forward, it becomes -- you're
12 basically inundating the executives with
13 recommendations that some of them we can't really
14 do anything with, because it's not a USDA program
15 service.

16 Or, they're recommendations based on
17 things that USDA has already put in place. But,
18 because someone wants it to be there, it's there,
19 but it's null and void.

20 And so, I think having the
21 subcommittees have a larger pool of expertise,
22 they're able to engage prior to coming together

1 with more minds, more subject matter experts from
2 the industry.

3 MEMBER FRASIER: Bruce Frasier,
4 Dixondale Farms. My question is, what time frame
5 or, you know, do we need to get a recomm -- we
6 need to get one out today? Some out today?

7 Or, is it, we have two a year and
8 we're expected to come up every meeting with it?

9 MR. HUGHES: Right. So, we -- I want
10 to eliminate the pressure of leaving here today
11 and saying, you have to have a recommendation for
12 four groups, because one of the things that I
13 recognized was that at least 80 percent of this
14 body is new.

15 And, I wanted you all to first
16 experience the engagement in person and get a
17 feel for the presentations. And then also, us
18 talk openly about the expectations and what's
19 actually achievable.

20 And so, we're sort of getting into the
21 outline for my thinking on what the
22 recommendations could have. I will hit that

1 really quick. But, I think we still have to talk
2 about the structure of the subcommittees.

3 My thinking is, based on the level of
4 engagement with NASS, NRCS and then also the
5 charges that I know we'll have from Market News,
6 SCI, then I'm going to work with NOP, National
7 Organics Program to pull together an outreach
8 charge to put forth to one of the groups so that
9 we can engage with NOP.

10 And, I assume there may be other
11 topics just from me talking with Reggie and other
12 representatives about things that you've heard
13 from the represent -- the USDA subject matter
14 experts who presented today, that you may want
15 to, in your subcommittee, talk to the others
16 about and put forth a potential recommendation or
17 suggest a position statement on.

18 I think that there is a need to have
19 a -- during this session a sort of, all right,
20 here are the topics that we all know that we want
21 to hit on, and then everyone say, these topics
22 will go to this group, these topics go to this

1 group.

2 After this, we have subcommittee
3 meetings. Like the first one would be okay, with
4 this topic these are the questions that we have
5 remaining that we would like to engage with this
6 group on, because here's a dra -- here's the -- I
7 don't want to call it, I'll just call it a draft
8 recommendation.

9 Here's a draft recommendation based
10 on, like let's say Bruce can write up a draft
11 recommendation right now that, on NRCS that you
12 all may not necessarily agree with, but it's just
13 a start.

14 And, we go to NRCS and say here's what
15 the -- here's what the subcommittee is thinking.
16 And, here's a list of unanswered questions that,
17 or discourse, I think those questions are
18 sometimes -- well, anyway.

19 Here is a list of questions that they
20 would like to hear from you on. And then, we go
21 to NRCS, or have a, have an additional meeting
22 with NRCS to say okay, well, that's where we're

1 leaning to.

2 Are you able to do this? Can you do
3 this? Can you do this? Okay, this looks like
4 the recommendation that we're likely going to put
5 forth based on any information you provide.

6 I think that will happen over a couple
7 of meetings. And then, if you take that, I just
8 use NRCS as an example, if you take NRCS and
9 apply it to any other subject, easily based on
10 the topics discussed, there are at least, I will
11 say, you know, half a dozen subcommittee meetings
12 required, or maybe a dozen subcommittee meetings
13 required from now until let's say August.

14 I think that by the next meeting, full
15 in-person meeting, whether it's virtual or in-
16 person, the goal would be to have each
17 subcommittee, Bruce or whomever, standing up here
18 and saying, this is the recommendations that we
19 put forward.

20 Here's the draft recommendation. And
21 here's a background statement on why we put it
22 forward and the benefit of it. And then, open it

1 up to you all. What do you think?

2 And so, just like there was a slide,
3 a presentation where the programs went over what
4 their issue was. Each subcommittee will, lead
5 will come up and do the exact same thing.

6 I actually have an example and because
7 of the way this is set up, I -- I can -- oh,
8 whatever. I'll -- there is an example of how we
9 did it last year.

10 Each subcommittee, I worked with the
11 leads to give them a template. Actually, I gave
12 it to you all. That's on the cloudshare site.

13 There's a PowerPoint where you have
14 the recommendation on one slide, background
15 statement, and then you all just discuss it to
16 help finalize. Because ultimately each
17 recommendation that comes out of a subcommittee
18 workgroup, it has to be put forth before the full
19 committee for the full committee to vote on and
20 say yes, we adopt that recommendation to move
21 forward. We accept that recommendation to move
22 forward.

1 Does that make sense?

2 MEMBER FRASIER: Could I ask, Bruce
3 Frasier again, is there a sense of urgency to
4 maybe get something out on the statistics, ag
5 labor statistics right away, considering the
6 comments of Congressman Thomson last night?

7 That he was going to possibly put
8 together a subcommittee for a White Paper. Now,
9 we've got to remember, for anything that gets
10 done, we have to get Jim Jordan's group out of
11 the Judiciary Committee who's in charge of this -
12 -

13 MR. HUGHES: Wait, wait. So, I want
14 to make clear that that's a legislative process.

15 MEMBER FRASIER: Okay.

16 MR. HUGHES: That, so this is an
17 advisory committee that provides recommendations
18 on USDA programs and services.

19 MEMBER FRASIER: Right. Okay.

20 MR. HUGHES: And so, there wouldn't be
21 -- it wouldn't be, I don't want to say
22 appropriate. But, we don't want to tie how we

1 operate to anything that could be legislative or
2 congressional.

3 MEMBER FRASIER: Okay.

4 MR. HUGHES: But, if there's a -- if
5 there is a time element based on something you
6 know that's happening or could be happening,
7 obviously when you're engaging with the industry
8 representatives on your subcommittee, you can
9 make them aware of that so that everyone comes to
10 the table ready to engage and you pull together a
11 draft recommendation that's ready.

12 MEMBER FRASIER: Well, I just say, the
13 timing of this survey, it seems in my personal
14 opinion, it's the most critical issue facing us
15 in the near term as far as the termination of the
16 AEWR.

17 And what, you know, our concern, which
18 is a USDA issue, is how they collect that data
19 and how it's used.

20 MR. HUGHES: Right. That's something
21 that we can touch, or how we collect the data.
22 Yeah.

1 CHAIR RENTZEL: This is Kay Rentzel
2 again. I do believe that that is appropriate as
3 a matter of whether it's data collection or
4 whether it's in labor and production.

5 But, we -- without guidance to USDA,
6 who is the initiator of those surveys, we cannot
7 expect any different results, I guess would be my
8 comment, so.

9 MR. HUGHES: Right.

10 CHAIR RENTZEL: Donna?

11 MEMBER GARREN: Yeah. I still feel a
12 little bit rudderless in regards to the process.
13 I know when Amy presented the -- Donna Garren,
14 I'll say.

15 That, you know, we have a group
16 discussion of potential ideas, because you know,
17 we get into these, the committees that we've had,
18 and we just start talking about issues versus
19 really coming up with a scope of work for the
20 subcommittees.

21 MR. HUGHES: Yeah.

22 MEMBER GARREN: I just feel like we're

1 not being given enough direction of what we
2 should be doing. And, --

3 MR. HUGHES: Agree 100 percent.

4 MEMBER GARREN: Okay.

5 MR. HUGHES: And that's -- that's one
6 of the reasons why we introduced the concept of
7 the charges.

8 In the past, we had the position that
9 we didn't want to instruct you all on what to do,
10 because we want to receive your feedback and
11 insights. You're volunteers. We don't want to
12 tax you.

13 When there are issues or new services
14 that we're launching that we can glean insights
15 from, it makes sense for us to come to you and
16 say hey, we need your help with this.

17 We never had a structure for doing
18 that. And, this time around, working with Chris
19 Purdy, and Bruce, and other leaders throughout
20 AMS, we said okay, let's come up with a format
21 for doing that.

22 And, it just so happens that when I

1 first started managing the committee, it was
2 using the old format that I quickly realized with
3 a group that was mostly new to the advisory
4 process, was really ineffective.

5 And so, our first two meetings across
6 all the subcommittees, I think everyone was like,
7 what is happening? Even me.

8 I felt like I wasn't doing enough or
9 the right thing. And, I think having the concept
10 of those charges now in place, will make a great
11 difference, because that's really driving focus.

12 MEMBER GARREN: Right. And, that
13 would be helpful. I mean, because that, I think
14 there are also the limitations which just came up
15 with Bruce, in regard to that's a legislative.

16 And, I understand, you know, the
17 separation of the, you know, the different
18 branches. I get that.

19 MR. HUGHES: Um-hum.

20 MEMBER GARREN: But, in regard to
21 we're a fruit and vegetable advisory committee,
22 and when it comes to food safety, jurisdictional

1 control is FDA.

2 So, are we going to be giving
3 recommendations that AMS or, you know, those that
4 are involved in the GAP program will then
5 possibly give to?

6 I mean, because I know you all work
7 together.

8 MR. HUGHES: Yes.

9 MEMBER GARREN: Because those would be
10 helpful, you know, to understand. You do a lot
11 of nutrition, but then there's also FDA that has
12 nutrition responsibility.

13 And then, you've got this potential
14 national strategy, which involves a bunch of
15 different agencies that the -- this
16 Administration is doing in regard to hunger and
17 nutrition and physical activity.

18 MR. HUGHES: Right.

19 MEMBER GARREN: And so, it would be
20 helpful if we just understood. I think the
21 charges coming this afternoon will be helpful for
22 me to, you know, be able to have a problem to

1 solve or to come up with something.

2 But, I think we also need direction
3 for things like, we know that impact our
4 industry, and we need support and help with. How
5 do we create the charge that would be most
6 relevant to support getting help for that
7 recommendation?

8 MR. HUGHES: Well, the charge will
9 always come from USDA, if we present something to
10 you. Here's what's happening. There are two
11 competing interests.

12 This particular body is tasked with
13 providing feedback and insights to USDA programs
14 and services. It's very narrow based on that
15 definition.

16 And, what happens is, when you all get
17 together, because there's so much happening with,
18 within the industry and even things happening
19 outside the industry that's impacting how you all
20 operate your businesses and your organizations,
21 there are things that touch on USDA that we're
22 involved in, but, they sit outside of us.

1 They're outside of our purview.

2 And, that's exactly what happens with
3 certain things that take place with FDA, EPA,
4 Labor Department, and so on and so forth.

5 And, we, as the DFO, I'm in this, I'm
6 trying to dance this dance where I try to keep us
7 looking at USDA specific programs and services
8 without saying, no, we can't touch that issue
9 because that's not USDA.

10 Understanding because I have to be
11 sensitive and aware that that's an important
12 issue to the industry. Because just because it's
13 not something that we touch, we should engage on
14 it because ultimately USDA may glean something
15 from whatever you put forth.

16 So, one of the things that we -- how
17 we deal with that balance is, with anything
18 that's food safety that maybe FDA related, we'll
19 obviously put forth or share whether it's a
20 recommendation or a position statement through
21 our FDA liaison.

22 Or, there's workgroups, food safety

1 workgroups that we've engaged with that we could
2 put forth that recommendation to.

3 The thing that we have to understand
4 is, when we share that with that particular
5 entity, I then, or the DFO role then, can't say
6 okay, how are you going to execute that?

7 Because oftentimes with
8 recommendations, we are tasked with following up
9 -- well, not often, we are FACA database. We
10 have to upload the recommendations that were put
11 forth and the status of them.

12 If they -- what happened with them.
13 And so, we just have to understand it from a
14 process standpoint, any recommendations that are
15 not specific to USDA programs and services that
16 move forward, they're going to be recommendations
17 that I can't follow up on.

18 MEMBER BAKER: Yeah. I was just going
19 to make a -- Haven Baker, I'll make a comment and
20 then a small suggestion.

21 The comment is, I mean, the comment is
22 actually how I've experienced sort of this messy

1 start. And, I think it's actually really
2 positive in the sense that we formed a
3 subcommittee.

4 We learned a -- and, it's got a
5 narrower scope. We learned a little bit of
6 what's actually going on.

7 And then, I was able to, you know,
8 reach out to the people that are in my industries
9 and get their feedback specific to data. But,
10 that whole process took a couple of months.

11 But, you know, you couldn't -- I
12 couldn't start with the feedback if you didn't
13 know what subcommittee you're on and actually
14 what that subcommittee does.

15 So, I actually think it's been
16 helpful. But, it has led to a little bit of
17 disorientation up until maybe, up until recently.

18 So, but I think it's not a -- anyway,
19 my feedback is positive. The suggestion would
20 be, is if we do collapse a couple of committees,
21 maybe we should consider adding a couple of
22 people to data so we have roughly the same size.

1 MR. HUGHES: Yeah.

2 CHAIR RENTZEL: Others? Other
3 comments?

4 MEMBER FREEMAN: I have a comment.
5 This is Isabel Freeman. I think that yesterday
6 and today was very, very beneficial for me,
7 because I finally had some vision as to why we
8 were formed and the committee was formed and
9 where to go with it.

10 And, it's the main thing that a lot of
11 the recommendations that I formed have nothing to
12 do with my committee. It has to do more with
13 other committees.

14 I have here for data and for labor and
15 for other things that I wrote down. So, I think
16 a combination of -- and I also experienced in the
17 other meetings that everything was so redundant
18 that I couldn't understand where the cross line
19 between nutrition and food safety and all these
20 different groups.

21 So, I think combining, doing a
22 combination is a great idea. And then, following

1 up with Amy's recommendation that eventually when
2 we all have come up with the recommendations that
3 we're going to make that it's run through the
4 whole group.

5 MR. HUGHES: Right.

6 MEMBER FREEMAN: Having like a whole
7 consolidated group to get some feedback would be
8 also very beneficial. Just because there's so
9 many members here that have so much experience in
10 so many different areas, it's amazing.

11 So, we wouldn't want to have anyone
12 left out.

13 MR. HUGHES: Right. And, that's built
14 into the process. So, the next meeting, when I
15 talked about the, let's say if you were the lead
16 for the Food Safety/Consumption Nutrition
17 Subcommittee, you would be up here and you would
18 be presenting the draft recommendations to the
19 full body.

20 And, at the end of each recommendation
21 that you put forward, you would be opening it up
22 to Q&A for everyone to engage on. And, someone

1 on your subcommittee would be taking notes on
2 potential edits that would need to be made, if at
3 all.

4 So, the feedback from the full body is
5 built into the process.

6 CHAIR RENTZEL: Donna?

7 MEMBER GARREN: Donna Garren. It
8 looks like one of our charges is going to be what
9 was brought up by Bruce yesterday in regard to
10 modernizing inspection.

11 MR. HUGHES: Um-hum.

12 MEMBER GARREN: I see that as a QA/QC
13 kind of thing. Is that going to be under Food
14 Safety, Nutrition, and Quality?

15 Where do you see that fitting?

16 MR. HUGHES: Right now, that one is
17 under Infrastructure/Sustainability. And, I
18 think it will stay with that combined committee,
19 because it's not just the audit.

20 It has the audit touch point. But, a
21 lot of what their discussion is also production
22 and infrastructure and sustainability components

1 to it.

2 So, there's always going to be like,
3 you know, that tug of war. It's almost like to
4 some extent, you wonder like, do we need
5 subcommittees?

6 But, we can't make group decisions.
7 And so, we've got to break up and get into
8 huddles and put some ideas forward.

9 I think that the way to address, I
10 think, the issue that you're getting at is, there
11 will be things or topics that you, from a food
12 safety perspective and a QA perspective, will
13 want to make sure it's included in that
14 recommendation or in that engagement on SCI.

15 Which, today during that session, is
16 the opportunity. But also, any follow on
17 meetings, any member can attend those meetings to
18 engage.

19 MEMBER GARREN: That's helpful. Thank
20 you.

21 MR. HUGHES: Yeah.

22 MEMBER BRIANO: Donna, this is Mike

1 Briano. In the defense of the Sustainability and
2 Infrastructure Committee, we were kind of drug,
3 not say drug, that's a bad word to use.

4 (Laughter.)

5 MEMBER BRIANO: Let's say we were in
6 -- we were invited to join. And, we've actually,
7 that's what we spent our time yesterday doing, is
8 discussing that charge.

9 What's interesting, and I think it has
10 particular implications in my industry, it has
11 application to Darwin's industry. I'm sure all
12 of our industries as it maybe.

13 I think we had a pretty exiting
14 discussion about it yesterday. I think we're
15 going to have a lot to add to it today.

16 So, I think Darrell is right. We have
17 a lot of overlap. And, I think it's going to be
18 a good process.

19 MR. HUGHES: Whatever process we have
20 in place will not be perfect. So, I just want to
21 make sure that we all agree to that.

22 MEMBER BAKER: Hi, Amy Baker. And,

1 maybe I just like had an ah-ha moment, few and
2 far between. But, when you talk about, Mike,
3 when you talk about you guys had a charge, like
4 we didn't have a charge.

5 MR. HUGHES: Exactly.

6 MEMBER BAKER: So, maybe that's the
7 missing piece --

8 MR. HUGHES: That was the issue, 100
9 percent, yeah.

10 MEMBER BAKER: Or parts. Like it --

11 MR. HUGHES: So, that --

12 MEMBER BAKER: It will resonate more
13 once we get involved in the charge.

14 MR. HUGHES: Yeah. The charge from
15 NOP, National Organics Program will go to the
16 combined committee, because that makes sense for
17 it to start there and sit there.

18 There could be other -- I should, let
19 me make sure that I say this. The charges that
20 we have now, let's say if there's something that
21 happens in two months, and a program or an
22 executive comes to myself or Chris Purdy, and say

1 hey, we need some insights on this.

2 There could be a charge that we put
3 forth at that point in time that this body may
4 just start digging into and doing research. And
5 let's say, if it turns out that it, that there
6 are no recommendations by the time your terms
7 expire and we get new appointments come in, that
8 new committee will pick it up and continue.

9 And so, we will make sure that the
10 charges continue from one body to the next.
11 Ideally everything that we present to you, you
12 all will be able to respond to with
13 recommendations or position statements prior to
14 any terms ending or shifting.

15 Go ahead, Susan.

16 MEMBER SUTPHIN: Susan Sutphin. So,
17 the charge that we have, I would just like to
18 contribute to it.

19 So, nothing against, I like all you
20 guys. You know, but, you know, I work with
21 really --

22 MR. HUGHES: We're glad.

1 MEMBER SUTPHIN: A really, really
2 small producers. And, this is talking about
3 inspections on a really large scale.

4 So, do we have a chance to like, oh,
5 I like what Amy's group is working on. And,
6 being able to -- I don't know what the other
7 charge, like we haven't been presented yet.

8 So, would --

9 MR. HUGHES: I would -- considering
10 that there is already suggestions to balance out
11 the bodies and have, let's just say, at least
12 eight representatives assigned to each
13 subcommittee. I think there could be room to
14 have you shift as long as we create the balance.

15 The one thing that I will ask everyone
16 to keep in mind is that you all won't be experts
17 on every issue.

18 MEMBER SUTPHIN: Well, yeah.

19 MR. HUGHES: The things that I touch,
20 I'm not an expert on. And, I rely on my
21 colleagues every single day to help me get
22 through and to provide information, you know,

1 insights on touch points.

2 And so, the same thing applies to you
3 all. There maybe things that you feel, you can
4 look at a topic and say, I know nothing about
5 that.

6 But, once you're engaging, there may
7 be relative points where you can provide insights
8 to enhance a recommendation.

9 We're a team. Teamwork makes the
10 dream work.

11 MEMBER DeATLEY: I just -- Jenifer
12 DeAtley. I just wanted to make one comment.
13 Because I thought the presentations also were
14 such a critical part of learning for this group.

15 But, I did want to comment that the
16 majority of the presentations definitely geared
17 toward more of that land farming component,
18 production component.

19 And, I would love to see something
20 from the food and nutrition services come to the
21 table so that we could all learn a little bit
22 more about that consumption and nutrition

1 component of the USDA.

2 MR. HUGHES: You know what's
3 interesting is I decided not to engage FNS on
4 presenting, because I was thinking, what's the
5 issue from our engagement?

6 And, I decided, you know what? Let's
7 get through the first meeting, regroup, get
8 through the restructuring, and then go back to
9 that.

10 Because I think that's still open.
11 And, there could be some engagement with FNS. I
12 think from FNS perspective, they're the same as
13 this, what are they interested in from a
14 recommendation standpoint?

15 And, the response is, I don't know.

16 MEMBER DeATLEY: Well, I don't know
17 either.

18 MR. HUGHES: Yeah.

19 MEMBER DeATLEY: And, I'm on that
20 group, so.

21 MR. HUGHES: Yeah. And so, then the
22 biggest concern that I have, which I mean, it's

1 just, it is what it is. We all are.

2 If we organize these meetings and we
3 get on the meeting and FNS leaders are there and
4 we're pinging different questions at them, at the
5 end, I'm looking at, okay, what's the takeaway?
6 What's next?

7 I think at some point there has to be
8 consensus among the subcommittee members on okay,
9 this is the issue that impacts all of us or most
10 of us. And, we can agree on a recommendation or
11 a position statement or something so that there's
12 going to be some homing in that's required from
13 the representatives.

14 MEMBER DeATLEY: Well, just to make
15 one more comment about that. But, our group did
16 talk a lot about the school lunch program.

17 MR. HUGHES: Um-hum. Right.

18 MEMBER DeATLEY: And, additional like
19 food, you know, programming like that. So, if we
20 were to begin narrowing down programming, I know
21 that that particularly is an interest area.

22 MR. HUGHES: Okay. Morris?

1 MEMBER HODGES: Morris Hodges. I
2 concur with the statement prior to that. On my
3 committee, Data Analysis, I'm so lost. My group
4 is just heavy on the data game.

5 MR. HUGHES: Um-hum.

6 MEMBER HODGES: And, that is my weak
7 area. I don't -- well, I think you said it may
8 be okay to switch.

9 MR. HUGHES: Yeah.

10 MEMBER HODGES: Yeah. Because
11 production and analysis, I just feel like I'm not
12 contributing and, because they're real heavy.

13 MR. HUGHES: Yep.

14 MEMBER HODGES: On the data game.

15 MR. HUGHES: Yeah.

16 MEMBER HODGES: So.

17 MR. HUGHES: No, go ahead.

18 MEMBER HODGES: Yeah. That's it.

19 MR. HUGHES: Okay. That makes sense,
20 okay.

21 MEMBER HODGES: But, since we're
22 restructuring, --

1 MR. HUGHES: You're open to a shift.

2 MEMBER HODGES: And, so someone that's
3 heavier than me can go to the data committee.

4 MR. HUGHES: And I'll make one
5 statement about the data and NASS. And my
6 thinking that sits with the Data Reporting and
7 Analysis Subcommittee no matter what.

8 And, that's because the, that
9 particular workgroup is tasked with looking at
10 data and analysis and reporting. And so, the
11 labor production or sustain -- that particular
12 subcommittee, you can pitch the ideas or engage
13 with them.

14 But really, the draft recommendations
15 should come from that entity. The question is
16 Bruce, I think for you, you have to figure out,
17 do I want to stay here to engage and deal with
18 NRCS on EQIP?

19 Or jump ship to engage with NASS? We
20 can try to split you down the middle, but that's
21 not going to help us get to where we need to be.

22 MEMBER FRASIER: No, I agree. I

1 agree.

2 MEMBER HUGHES: Yeah.

3 MEMBER FRASIER: Bruce Frasier. Yeah,
4 it's fine to use the data. We've been working
5 together on this, and you know, I let here write
6 the charge.

7 (Laughter.)

8 MEMBER FRASIER: Maybe.

9 MR. HUGHES: I think -- I think that
10 once we -- I think first we have to agree that
11 yes, we'll do the consolidation. And then, one
12 by one figure out based on the consolidation
13 who's there and then who wants to go where.

14 CHAIR RENTZEL: Darrell, would you
15 like to resolve this before lunch? Or, do you
16 want to break for lunch and then we'll pick it up
17 and you can just have some additional?

18 MR. HUGHES: I think we should go to
19 lunch --

20 CHAIR RENTZEL: Okay.

21 MR. HUGHES: And, have some food and
22 drinks. And then, I mean, we have 75 minutes

1 dedicated to each of the charges.

2 And, I don't know that we'll use the
3 full 75 minutes. So, I expect that we'll have
4 some wiggle room.

5 CHAIR RENTZEL: Okay.

6 MR. HUGHES: Go Jorge.

7 MEMBER VAZQUEZ: Jorge Vazquez,
8 Houston. Darrell, if we consolidate the teams
9 though, I suggest keeping the two leads. Right?

10 At least so, you know, one he can
11 focus on, you know, the original issues. And
12 then the other one on the other one.

13 MR. HUGHES: That was my plan. I
14 didn't plan to have anyone step down. I was like
15 --

16 (Laughter.)

17 MEMBER GARREN: All right, sorry
18 Chris.

19 (Simultaneous speaking.)

20 MR. HUGHES: You can re -- you can
21 relinquish it. You can give it to someone else
22 if you want. You're not -- it's not -- it's just

1 volunteer.

2 MEMBER CIRULI: You follow the next.

3 MEMBER DeATLEY: Yeah. Each group
4 could have a discussion about that.

5 MR. HUGHES: Yeah. Okay. So, I
6 think, the food is up there? Awesome. Today's
7 menu is going to be burrito bowls.

8 So, don't eat too much, because I need
9 you to come back here functional. No food comas.

10 PARTICIPANT: Make sure there's coffee
11 then.

12 MR. HUGHES: There is coffee back
13 there. We made sure there's coffee there. All
14 right.

15 (Whereupon, the above-
16 entitled matter went off the record at 11:49 a.m.
17 and resumed at 1:04 p.m.)

18 MR. HUGHES: Hello. Hello, hello,
19 hello. I think we have mostly everyone in the
20 room.

21 So, I'm going to jump start, Darrell
22 Hughes, the DFO, speaking. I'm going to jump

1 start the session and pick up where we left off.

2 In the interest of time, I've got an
3 approach that I think will work better with, just
4 with regards to thinking about how we operate the
5 subcommittee workgroups.

6 We -- this, I guess I'll just say
7 this, I think that it could be a good approach
8 for the two subcommittees that I talked about
9 consolidating together. Like that's Labor
10 Production, Infrastructure, Sustainability and
11 Food Safety, Consumption and Nutrition.

12 Instead of doing this formal approach,
13 we informally have the two groups combine, not
14 combine, but operate together and see how it
15 works.

16 And so, we do a casual approach to see
17 if the consolidated or collaborative approach
18 works best. Consensus on that? Thumbs up?

19 Awesome. I think that's the route to
20 go. And, that way we can move forward with our
21 presentations.

22 And then, in the coming meetings,

1 we'll finalize what it looks like based on what
2 happens over the next few months. Great.

3 Okay. John, before you speak I have
4 a question for you about your presentation.

5 CHAIR RENTZEL: Okay. For the benefit
6 of the Committee Members, next up will be John, I
7 always mispronounce John's last name, Okoniewski,
8 with the Market News Service.

9 And, I think we're going to do a
10 presentation. Is that right, John?

11 MR. OKONIEWSKI: Well, --

12 CHAIR RENTZEL: Yes. It's on the
13 screen. There we go.

14 (Laughter.)

15 MR. OKONIEWSKI: Yes. Oh, excuse me,
16 sorry. All right, I forgot my notes. I'm sorry.
17 I was going to ask the group, I know I met with
18 the one subcommittee and did a brief presentation
19 for them.

20 So, I didn't know if the whole group
21 wanted to see the presentation. It might take 10
22 minutes, 15 minutes. And then we could go into

1 the charges for those who had not seen the
2 original presentation.

3 It's just about Market News and what
4 we do basically.

5 CHAIR RENTZEL: I'm seeing some
6 positive head nods.

7 MR. OKONIEWSKI: Okay.

8 CHAIR RENTZEL: So, please, proceed.

9 MR. OKONIEWSKI: All right. Well, my
10 name is John Okoniewski. I'm the Director for
11 Specialty Crops Market News.

12 Prior to you all coming back from
13 lunch I left the card for each of you. So, if
14 you have any questions later after you're going
15 from D.C., fell free to contact me directly.

16 I did want to, if you don't mind, do
17 a little brain teaser, a little wake up after
18 lunch. I've been in a lot of meetings where
19 you've gotten back from lunch and need to get a
20 little wake up call.

21 I'm not saying all of you are in the
22 boat. But, sometimes it happens. So, I've got a

1 couple of questions for you.

2 I went to the University of Delaware.

3 And, I don't know if any of you are sports fans.

4 Is there anybody here who can tell me what the
5 mascot is for the University of Delaware?

6 The who?

7 MEMBER CIRULI: I can. The Frozen
8 Blue Hens.

9 MR. OKONIEWSKI: The Frozen Blue Hens?

10 MEMBER CIRULI: Yeah, that's right.

11 MR. OKONIEWSKI: You mean the Fighting
12 Blue Hens.

13 (Laughter.)

14 MR. OKONIEWSKI: So, you can get
15 Market News and cell phones with our QR code on
16 the back. You can check our reports out on that.

17 (Laughter.)

18 MR. OKONIEWSKI: All right. My next
19 question. I'm leading up through a, kind of a
20 career path here.

21 When I got out of the University of
22 Delaware, I went to work for F.W. Woolworth.

1 Does anybody remember F.W. Woolworth?

2 Okay, a few of you do. All right. My
3 quiz here is, what does the F.W. stand for in
4 F.W. Woolworth?

5 I'll give you a hint, it was the name
6 of the founder.

7 MEMBER SUTPHIN: Franklin Wright.

8 MR. OKONIEWSKI: Close. Frank
9 Winfield. But, because you got Frank, --

10 (Laughter.)

11 MEMBER SUTPHIN: Do I get a hen?

12 (Laughter.)

13 MR. OKONIEWSKI: You got the closest,
14 well, you can have a hemp lanyard or a pen.

15 MEMBER SUTPHIN: The hemp.

16 MR. OKONIEWSKI: All right. That's
17 good.

18 (Laughter.)

19 MR. OKONIEWSKI: All right.

20 (Off mic comment.)

21 MR. OKONIEWSKI: Thank you for your
22 patience. I'm sorry, I have one last one here

1 now. So, this is more of a business question.

2 So, Market News activities are
3 authorized under the Agricultural Marketing Act
4 of what year?

5 MEMBER VAN EECKHOUT: 1934

6 MR. OKONIEWSKI: Who gets the closest?
7 You said '34?

8 MEMBER VAZQUEZ: 1949.

9 MR. OKONIEWSKI: Anybody else?

10 PARTICIPANT: 1962.

11 MEMBER FREEMAN: '32.

12 MEMBER FRASIER: '85.

13 (Laughter.)

14 MR. OKONIEWSKI: All right. Forty --

15 PARTICIPANT: Two.

16 MR. OKONIEWSKI: No, you said '42?

17 PARTICIPANT: Right.

18 MR. OKONIEWSKI: Okay. You got the
19 closest. It was 1946.

20 PARTICIPANT: All right. My year.

21 MR. OKONIEWSKI: All right. Okay,
22 hopefully that gave you a little chuckle and get

1 us started here.

2 Again, before we, before we get into
3 the slide show, I don't want to take up a lot of
4 time, because there are some things we want to
5 discuss here.

6 But, I did want to thank everybody for
7 coming and the opportunity to be able to speak.
8 Something that we're trying to focus on at Market
9 News is really developing relationships with our
10 stakeholders.

11 We've kind of been, I have a, all my
12 brothers and my father are all in the service
13 except for me. I had a brother who was in the
14 Navy and he said boot camp was hell.

15 And, I said well, how do you survive
16 boot camp? He said, keep a low profile. So, I
17 think Market News has kind of been in that mold
18 of keeping a low profile for a number of years
19 just because of the industry we work with,
20 they're very busy.

21 We don't want to take up a lot of
22 their time when we're working on markets or on

1 phone calls with them. So, we've kind of kept a
2 low profile. We do our work. We get our reports
3 out.

4 But, we're trying to do more than
5 that. So, we're going to -- we're trying to open
6 up more relationships with our stakeholders.
7 And, we have -- I have an open door policy.

8 As I said, I left you my card. You
9 can call me directly, email me directly. I will
10 be glad to talk to you.

11 If I can't answer your questions, we
12 have a number of specialists and staff that would
13 love to do that for you. Or, who can answer
14 those questions.

15 So, I just wanted to throw that out
16 there that we really, I really mean that when I
17 say we want to develop relationships.

18 So, anyway. So, moving on. Just
19 quickly, so Market News. We consider Market
20 News, I consider Market News to be the eyes and
21 ears of American agriculture.

22 We have field offices located all

1 around the country in some of the major wholesale
2 markets and most of the major growing areas.

3 Our mission is to provide timely,
4 accurate, unbiased information. Our motto that
5 we use is get it, get it right, and get it out.

6 These are the main market levels that
7 we report on. And, I'll just briefly tell you
8 how we do these reports so you understand how our
9 reporters collect this information.

10 At the shipping point or FOB level, we
11 have again, like, we have offices and reporters
12 around the country in different shipping area.
13 We have a big office in Phoenix that covers FOB
14 reporting for California, Arizona, New Mexico and
15 a number of other states.

16 But, those reporters will do daily
17 interviews by phone. And, they'll speak to
18 shippers and producers to get their daily pricing
19 on what's being shipped out of the area for that
20 day and the volumes of the commodities that are
21 being shipped out.

22 The terminal or the wholesale markets,

1 again, we have, I think -- I think we have 11,
2 not 12 now. We had to close an office recently.

3 Our reporters have direct interviews
4 on the markets every day. They go into the
5 markets anywhere between 5:00 a.m., depending on
6 the market you're working in, up to maybe 11:00
7 in the morning.

8 So, there's a good four or five hour
9 period where the reporters are on the market
10 talking to the salespeople and collecting the
11 fresh arrivals into the market.

12 We don't cover, or don't report the
13 volumes coming into the markets any longer. But,
14 we mainly cover the, just the pricing.

15 So, that's at the wholesale level.
16 And, I would say probably, on our wholesale
17 markets we get anywhere from 90 to 95 percent
18 cooperation from the wholesalers. So, we get a
19 good sampling at those wholesale markets.

20 Retail reporting, we do that based off
21 of ads that we get online. We have a program to
22 pull advertised prices for, I believe it's 400

1 chain stores representing about 30,000 individual
2 stores around the country and that includes
3 Alaska and Hawaii.

4 So, we -- and again, that's just the
5 advertised prices. Now, there's been some talk.
6 And I think it did come from one of the
7 subcommittees about the importance of getting the
8 regular retail prices.

9 And, that also came up as a suggestion
10 from one of our counterparts in livestock and
11 poultry. So, I think that maybe something that
12 we will be taking a look at. That's going to
13 continue to be a recommendation from the group.

14 So, it's advertised prices. We do it
15 once a week. The report goes out on Friday. It
16 is a quite lengthy report. But again, they're
17 advertised sales.

18 At farmers' markets we're trying to
19 break -- we're trying to break more into farmers'
20 markets. We used to do a few auctions. We don't
21 have many, much in the way of auction
22 information.

1 Yesterday Kim Mercer was here. She
2 was talking about the outreach we've been doing
3 with organic, or organic data initiative.

4 And, that has actually allowed us to
5 have some agreements with some of the
6 universities. She was talking about Penn State,
7 Wisconsin, I think Iowa.

8 We're going to try to do something
9 with the State of California. To try to get more
10 information on farmers' markets, because that's
11 an area that we just don't have a good handle on
12 right now.

13 Staffing, just to give you an idea of
14 our staffing, we have a total of about 65
15 employees. But, about 50 of those, 52 actually
16 do the day to day work.

17 State and federal, we have a few state
18 agreements left, with the State of South
19 Carolina, North Carolina, and Virginia. That
20 list was a little lengthier years ago.

21 But, some of the states have run into
22 financial problems, budget problems, and they're

1 cutting those programs out. And, the federal
2 part of Market News absorbed their workload.

3 These are just some other product
4 reports I wanted to show. It's not just
5 wholesale market and shipping points.

6 But, we do a cold storage report,
7 apples for processing. We have a monthly honey
8 report that we do that basically just talks about
9 how the bees are feeding and the cost of honey.

10 Imported nuts, berries are just
11 recent, and we started to receive those. And,
12 we're trying to get into some additional
13 international markets.

14 Currently we are reporting wholesale
15 markets for Canada and Mexico, I think Rotterdam.
16 But, we're trying to expand that list. And,
17 those are wholesale markets.

18 But, we do import reports. I went --
19 I'm sorry, I missed one. We went back to
20 shipping point. Besides just the major growing
21 areas, we do report a lot of imported product as
22 well, from Chile mostly in the winter.

1 But, we do report Italian kiwi, I
2 believe, and New Zealand, I think New Zealand
3 kiwi. We have apples and citrus, I think, out of
4 South Africa.

5 So, we are trying to expand that mark
6 -- some of those markets. We actually had some
7 meetings with TIPA in recent months, who would
8 like us to expand our lime coverage for limes for
9 Peru and, I think, Columbia.

10 So, if you have any suggestions on
11 additional areas we're willing to entertain
12 those.

13 Movement data, so this is our supply
14 section that handles the movement data for us.
15 We cover all types of shipments by truck, rail,
16 by air, by boat. And, that includes imports.
17 And, you can see Canada and Mexico crossings.

18 For anyone interested, Darrell, I
19 don't know if I can send you a link invitation.
20 We're trying to get the webinar information out
21 to everybody as possible.

22 MR. HUGHES: That's fine with me.

1 MR. OKONIEWSKI: Okay. So, next
2 Tuesday at 1:00 Eastern time, we're going to have
3 our webinar on our supply section, which covers
4 imports, transportation, shipments, and HTS
5 codes.

6 So, now that we have a -- we have a
7 new system -- well, I might get to this in a
8 minute when we move, when we get a little further
9 here. Can you go to the next slide?

10 So, these are just a couple of key
11 reports that we issue, aside from the ones that I
12 mentioned, national shipping point trends report.
13 And, if the slide will come up, I can explain a
14 little bit to you once we get there.

15 Retail report, this is the retail
16 report I was talking about. So, basically it
17 just shows you the weekly ads.

18 The truck rate report will show the
19 cost of trucks going from major growing areas to
20 major cities. And, I don't see here, just to
21 name a few of them. We've got Baltimore, Boston,
22 Chicago, Dallas, Los Angeles, Philadelphia, and

1 New York.

2 So, it covers the cost of shipping to
3 those major cities. And, we also include in that
4 the cost for diesel, we have diesel fuel prices
5 in there as well.

6 And the shipping point trends is a
7 weekly reporter that we do. It basically just
8 gives you an outlook of a three-week period.

9 The previous two weeks of trading and
10 then the current week. And then it will show you
11 the shipments based on those three weeks. And
12 kind of based on what our reporters pick up
13 information from our industry.

14 They'll try to give an idea. We don't
15 do forecasting. But, we try to give some idea of
16 what we think trading is going to be in the
17 upcoming week or two, based off of their input.

18 Now, the weekly hemp report, this is
19 something new. And again, this was developed
20 through the use of the Farm Bill funding that we
21 got last year.

22 So, we're working with our national

1 hemp group. And, we've developed this report.

2 It's in its infant stages.

3 Basically, what it is right now is the
4 advertised hemp retail prices. But, it also
5 reports the imports for hemp. And, this is a
6 select number of commodities. I think we have
7 five or six commodities in there for hemp that we
8 are currently collecting import information for.

9 All right. So, roughly we're covering
10 about 1,400 markets. And, when we say 1,400
11 markets, we don't mean individual physical
12 locations, but commodities.

13 We have -- we speak to, we do some
14 cross checking. We don't just speak to our
15 shippers or wholesale folks. We do have some
16 buyers that we also speak to.

17 And, I would say on a weekly basis,
18 that might be a little higher number now. But,
19 we speak to buyers on the markets as well as
20 people that are in the shipping industry, to kind
21 of give us an idea, verify some of the
22 information that we're hearing.

1 So, we try to get as many pieces of
2 the puzzle as we can to try to come up with the
3 best and most accurate price that we can put out
4 on the, onto our reports.

5 And, roughly we have 786 commodities
6 that we're currently reporting. And, of those
7 141 are organic.

8 Data users, this is just a list of
9 some of the folks who use our information. RMA,
10 NASS, researchers, universities, you can see. I
11 notice that a lot of times people don't need our
12 information until they actually do realize they
13 need it.

14 So, they may -- they may see it, they
15 may know it's there. They may not call us all
16 the time and ask us for prices.

17 But, I can tell you, there's been a
18 number of times I've gotten calls when I was in
19 the field. I can think of one example in New
20 York where I was covering Orange County onion
21 markets.

22 And, I had a grower say hey, my shed

1 burned down. I had a fire and lost all my
2 onions. And, he was having some problems with
3 his claim to get some of that, some of his losses
4 back and he asked if I could put a report
5 together for the average prices that we had been
6 collecting over the course of the year for Orange
7 County.

8 So, I had done that. I put a report
9 together and sent that back to him. And, he used
10 that and he was able to get a, what he considered
11 a fairer price for the losses that he had
12 encountered.

13 So, what's new? All right, so ACE,
14 this will be getting covered in our webinar next
15 week. The ACE system, it stands for automated
16 commercial environment.

17 It took over, the place of the Cognos,
18 which is an old system. These were developed by
19 CBP. And, the ACE system is a new system.

20 Now, while it's more accurate, it
21 takes us a little longer to get some data that we
22 need. This ties in with the HTS codes.

1 So, we have to request to the ITC a
2 number of commodities that we would like to have,
3 that we would like to start receiving through
4 this ACE program.

5 But, they have to be approved by ITC
6 before we can do that. It has to meet a certain
7 volume or money threshold in order for us to get
8 that information.

9 And unfortunately, it takes about
10 every six months until they review them. So,
11 it's a long process. And, I think we can only
12 request maybe 20 to 22 commodities at a time.

13 But, we're building on that. And
14 again, next week Patty, Patty Wilke, who is our
15 Supply Section Branch Chief, will be giving that
16 webinar.

17 But, we are getting more information
18 through that system. It's more accurate now.
19 We're just continuing to add to that list of
20 imports.

21 Let's see, what else is new? So,
22 this, these are just a couple of other reports.

1 We have a report that we do weekly that shows
2 Mexico and Canada prices on a report that we do
3 weekly.

4 And that report, we just started
5 getting more imports for nuts, blueberries, mixed
6 berries, frozen berries.

7 MARS, okay, now we're into the
8 technology part, which we'll also be having a
9 seminar on, on May 2 to discuss updates in our
10 technology.

11 So, currently we're on an old system.
12 It's a legacy system run off of Oracle. And this
13 MARS system, which is the Market Analysis
14 Reporting System, that's -- there are two phases
15 to this.

16 The MARS system is for collection of
17 the data, so when our reporters collect their
18 information that's the system they put it into,
19 our database, before it gets released out to the
20 public.

21 And then the My Market News portion is
22 going to be the public facing part of the, or the

1 technology where the public can go in. And,
2 that's where you'd do your data runs.

3 And, we also will have a mobile app
4 that we developed last year. And, that is also,
5 I think we're coming up, getting ready to release
6 version three.

7 Okay. Here's the My Market News. I'm
8 sorry, I got a little bit ahead of myself. But,
9 it does include enhanced search tools, APIs for
10 those who want to download large sets of data.

11 And, just a couple of organizations
12 that we work with. We do a lot of work with
13 technical assistance projects all around the
14 world.

15 I've been involved in some of those.
16 And, we've done work in Russia, the Ukraine,
17 China, India, now we're heavily into South
18 America, South Central and North America.

19 The MIOA is the Market Information
20 Organization of the Americas. It's 33 member
21 nations.

22 And, we have specialists right now,

1 market news specialists who do training. They
2 actually go to the countries that are requesting
3 training and we help them to develop a market
4 information system.

5 And, our hope in doing that is that
6 eventually we will be able to get some market
7 information on products that are being sold in
8 those countries that we can share with our folks
9 here in the U.S.

10 So, we're still developing this. It's
11 taking some time, but we're working on it. I'm
12 sorry, we also use FAS. FAS does a lot of the
13 funding for those projects.

14 And, I think that's -- I'm sorry?

15 MR. HUGHES: Yeah. All the
16 presentations will be on our --

17 MR. OKONIEWSKI: Okay. Okay, and
18 these were the webinars that I was speaking
19 about. We actually had one yesterday, a price
20 reporting webinar on our levels of reporting.

21 But, you just got your short term
22 webinar, or short webinar here today. And,

1 that's all I have in the way of what we do in a
2 snapshot at Market News.

3 We want to give an opportunity to ask
4 any questions, I guess before we go into --

5 MR. HUGHES: I'd say instead of doing
6 questions, hold on a second. Instead of doing
7 questions right now, let's get into the charges.

8 And then we can do charges based on
9 the surveys and the charges. If that makes
10 sense. Doing alternating between these two.

11 MR. OKONIEWSKI: Okay. Okay. So, the
12 charges. So, and I had spoken to Darrell and
13 some of my other managers about this.

14 There's a couple of things on here
15 that we would like the committees to look at.
16 And like I said, we've already met with the
17 subcommittee previously, I know, a couple of
18 times.

19 I don't remember who all was there.
20 I think, yeah, I'm thinking there was, I'm
21 missing a couple, Kay, okay. All right.

22 So, we did have some good discussions.

1 And, two of the areas that we would like to be
2 considered, or have recommendations for, are data
3 collection, how we collect information from our
4 contacts.

5 Currently we use basically a piece of
6 paper on a clipboard and a pen. We have tried
7 collection through handheld devices. If you've
8 ever, I don't know how many of you have been on,
9 well, you probably haven't had an opportunity to
10 witness a report on the market.

11 But, when you have a wholesaler who's
12 spitting out prices for 15 or 20 commodities at a
13 time, and you're trying to get the size, origin,
14 grades, and all those things, and you're writing
15 stuff down, it's very hard to do that with a
16 handheld device.

17 It just hasn't worked for us. But,
18 we're open to suggestions for that. We have been
19 entertaining more it seems like emails have been
20 a possibility. Of having some of our contacts
21 email us information.

22 That's honestly not a preferred method

1 for us. But, if it's the only way we can get
2 information, we'll take it.

3 We prefer and try to train our
4 reporters to have one on one, two-way
5 conversations instead of just getting information
6 from the computer, because you don't have an
7 opportunity to really discuss what the market
8 conditions are.

9 How did you get to this price? You
10 know, what kind of pro -- how much product is out
11 there?

12 You know, so that you get more
13 information by discussion. And, we can give more
14 information back. Like I said, we have tried to
15 have a two-way conversation, not just pull data,
16 but give data back.

17 So, we're --

18 MR. HUGHES: John?

19 MR. OKONIEWSKI: Yes?

20 MR. HUGHES: We have a question from
21 Jorge. Do you want to take it now?

22 MR. OKONIEWSKI: Yes.

1 MEMBER VAZQUEZ: Hi, Jorge Vazquez,
2 Houston, Texas.

3 MR. OKONIEWSKI: Yes.

4 MEMBER VAZQUEZ: Have you guys
5 considered directly capturing information from
6 ERPs? Maybe partnering with the bigger ERP
7 providers out there for the produce industry, and
8 capturing some of that information?

9 And then maybe comparing that to the
10 data that you would get from the imports coming
11 into the United States, right?

12 Or something and then that way you
13 could capture the volume as well as the pricing,
14 right? From different places. Thank you.

15 MR. OKONIEWSKI: Well, no. We have
16 not, have not considered that. But, we are open
17 to doing that. I mean, I would be glad to
18 discuss that with you further.

19 And if you have, again, if you have
20 suggestions, we had not gone that route for
21 pricing. We do have the volume information
22 available, but we have not done the pricing that

1 you suggested.

2 Okay. So anyway, back to the charge.
3 So, how we collect information, how we
4 disseminate it, different locations, growing
5 areas that I mentioned, if you have suggestions
6 on different import levels.

7 Again, these are reports that I'm
8 showing you that we do. That we routinely do.
9 We don't know what you all want.

10 There may be reports out there that
11 you would like to see. And, we've had people
12 come to us and ask us to report seafood prices in
13 New York City.

14 I mean, I tell people, we can report
15 whatever you want us to report. But, to make
16 that happen, the industry as a whole has to come
17 up with a standard that we can report, so that we
18 have some kind of uniformity to our current
19 policies.

20 But, we have people that can do it.
21 Now again, if it's a report that's going to take
22 some extra staff, then that's something that we

1 would have to request from my supervisors in the
2 back.

3 So, they would help us get that
4 funding. So, if it's an issue that's really
5 important to you, and you know, our upper
6 management is aware of that, then we have to work
7 towards making that happen.

8 But, as far as reporting, any types of
9 reports that you think would help your industry,
10 we are glad to entertain. Because like I said,
11 we don't do this on a day to day basis. We're
12 not in the industry. We don't do the trading
13 every day. We just report it.

14 Yes, sir?

15 MEMBER VAZQUEZ: Jorge Vazquez again.
16 So, on the retain data that you guys are
17 capturing, are you guys making a distinction
18 between whether it's a promotional price or a
19 regular pricing?

20 MR. OKONIEWSKI: They're all
21 promotional right now.

22 MEMBER VAZQUEZ: All promotional. So,

1 regular prices are not included in that retail
2 data?

3 MR. OKONIEWSKI: Not yet. No. But,
4 we're -- but we, but again, that issue has come
5 up a couple of times. So, I'm sure that's going
6 to be something on our list of how to make that
7 work.

8 And, it's not that we, I don't think
9 that we can't make it work. We would just have
10 to figure it out. Because that's such a large
11 undertaking, I mean, we have every reporter in
12 the country, the 50 or 52 that we have, they --
13 this is an increased role for them to do the
14 advertised prices.

15 So, on top of their normal duties of
16 collecting wholesale market prices and shipping
17 point prices, when they're done with that, they
18 have to start entering data for the wholesale
19 markets, or for the retail markets.

20 So, to do the regular priced products,
21 again, I don't know the answer of how we would do
22 it. But, I'm sure we could work something

1 towards that goal.

2 MEMBER VAZQUEZ: I think also by
3 looking electronically into the websites of those
4 companies and downloading that data
5 automatically, you know, rather than having
6 people searching and gathering --

7 MR. OKONIEWSKI: To do the actual data
8 entry, right.

9 MEMBER VAZQUEZ: Yeah. There's
10 products that you can probably leverage to just
11 go out there and search for all this data.

12 MR. OKONIEWSKI: Right.

13 MEMBER VAZQUEZ: And capture it and
14 then, you know, sort it out and present it.

15 MR. OKONIEWSKI: Yeah. Again, we'll
16 -- yeah, I'm all for that. I mean, we'll try too
17 again, we'll take a look at that.

18 We're going to actually have an
19 internal manager's meeting sometime in mid-May.
20 And, based on, or depending on what we take away
21 from here, from these meetings, we'll probably be
22 discussing some of those things.

1 MR. HUGHES: Hey John, let me jump in
2 real quick.

3 MR. OKONIEWSKI: Yes.

4 MR. HUGHES: This is Darrell Hughes
5 for the court reporter. Jorge's comments are
6 examples of potential things that can be fed into
7 recommendations by the way.

8 So, I just wanted to throw that out
9 there, that that's the ideal engagement and
10 feedback that could help with the charge,
11 providing that recommendation.

12 Do you want to go to the next one? Or
13 are you still on this slide?

14 MR. OKONIEWSKI: No, let me stay on
15 this one just for a second.

16 MR. HUGHES: Yeah. Just go on.

17 MR. OKONIEWSKI: Because I wanted to
18 talk about real quickly, well, maybe I could wait
19 until we get to the MARS section.

20 So, I'm trying to tackle which, the
21 technology is kind of intertwined here on how to
22 embrace technology for data collection.

1 Yes, if you have ideas on that,
2 because we're -- this is one of the, I mean, this
3 is one of the few jobs that makes -- I've been
4 doing this for 38 years. And, we have had
5 vendors come in and try to work with us on
6 electronics to try to make this work.

7 And, this is just a job that I just
8 can't, for me, unless somebody can come along and
9 give me some really good ideas on how to make
10 this happen, this is like just an old time, we've
11 been doing this for over 100 years now, since
12 1915, we've been doing this with pen and paper.

13 So, if there's a way to make it
14 happen, I'd be interested to see what that is.
15 So, we're very open to that. Anything that
16 would be, that would help.

17 Because not only just because it's an
18 old time, you know, way of doing things, it would
19 make it a lot easier on our reporters to be able
20 to get that information out quicker, if we could
21 put it into some system instead of waiting to go
22 back as a, as you were saying about doing hand,

1 you know, hand entries.

2 If there's a way to put it in the
3 system that just automatically, you know, you put
4 the information in and it just automatically
5 downloads it into our database, you've saved
6 probably half your day. And, that would get the
7 information out quicker.

8 So, the types of collection, methods
9 of collection, and the types of reports, if you
10 could contemplate those and make recommendations,
11 we will entertain them.

12 Again, we're going to, we take
13 everything that's suggested serious. And we'll
14 try to make it work to the best of our ability.

15 The second charge --

16 MEMBER MASSER BALLAY: Excuse me, just
17 --

18 MR. OKONIEWSKI: Oh, yes?

19 MEMBER MASSER BALLAY: Sorry. Sorry,
20 Julie Masser Ballay, I'm the Subcommittee Chair
21 for the Data Analysis.

22 Just making sure I heard that right.

1 You said currently though with the shipping
2 points and the wholesale market, you have, you
3 said 90 percent response rate?

4 MR. OKONIEWSKI: At the wholesale
5 markets, I would say in the range of 92 to 97, 98
6 percent. So, we, you know, we get practically
7 everybody on wholesale markets.

8 The shipping points, I would say, we
9 were just having this conversation with their
10 Phoenix office. They said they get about 90,
11 somewhere in the rage of 90 to 92 percent of the
12 shipping, shippers and growers in those areas.

13 So, it's a good sampling. And, we've
14 had -- we have had third -- or second-parties try
15 to duplicate our efforts in the past. And if,
16 you know, if -- I'd even be willing to
17 collaborate with them if they think there's a way
18 to come up with a better product.

19 But, we have had in the past two
20 companies who tried to duplicate what we have.
21 And our comments from the industry was, this
22 isn't working.

1 Their sampling size isn't big enough.
2 And, the prices that we're getting are not
3 accurate.

4 So, people have tried, but they have
5 not been able to do it. Because we're a neutral
6 source, I think people more tend to trust our
7 data more than they would from another source.

8 Now, people take our data and they'll
9 manipulate it. And they'll share that
10 information with their members.

11 But, we provide the raw data and then
12 we do have other folks that take that information
13 and disseminate that out to other groups.

14 MEMBER MASSER BALLAY: Thank you.

15 MR. HUGHES: Darrell Hughes speaking.
16 I wanted to mention that after you discuss this
17 charge a little bit, I hear that Julie has some
18 potential recommendations from the Subcommittee
19 that maybe it's worth talking about and putting
20 forth to everyone here. I think that's a good
21 idea.

22 And so, just to give everyone some

1 background, like John mentioned, he held a couple
2 of meetings with the -- can you hear me?

3 He held a couple of meetings with the
4 Market Data and reporting, I'm sorry, the Data
5 Reporting Analysis Subcommittee. And so, they
6 are, there's been good engagement already
7 happening.

8 And, I think it's worth putting that
9 out for everyone to hear also from your
10 colleagues. Go ahead John, and then we can hop
11 over to Julie.

12 MR. OKONIEWSKI: Okay.

13 CHAIR RENTZEL: Well, Bruce had a
14 question.

15 MR. HUGHES: Oh, go ahead, Bruce.
16 Sorry.

17 MEMBER FRASIER: Do you review apps
18 that are used in your data and formatting it in a
19 more useful manner?

20 Like Ag, what is it Chris, Ag Plus?
21 Right?

22 MEMBER CIRULI: It used to be a guy

1 named Harold Meyers. And then he sold it off to
2 whatever that I sent you guys.

3 MR. OKONIEWSKI: Actually, Harold is
4 one of our users. He's one of our biggest users.

5 MEMBER CIRULI: Yeah. So, he sold the
6 service. He repackaged it himself.

7 MR. OKONIEWSKI: Right. Yeah.

8 MEMBER CIRULI: So, I mean, he's an
9 interesting guy to reach out to.

10 MEMBER FRASIER: But, it's the format
11 that he puts his data in, to where you can just
12 say these are the commodities I want. And, it's
13 an email that you get every day, you sign up for
14 it.

15 MR. OKONIEWSKI: Um-hum.

16 MEMBER FRASIER: And, it will give you
17 a report for each item that you're interested in,
18 instead of having to go through all the data and
19 formulate the reports and that stuff.

20 MR. OKONIEWSKI: Yeah. Well, again,
21 we're -- as we get ideas, as like we're doing
22 now, as we're getting ideas for these apps,

1 again, these are all, I don't want to keep, you
2 know, saying these are money related issues.

3 But, you know, we do have some limits
4 of what we can do. But, you know, we're willing
5 to entertain.

6 And, one of the things coming up on
7 this next charge about technology, is going to be
8 data visualization, the types of ways you can
9 package information so that it makes more sense
10 to you, instead of us just re -- you know, we've
11 always been just a raw data provider.

12 We haven't really done -- we have some
13 Excel tools that we can put some graphs together
14 on some of our reports. If you go online, you
15 can see some of the reports. We'll have some
16 graphing or some color coded things to tell about
17 truckability or shortages.

18 But, nothing that you -- nothing,
19 they're more boxed types of, you know, stagnant
20 types of things. We want to try to develop, and
21 I'll get to that when we talk about this MARS.

22 But, we want to get to some type of

1 technology where users can go in, take the data,
2 and use that data visualization tool to
3 manipulate the data to the way they want it.

4 So, that it would be customizable by
5 each individual instead of having to get it say
6 from a, not that I'm trying to, you know, stop
7 anybody's business.

8 But, they wouldn't maybe have to go to
9 another party to get the information. They could
10 come to us. They get the information, download
11 it, manipulate it the way they want, and they
12 have their own graphing.

13 Who was up next?

14 MEMBER BENSON: James Benson. Can I
15 just get some clarification on the FOB shipping
16 point?

17 When you say you're, you get like what
18 was the figure you said, like 90 percent
19 cooperation?

20 MR. OKONIEWSKI: Somewhere in 90,
21 yeah, around 90 percent rate.

22 MEMBER BENSON: So, was that 90

1 percent of the producers? Or 90 percent of the
2 people you called?

3 MR. OKONIEWSKI: It's -- that's a good
4 question. I think it's -- we talk to shippers,
5 we talk to growers, we talk to sales, the sales
6 staff or brokers in some instances.

7 MEMBER BENSON: Okay.

8 MR. OKONIEWSKI: Some of them are
9 shippers/growers, some are just shippers, some
10 are growers. We have a combination of the above,
11 so.

12 MEMBER BENSON: Yeah. I was just
13 trying to, like I'm in the table grape business,
14 and you know, let's say there's, I don't know how
15 many producers, let's call it 200.

16 MR. OKONIEWSKI: Um-hum.

17 MEMBER BENSON: So, it's 100 percent
18 strong. And, I'm just trying to figure out if
19 you're telling me it's 90 percent that means 180
20 people are reporting processes every day.

21 MR. OKONIEWSKI: I understand your
22 question. Yeah.

1 MEMBER BENSON: It's fine if you don't
2 know the answer.

3 MR. OKONIEWSKI: No. I'd have to go
4 back and check that now. But, we do, I mean,
5 it's shippers, growers, and some brokers that we
6 talk to.

7 MEMBER BENSON: Okay.

8 MR. OKONIEWSKI: I -- whether it's 90
9 percent of all just growers or shippers, that's a
10 good question. I -- but, I took it as a
11 combination of both.

12 MEMBER BENSON: Okay. All right.
13 Thank you.

14 MR. OKONIEWSKI: But, I will get an
15 answer and make sure I'm 100 percent on that.

16 MEMBER BENSON: All right.

17 (Off mic comments.)

18 CHAIR RENTZEL: Are we ready?

19 MR. OKONIEWSKI: Okay. Anybody else?

20 CHAIR RENTZEL: Do you want Julie to
21 make comments now?

22 MR. HUGHES: Yeah. Are you -- are you

1 done with that?

2 MR. OKONIEWSKI: Well, did you want to
3 wait until I do the technology part and then come
4 back to Julie?

5 MR. HUGHES: Yeah. Go ahead.

6 MR. OKONIEWSKI: Finish this part and
7 then we'll --

8 MR. HUGHES: Yeah. Finish that part
9 and then we can go on ahead.

10 MR. OKONIEWSKI: Okay. All right,
11 this won't take long though. Again, so, the
12 second charge is about what we --

13 CHAIR RENTZEL: John, wait just a
14 minute. Did you want to make a comment, David?

15 So, we broke it.

16 MEMBER EINSTANDIG: Testing. David
17 Einstandig. A couple of quick questions. I know
18 you talked about the method of data collection,
19 the wholesale terminals.

20 If, I guess, the Subcommittee, or one
21 of the Subcommittees wanted to find out more
22 specifics on granularity how that occurs, --

1 MR. OKONIEWSKI: Um-hum.

2 MEMBER EINSTANDIG: How do they go
3 about doing that? Like for example, you just
4 have somebody that walks through the terminal
5 market and looks, terminal markets and looks what
6 the sign says?

7 Or, do you actually --

8 MR. OKONIEWSKI: No.

9 MEMBER EINSTANDIG: Go back and forth?
10 You talked about quantities. Are you only
11 looking at, you know, -- I just don't know the
12 specifics of it.

13 So, it's really hard to articulate how
14 do you improve something --

15 MR. OKONIEWSKI: Sure.

16 MEMBER EINSTANDIG: When you don't
17 know much about the process.

18 MR. OKONIEWSKI: Sure. I understand.
19 And, anybody here, if you want to visit one of
20 these markets and walk around with one of our
21 reporters, we can set that up. And they can show
22 you how they collect the information so you can

1 see it done in real time.

2 But, basically what the reporters do,
3 they speak to -- they speak directly to the sales
4 staff that are selling the product. So,
5 everybody's got their displays set up in the
6 morning. It's all nice looking displays.

7 So, the reporters walk around and
8 they'll see what's out on display. They'll talk
9 to the salespeople.

10 And it might be, it may be -- they may
11 talk to two or three different salespeople at one
12 firm. One's covering fruit, one's covering
13 vegetables, one's covering something else, maybe
14 potatoes and onions.

15 And, they will have a conversation
16 with that sales staff, what fresh arrivals came
17 in today?

18 And then, they'll get an idea. Now,
19 we don't report them. But, they can get an idea
20 of the number of truckloads that came in for a
21 day by asking.

22 So, they can get some general idea of

1 what is coming around the market.

2 MEMBER EINSTANDIG: And are they --
3 and are they, for example saying well, you know,
4 the price for 5,000 cases is X. The price for
5 10,000 cases is Y.

6 I mean, you're looking at the volumes?
7 Because the prices differ.

8 MR. OKONIEWSKI: What they --

9 MEMBER EINSTANDIG: Does that all --
10 I mean, is that part -- I'm just asking, I don't
11 know. Is that part of the pricing?

12 MR. OKONIEWSKI: Well, again, this is,
13 it's kind of a judgment call by the reporters.
14 Depending on the size of the, you know, all, the
15 wholesalers, there's different sizes of
16 wholesalers as far as the volume they're bringing
17 in the market.

18 So, depending on who that person, and
19 you know who it is from working with them for so
20 many years, who the large, the large wholesales
21 are compared to the small or medium size.

22 So, we base the sales, we try to base

1 the sales the best we can, again, based on the
2 conversations we have with those sales staff on
3 what they tell us is coming into the market. How
4 many truckloads they got in for a day for apples,
5 or potatoes, or whatever it might be.

6 MEMBER EINSTANDIG: Right.

7 MR. OKONIEWSKI: So, you're asking
8 these questions of the same people. You're not
9 just going to one potato house. You're talking
10 to probably, you know, maybe five or six potato
11 houses all in one market.

12 You're talking to everybody who's
13 selling lettuce, broccoli, cauliflower, X through
14 Z in vegetables. And, you're, you know,
15 depending on whether you're in the Bronx or
16 whether you're in Las Angeles or Detroit, the
17 number of salespeople is going to vary.

18 But, I can remember when I worked in
19 the Bronx, my first -- that was my first
20 assignment. I was talking to probably 60, 65
21 people a day and covering all the commodities,
22 fruits, vegetables, onions, potatoes, herbs, you

1 name it.

2 MR. EINSTANDIG: So, the suggestion
3 that I have is, because for these Subcommittees
4 to, I think, to be able to do yeoman's work,
5 maybe there be a dedicated resource that can
6 provide information in a more granular fashion to
7 the Subcommittee so they could actually
8 understand -- I mean, I know we're talking about
9 one example of a terminal on how that works.

10 But, there's various different means
11 of collecting data. So, maybe there's a way to
12 get that information, because it's really going
13 to be really hard without understanding how to
14 give suggestions on a process that we don't know
15 the exact process and know the methods.

16 So, that's one comment. My second
17 comment is, is there a repository that your
18 department may have that you've heard over the
19 last year, two years, whatever the time period
20 may be with, not necessarily just complaints, but
21 like industry suggestions?

22 We don't think that the prices are

1 accurate because of A, B, C, D, and whatnot.

2 Like, do you guys house the information?

3 And maybe the Subcommittee could hear
4 or get that access to that data so they can see
5 what the industry or parts of the industry or the
6 public have expressed about the data so they can
7 start to evaluate and say hey, maybe you know,
8 that makes sense.

9 Or maybe you guys have already said,
10 you know, we looked through 100 thousand comments
11 and, you know, these are valid points that we'd
12 like to tackle.

13 MR. OKONIEWSKI: Um-hum.

14 MR. EINSTANDIG: I wonder if you guys
15 keep that data?

16 MR. OKONIEWSKI: No, we do not keep it
17 formally. We do -- when we do have folks that
18 disagree with, or they don't think a market looks
19 correct, I'll get emails or I'll get phone calls
20 sometimes.

21 Our folks in the field will usually
22 get the calls. They'll get them directly from

1 the people that they talk to. If they put a
2 market out and somebody disagrees with the
3 market, they may call them back.

4 And, if we can verify what they're
5 telling us, we will do a correction on our
6 reports and resend them.

7 But, we don't have a repository of
8 complaints with what --

9 MEMBER EINSTANDIG: Yeah. Like not
10 even complaints, just kind of about the process.

11 MR. OKONIEWSKI: Well, yeah. On --

12 MEMBER EINSTANDIG: Or maybe
13 internally you guys think, you know, if we could
14 do A, B, and C. I don't know if you have any
15 internal information where you say, these are the
16 pain points for us.

17 MR. OKONIEWSKI: Right.

18 MEMBER EINSTANDIG: And, this is what
19 we'd like to tackle. I mean, maybe you've dealt
20 with a little bit of it and the committee can
21 take it further.

22 So, that was just a suggestion.

1 MR. OKONIEWSKI: Well, we have, I
2 mean, we do that internally with our own
3 managers, our field folks and our, the people who
4 are doing the reporting, some of our OICs, the
5 people that are in charge in the field.

6 We have annual meetings. Sometimes
7 we'll have biannual meetings where we will sit
8 down and discuss those issues that have been
9 brought to our attention. How do we better
10 improve this?

11 How do we do this? We've got, you
12 know, working -- again, working closer, this is
13 what I'm hoping is going to happen in the future,
14 working closer with the industry like we're doing
15 now, will bring those issues to light that we can
16 go ahead and now focus on.

17 Instead of just getting people
18 randomly sending us emails from somewhere. Or
19 calling us randomly on the phone, where we can
20 actually, you know, write up some things as we
21 get results back or get feedback from the
22 industry.

1 Again, TIPA we've talked to. We've
2 had meetings with the Western Growers Association
3 and now you folks.

4 So, we're trying too again, open that
5 door to have these conversations so that we can
6 make improvements to our reporting. And make
7 additions to our reporting.

8 And, we can come up with policies that
9 are more representative of what you need.

10 MR. EINSTANDIG: Okay. And last
11 question and last subject was, you talked about
12 like third parties, or I guess maybe consultants
13 have come in and tried to do the tasks
14 independently, and it hasn't really worked.

15 And that, I assume, I want to make
16 sure I understand. What you were saying was that
17 they were trying, those third parties tried to
18 come in and undertake the task of determining the
19 prices and providing information to report.

20 Is that accurate?

21 MR. OKONIEWSKI: Right. They were
22 trying to basically replicate --

1 MR. EINSTANDIG: Okay.

2 MR. OKONIEWSKI: What we're currently
3 doing. But, a lot of times we found that they --
4 you know, we have a larger staff. We've been
5 doing this for a long time.

6 And, a lot of times it just came down
7 to them doing the smaller sampling size, not
8 having enough people to do the types of
9 interviews that we're doing.

10 The other parties that we were talking
11 about, I'm sorry, I forgot your name.

12 MEMBER CIRULI: Chris.

13 MR. OKONIEWSKI: Chris was saying that
14 there's other folks who take our information in
15 raw form, and then, they repackage that.

16 MEMBER EINSTANDIG: Yes, I guessed
17 that. So, my question is, have you gone out to
18 third-party consultants, not to undertake the
19 entire task of what you're doing, but maybe like
20 -- I'm just throwing it out -- like an Edelman or
21 something that does a lot of polling and a lot of
22 data collection and tries to get accurate data,

1 and gone to those consultants and said, "Hey,
2 this is what we want to accomplish. We have the
3 resources, certain resources, of the federal
4 government behind us. How could we do our task
5 more efficiently? Not do it for us, but how can
6 we do it more efficiently?"

7 Has that been contracted out and
8 vetted? Because I think that may be one avenue
9 that a committee may want to look to, to get some
10 ideas.

11 MR. OKONIEWSKI: No, we have not. We
12 haven't done that recently. But, years ago, we
13 did -- I want to say similar, but not exactly to
14 your point -- we did something called business
15 process re-engineering. So, we took a look at
16 every process that we were doing -- from doing
17 timesheets to awards, to how we collect data.
18 So, we did go through that one time, but it was
19 years ago. We have not done that anytime
20 recently.

21 MEMBER EINSTANDIG: Okay. Thank you
22 very much.

1 MR. HUGHES: And so, I want to jump in
2 and say that I am going to take the bullet and
3 pause all questions until John gets through the
4 second charge. Because I want to make sure that
5 we leave time for Julie to engage.

6 MR. OKONIEWSKI: Yes, these are just
7 two quick points, and I think we probably touched
8 on some of those in our discussions, anyway,
9 going from our old system, our old Oracle system
10 to the new collection system.

11 So, what we wanted to ask, though, is,
12 when we are trying to switch from one system to
13 another, we want to try to get ideas on how you
14 feel is the best approach to make that happen. I
15 mean, like timelines, what kind of time do you
16 think we would need to start getting the word out
17 to the industry; avenues that we can make that
18 happen?

19 Suggestions on how we can make this a
20 seamless transition? So that, all of a sudden,
21 one day we flip the switch from Oracle to MARS,
22 and nobody knows how to access MARS because we

1 didn't do a good enough job of advertising it, or
2 doing demos previously to let them know what was
3 coming.

4 So, if you have recommendations on how
5 to make that work, we would, again, be willing to
6 entertain those ideas. Because we want to make
7 this an easy transition. It's not always easy,
8 and if you're not familiar with the systems and,
9 and all of sudden, your data is gone, you're
10 going to have some issues.

11 And then, the data visualization part,
12 we talked a little bit about. This MARS tool
13 does have a built-in Microsoft tool, I believe,
14 but I think it's limited in what it can do. I
15 don't know yet. We haven't seen it. Because,
16 unfortunately, this MARS project is not going to
17 be done until probably the end of this year.

18 So, we're working on the final stages
19 of getting all the specialist crops data moved
20 over to the new system. So, we're not sure of
21 the capabilities of it yet. However, we did just
22 talk to a contractor that is currently working on

1 MARS to build a platform, kind of do a pilot for
2 us, to see if we can do a pilot on data
3 visualization tools that may be aside from MARS
4 that might work.

5 So, we're in the process of doing
6 that, but, again, that's something that is
7 important to us, and that did come from industry
8 sources. And I had conversations with Bruce
9 Summers last year, and that was one of the
10 industry's suggestion that was brought to Bruce,
11 who shared it with myself and Ken Peterson, about
12 coming up with some useful data visualization
13 tools.

14 So, again, any suggestions on data
15 visualization, we're trying to find something
16 that's customizable, because it's such a diverse
17 -- I mean, you know, we find ourselves doing
18 reports for the strawberry industry, the
19 watermelon industry, the sweet potato industry,
20 the pears or peaches. So, we're getting to the
21 point where we're saturated with doing so many
22 individual reports for each commodity, that we

1 just don't have the people to do that.

2 So, it would really benefit us to have
3 that tool, where you don't have to come to us to
4 have us do data runs, where you can do them
5 yourself -- or not just to do them yourself, but
6 to do them easily. I mean, we don't want it to
7 be a painstaking ordeal to go in and try to
8 search for data. And I've got to be honest, our
9 data search right now is not the best, but it's
10 old technology. And that's why we're moving to a
11 new technology.

12 So, we want to try to make that as
13 easy as possible. So, data visualization and how
14 to transition, you know, what kind of timelines
15 you might think are best, and suggestions on how
16 to reach the broadest group in this specialty
17 crops industry.

18 Because I have limited resources. We
19 have built delivery that we use as a tool to get
20 the word out, but I don't know exactly who that
21 goes to. So, we have sent some links out to some
22 of our industry groups that we have talked with

1 in the past, but we don't have all of them.

2 So trying to get the word out, even
3 for these webinars, I wish there was a way to
4 reach a larger group. But if we had some type of
5 a list of specialty crops/industry folks that we
6 could broadcast things like these webinars right
7 out to them, or anything, it would be beneficial.

8 So, that was it for the charges that
9 I had.

10 It looks like Darrell -- it looks like
11 Darrell bailed on me. So, okay, well, Darrell is
12 gone.

13 So, then, that was it for the charges.
14 Like I said, mainly just to briefly go back over,
15 it was market reporting and the ways we can
16 collect data, new ways to collect and disseminate
17 data, and then, the technology part as far as
18 transitioning from one system to another.

19 So, Julie?

20 MEMBER MASSER BALLAY: Yes, this is
21 Julie Masser Ballay with Serman Masser,
22 Subcommittee Chair for the Data and Analysis

1 Subcommittee.

2 So, we did have some opportunity to
3 have some good discussion yesterday. So, when we
4 talk about the first charge, one of our concerns
5 with the pricing, particularly when we talk the
6 retail, is that right now that's a very changing
7 marketplace, you know, to pull that pricing from
8 just -- you know, that the accurate pricing is
9 coming from the wholesale market and the shipping
10 points. That's not getting a broad enough
11 segment. And, of course, then, as discussed, the
12 ads, anytime you have things that are on ad,
13 those tend to be loss leaders. So, for that to
14 be a standardized pricing is not a good data
15 source there.

16 MR. OKONIEWSKI: Okay.

17 MEMBER MASSER BALLAY: So, with that
18 changing marketplace, and the retail really being
19 the ones that drive the sale for that fresh
20 market produce, a lot of people are really
21 gravitating more toward the private data that's
22 replacing the public data; i.e., the Nielsen

1 data, when you're talking any of those retail
2 reports. I mean, you have to pay for it, but, on
3 the other hand, it's very accurate --

4 MR. OKONIEWSKI: Right.

5 MEMBER MASSER BALLAY: -- and it's
6 point of sale. And so, there's a lot of faith in
7 it.

8 So, we really had a lot of discussion
9 surrounding what could be other useful data
10 collection that could be very helpful. And when
11 we talk about, you know, I think when we spoke at
12 our Zoom call, I did mention that I see Market
13 News via the commodities as well. Commodities
14 will do the planting data to show how much of the
15 crops are being planted in the U.S. Being able
16 to predict what that market is going to be in the
17 future, you know, how much is going to be
18 available on the market, would be very helpful.

19 Again, additionally, we talk weather
20 impacts to the planted crop, which in the
21 commodity world, that's the 60 percent
22 respondents say they have a good crop; 20 percent

1 say they have a great crop. There's some
2 categories that they do.

3 So, getting reports back on how good
4 the harvest is going to be, those two items can
5 really work as predictors in terms of what is the
6 market going to look like. It doesn't
7 necessarily help what the market is. That was
8 yesterday.

9 MR. OKONIEWSKI: Right.

10 MEMBER MASSER BALLAY: We need to know
11 what is it going to be in a few months, right?
12 Should I be fire-selling? Should I be holding
13 onto my product?

14 So, to be able to know what's that
15 market going to look like in the future is really
16 -- we really thought that would be the better
17 data that would be useful to the industry.

18 So, we didn't dive in too much to the
19 how we get that data yet. You know, like I think
20 David brought up some really, really great points
21 in terms of, you know, just kind of understanding
22 the nuts and bolts before we even are really able

1 to give some predictor.

2 And the one reason I asked the
3 question, because a 92 to 98 percent response
4 rate, I mean, that's a great response rate. So,
5 obviously, in terms of who you're engaging with,
6 it is you're getting a really good response from
7 that.

8 MR. OKONIEWSKI: Okay.

9 MEMBER MASSER BALLAY: Moving on -- do
10 we have anything else we wanted to cover on that?
11 Does that summarize it?

12 CHAIR RENTZEL: Haven, did you want to
13 add any more?

14 MEMBER BAKER: Yes, I had one other
15 piece of data that could be really useful. It
16 was one request that came through, so, you know,
17 reaching out to the people involved. In all the
18 permanent crops -- I know I shouldn't say, "all"
19 -- but the ones that I'm familiar with, the
20 varieties are having a shorter and shorter time
21 with which the farmer keeps them in the field and
22 replants.

1 And so, the No. 1 economic decision
2 that is being made is what you plant. And these
3 crops that don't produce in the first year, no
4 one has any planting data. So, they don't know
5 how many Cosmic Crisp apples went in last year
6 and how many went in the year before, so they
7 could make planting decisions.

8 And James can speak about grapes, but
9 it doesn't even need to be a grower survey. You
10 could survey the nurseries, because there's
11 aggregation there. There aren't that many. But
12 planting data on permanent crops, from my
13 understanding, would be incredibly useful to the
14 industry, as opposed to the pricing data, what
15 got sold yesterday.

16 While I've got the mic, I guess I did
17 have one other suggestion on dissemination. The
18 way our company now does all new hires, in any
19 public forum, we're using LinkedIn. We have a
20 company LinkedIn page. People figure out that,
21 if they're interested, they should be part of it.
22 It scales pretty quickly. Announcements can go

1 out really easily.

2 So, LinkedIn is how I would be
3 recommending -- I mean, if the USDA has a
4 LinkedIn page -- sharing all the tools, because
5 the people that are connected will want to know,
6 and it's a pretty good app for getting messages
7 on what's coming.

8 MR. OKONIEWSKI: Okay.

9 MEMBER MASSER BALLAY: Okay. This is
10 Julie again.

11 I'll just jump into the second charge.
12 So, we did have some concerns over the need for
13 the mobile app, when that was brought up
14 yesterday. Now, being that it's already
15 developed, we think it might be worthwhile to
16 analyze the usage and the traffic, once that all
17 gets rolled out, to see, should it continue to be
18 supported? Because that might be some resources
19 that can be devoted elsewhere.

20 But, really, take time to look at, see
21 that usage. Because when we talk about the raw
22 data that you're going to get off of this MARS

1 product. I don't know that people are really
2 going to be trying to visualize it on their
3 phone, because it could be a lot to digest --

4 MR. OKONIEWSKI: Right.

5 MEMBER MASSER BALLAY: -- on such a
6 small device. You know, typically, a lot of
7 these people are going to be sitting at their
8 desk, you know, or sitting at their computers,
9 with a bank of my three monitors that I look at,
10 right? And that's how I'm going to be trying to
11 digest that data. So, we think it might be worth
12 looking at to make sure that that's actually
13 being utilized.

14 So, then, when we discussed the
15 training, I mean, our opinion is that one-on-one,
16 in-person isn't needed; that hosting webinars
17 that are recorded and having a presentation in
18 some type of easily downloadable form, like a PDF
19 that somebody can go through, bookmarked, and
20 just follow along. Those are just really handy
21 tools that people will keep.

22 MR. OKONIEWSKI: Right.

1 MEMBER MASSER BALLAY: And, "Oh, well,
2 how do I do this?" And just have those as
3 reference guides. We didn't think that that
4 needed a huge amount of investment in that
5 training.

6 And I think, really, to Haven's point,
7 just that social media push to -- "Hey, this is
8 out there and here's how you can figure out how
9 to use it." And just do that. Just kind of spam
10 in a whole bunch of different ways that
11 information, whether it can go through the local
12 farm service, the county, newsletters. A lot of
13 people get those. And, yes, you're going to hit
14 up your commodity farmers as well, but, you know,
15 maybe they'll pass it on to their neighbor then.

16 So, those were, effectively, what we
17 had discussed in terms of the specific charges
18 from yesterday.

19 MR. OKONIEWSKI: Okay. So, how are we
20 on time? Are we good?

21 MR. HUGHES: Yes, we're good.

22 MR. OKONIEWSKI: Okay.

1 MEMBER FREEMAN: I don't know if
2 questions -- this is Isabel Freeman. But I am in
3 three markets, and I'm also in four states where
4 we import domestically and from different
5 countries.

6 The market -- you guys do a fantastic
7 job at collecting data. And basically, it's
8 because the buyer, salespeople, are right at the
9 market, and your agents stop by and they have
10 access to all of them in a quickly manner.

11 However, we all know that markets are
12 disappearing slowly, probably slower than we all
13 expected. But the bulk of the produce doesn't go
14 through markets anymore --

15 MR. OKONIEWSKI: Right.

16 MEMBER FREEMAN: -- like it used to.
17 I mean, San Francisco is now almost nothing
18 anymore. And so has the volume in LA and Bronx,
19 and everywhere else.

20 So, therefore, that's the most
21 accurate, I think, data you collect, because the
22 agents have direct access.

1 Now, the shipping point information in
2 which they call companies, I believe that we
3 could do a better job. I don't know if you have
4 access to the PACA license. Because we all
5 update that every single year, and we list and we
6 pay for all of our buyers to be listed on the
7 PACA license.

8 Yet, when you call companies to talk
9 to buyers, you end up talking to the whole world,
10 like even the operations manager, shipping
11 people, forklift drivers. Whoever answers the
12 phone --

13 MR. OKONIEWSKI: Right.

14 MEMBER FREEMAN: -- that's the one who
15 is giving you information, and they have no clue
16 what they're talking about.

17 However, we do list their phone
18 numbers and every single buyer for the commodity
19 on the PACA license or under our registration
20 every single year. So, there might be one that
21 terminated or is no longer with a company, but
22 the bulk of them are listed there.

1 Or, like she mentioned, we could run
2 an email to every company to list all the buyers
3 and submit it to you, so that the data you are
4 collecting is correct, and you're talking to the
5 proper person.

6 In addition to that, the buying has
7 shifted through the years. So now, you have a
8 commingle of people that buy open price and fixed
9 price, and people that do fixed yearly contracts,
10 or monthly, or so on, according to the different
11 markets that are developing.

12 And when that happens, people have a
13 double-interest in how they answer. Because if I
14 have a big contract with a food service, with a
15 fixed price for the whole year, I want your
16 pricing to be high because the only way that I
17 could change the fixed price is if I could
18 convince them that the market went up, and now, I
19 have a minimum and a ceiling. So, I can
20 manipulate the data -- or so we think, right?
21 This is only one company responding.

22 But we feel that, if we respond in

1 such a way that, hey, let's make it higher, so
2 that we could go back --

3 MR. OKONIEWSKI: Right.

4 MEMBER FREEMAN: -- to our fixed
5 contract and say, "Hey, act of God." Now we've
6 increased your fixed price because markets are
7 this high, past the ceiling.

8 And at the same time, though, if you
9 speak to people that are buying on open price,
10 they want to give a lower market because they
11 want to liquidate with the grower as low as they
12 can --

13 MR. OKONIEWSKI: Right.

14 MEMBER FREEMAN: -- so that they can
15 the higher profit.

16 MR. OKONIEWSKI: Sure.

17 MEMBER FREEMAN: So, we have all these
18 games going on that are shifting in the market.
19 However, I really think that, if you made a
20 little program that came through Outlook, where
21 we voted or we completed it every single morning,
22 and we gave you the prices, and there was room

1 for comments, you wouldn't need to be calling
2 companies. You would be talking to the right
3 people. We'd be able to complete this survey
4 every single morning when we got there and do a
5 good job at doing that.

6 The comment that retails are driving
7 the market, I don't know if that's a true
8 comment. Because retails are very flexible at
9 adjusting pricing when the markets are really
10 bad, because they want the product.

11 So, even though you make a commitment
12 with any retailer, if the market is now short,
13 they're very flexible at going back and
14 renegotiating or adjusting. And there's many
15 retailers out there that buy at a fixed price,
16 and they do promotions on their own. So, they're
17 not asking you for a lower price to make that
18 promotion. They're taking the hit themselves.

19 So, there's a lot of both. So, I
20 wouldn't say that these retailers are driving the
21 market. I think that the buying or the volumes
22 that are available are driving the market --

1 MR. OKONIEWSKI: Right.

2 MEMBER FREEMAN: -- and will continue
3 to do so.

4 Usually, that has been for years --

5 MR. OKONIEWSKI: Right.

6 MEMBER FREEMAN: -- what the drives
7 the market is the supply.

8 MR. OKONIEWSKI: Supply and demand.

9 MEMBER FREEMAN: And supply and demand
10 is going to continue to drive the market.

11 So, supplies was key, and I think that
12 getting a good hand in supply -- which you
13 mentioned before that you're not reporting on
14 volumes anymore.

15 MR. OKONIEWSKI: Not at the wholesale
16 markets. From the shipping areas, yes, we are,
17 and the imports that we're getting into the U.S.,
18 we're reporting those, but not the whole
19 summaries.

20 MEMBER FREEMAN: But the wholesale
21 market is key because, when people throw things
22 at the wholesale market, it's because the volumes

1 are --

2 MR. OKONIEWSKI: Right.

3 MEMBER FREEMAN: -- you know, you know
4 right away that there's too much supply.
5 Because, otherwise, you don't throw anything at
6 the wholesale market.

7 MR. OKONIEWSKI: Right. We did it one
8 time, report the arrivals into 22 cities around
9 the U.S. I would say, probably about 12 years
10 ago, we stopped that for two reasons.

11 No. 1, as you mentioned, the product
12 is not going to those wholesale markets as much
13 as they used to, and they're going directly to
14 chains. So, a lot of their volume that we
15 weren't able to pick up -- and we had no way to
16 know what was going to the chains. So, we felt
17 that our data was incomplete or inaccurate. If
18 we only reported what was coming into the
19 wholesale markets, it wasn't really giving a good
20 picture of what was coming into chains as well.

21 And the secondary part of that is
22 budget cuts. We had to determine what parts of

1 the program we had to reduce, and that was one of
2 them.

3 But, mainly, it was because we just
4 weren't getting the correct data, I mean accurate
5 data, any longer, because of, like you said, the
6 produce going directly to chains.

7 Now, we did a pilot. We tried to do
8 a pilot a few years ago with the Transportation
9 and Marketing Division, but we just couldn't get
10 cooperation from the markets that we looked at.
11 There was no way that they -- it was either a
12 managerial thing or there just wasn't a physical
13 way for the markets to collect that data.

14 We couldn't do it. We didn't have the
15 personnel any longer. So, we were trying to have
16 the markets collect the information at the gates,
17 as the trucks were rolling in, but they had no
18 mechanism to do it. So, we were unable to
19 complete that pilot.

20 MEMBER FREEMAN: Well, we issue data
21 two-three times a day. I mean, we're in there
22 getting information. And your agents lately have

1 been -- with really high prices in different
2 commodities -- have been calling not three, four
3 times, but even five times a day. Because
4 there's disagreements, and they go back and
5 forth. And they call the other company, and
6 then, they call us back. Because there's
7 differences in pricing.

8 So, they do a great job. Whether all
9 that could be automated, I definitely agree. I
10 don't think there's need for so many phone calls.
11 I think that having a good program that we could
12 answer every single morning would take care of
13 all those phone calls.

14 And we would be able to answer and put
15 all that information, all the comments that we're
16 making to the agent --

17 MR. OKONIEWSKI: Right.

18 MEMBER FREEMAN: -- we could put it
19 under the same type of survey.

20 MR. OKONIEWSKI: As far as market
21 conditions and things like that?

22 MEMBER FREEMAN: Yes.

1 MR. OKONIEWSKI: Okay. Again, that's
2 why we're bringing this up. We had discussed
3 that at one of the subcommittee meetings.

4 So, yes, we'll take a look at these
5 things, but you've brought up, everybody's
6 brought up, a lot of questions.

7 MEMBER MASSER BALLAY: I did want to
8 just comment just really quickly --

9 MR. OKONIEWSKI: Yes.

10 MEMBER MASSER BALLAY: -- just to
11 respond to what Isabel is saying about the
12 retail.

13 I really think that is crop-specific.
14 Because there are a lot of crops in the specialty
15 market that do not have the selling power. They
16 are price-takers; they are not price-setters.

17 And from that perspective, the idea
18 that some of those, especially if they're selling
19 to distribution and retailers, that they're going
20 to disclose their prices, they're giving up a
21 competitive advantage by disclosing it. So, I
22 think it's challenging to even try and get that

1 data in an accurate form just because of that.

2 I know when I make a contract with my
3 retailers, no, no, no, I'm taking that loss.

4 When they put me on ad, I'm taking that loss. It
5 very much is crop-specific in terms of who has
6 that power and that dynamic in that relationship.

7 So, I just wanted to be clear. It
8 very well might be very true for you. It is not
9 true across the board.

10 Which, actually, going to, you know,
11 jumping to the second charge, then, in terms of
12 that standardized format for data visualization,
13 that's where that's going to be -- and I think we
14 had that discussion on our webinar -- that's
15 where that's going to be really, really
16 difficult. Because what I would be looking at,
17 you know, what Kay would be looking at, it's
18 going to be completely different. So, having an
19 easy -- just having that raw data pull of just
20 here's all the data in a form that I can now open
21 in a spreadsheet --

22 MR. OKONIEWSKI: Right.

1 MEMBER MASSER BALLAY: -- pivot
2 myself, you know, just use it and manipulate that
3 how I want. We struggled to see any other way
4 that was going to be a standard, just because of
5 how different each of these crops can be.

6 MR. OKONIEWSKI: Exactly. I mean,
7 exactly. That's why we're saying we're trying to
8 get something that's customizable. So, we
9 provide the data, but have a tool in there that
10 you can use to help you formulate it, manipulate
11 it however you want. Or, if you have your own
12 tools, like you said --

13 MEMBER MASSER BALLAY: Well, and I
14 guess that's the thing. You know, if you use
15 Excel, they have pivot tables --

16 MR. OKONIEWSKI: Right.

17 MEMBER MASSER BALLAY: -- or other
18 spreadsheets. As long as you can get it in some
19 type of spreadsheet format, got it, whether it's
20 an Apple product or a Windows product, whichever
21 one, you know, having that be able to download
22 and just open in those. Those tools are already

1 there, is, I guess, what I'm saying. There may
2 not be a need at this point to improve upon that.

3 MR. OKONIEWSKI: Okay.

4 MR. HUGHES: Quick, Jorge --

5 MR. VAZQUEZ: Yes.

6 MR. HUGHES: Wait, wait, wait. Jorge
7 will ask a question, then Chris.

8 I want to mention that there was a
9 five-minute break that was built into the agenda.
10 That was really for bathrooms. I think everyone
11 is just going as they need. So, we're going to
12 bypass that and keep engaging. Okay?

13 MR. VAZQUEZ: Jorge Vazquez, Latin
14 Specialties again.

15 So, building up on that comment, the
16 prior comment, what is the underlying platform
17 that MARS is built on? Because you mentioned the
18 last one was Oracle, right? So, what is this?
19 What is MARS built on?

20 MR. OKONIEWSKI: You know, I don't
21 really know.

22 MR. VAZQUEZ: Because that's key to a

1 lot of things that --

2 MR. OKONIEWSKI: I couldn't get my
3 technical guy here today. Yes, he's not here.
4 We couldn't get him on video.

5 But, honestly, I'm not sure.

6 MR. VAZQUEZ: Okay.

7 MR. OKONIEWSKI: I should know that
8 question, but I don't.

9 MR. VAZQUEZ: And also, you mentioned
10 that you suffered some budget cuts. I mean, what
11 is it? What is the budget that you're working
12 on? And how serious is the USDA in investing
13 money into this data collection? Because, to me,
14 this is at the heart of the whole agency, right?

15 MR. OKONIEWSKI: Sure.

16 MR. VAZQUEZ: I mean, if we're able to
17 collect who's planting what, what's coming into
18 the country, right, what are the costs of
19 planting, at least have some idea, so that we
20 know when the cost of production falls below the
21 price of the item, right? So, we can start
22 understanding why. Is it, like, too much is

1 coming from other countries? Is it some
2 retailers are using the produce as a punching
3 bag, you know, as a loss leader?

4 And so, that to me, investing in this
5 type of data is at the heart of everything else
6 that we're going to be doing at the USDA, right?

7 MR. OKONIEWSKI: Right.

8 MR. VAZQUEZ: I mean, this is the
9 beginning. Everything begins and stops with
10 money. And that's what we need to be, you know,
11 keeping our eye on the ball, you know?

12 MR. OKONIEWSKI: Right. Well, I
13 didn't touch on that, but Market News is an
14 appropriated program. So, we do not charge user
15 fees. So, every year it is a little bit of a
16 struggle. I mean, we have to stay within our
17 means.

18 And I don't want to put Bruce on the
19 spot -- he's not here -- but having a
20 conversation with him, based on that
21 conversation, that if there was something that
22 the industry really wanted that was beneficial to

1 them, and it was of great need, that he would
2 work hard on trying to secure funding to make
3 that happen.

4 So, as we're going through these
5 items, as we're talking about these, and you're
6 making recommendations, when we get these things
7 written up or passed forward or upstairs, if
8 these are things that they want to entertain,
9 then I think they will try to find funding to the
10 best they can. I'm not going to answer for the
11 funding part. My supervisors are back there.
12 So, I don't want to speak out of turn, but I
13 think that they will try to find the funding, if
14 it's a real need for the industry.

15 Yes, sir?

16 MEMBER CIRULI: So, I have a couple of
17 different thoughts for you.

18 One, on your rollout program, I
19 believe in, like, regional stuff. So, SEPC,
20 TIPA, certainly Western Growers, FPA, some of
21 those regional guys are very, very good at
22 getting out to shippers, if you're going to roll

1 something out new.

2 MR. OKONIEWSKI: Okay.

3 MEMBER CIRULI: I, personally, have
4 a lot of guys that use your system. So, we would
5 be interested in knowing when that's going to
6 take place.

7 I would hope, when you make this
8 change -- one of the important things for us is
9 to be able to go back at least three years. So,
10 the past history will still be there in the move,
11 I'm assuming?

12 MR. OKONIEWSKI: Yes, it will still be
13 there. Right now, we have data going back to, I
14 think, 1998.

15 MEMBER CIRULI: Okay.

16 MR. OKONIEWSKI: So, with the new
17 system, I think we're going to try to keep at
18 least 10 years of data at a time.

19 MEMBER CIRULI: And I guess I don't
20 really see the need, or I'm not sure, like, the
21 budget expenditure, why you would want to chase
22 such a small niche, like farmers' markets. Like

1 who would actually use a farmers' market for
2 market information? That seems like a huge cost
3 for very little output.

4 MR. OKONIEWSKI: Well, one of our
5 philosophies, I guess, is to not leave anybody in
6 the marketing channel behind as far as
7 information. So, we have -- actually, well, this
8 is an auction; it's not a farmers' market now.
9 When I worked in Detroit, we had a big a Canadian
10 chain store that used to get information from us
11 on the Vineland, New Jersey auction, because they
12 bought a lot of stuff from Vineland. Now, it's
13 not the same thing as a farmers' market.

14 But there are farmers' markets, people
15 who are in that area, that would like to know
16 what their products are being sold for, even in
17 different states. So, they can kind of get an
18 idea. And they may just be looking at
19 reinforcement as to what the prices are, and to
20 see if they are actually getting a fair price on
21 the market.

22 But we try to -- I won't say, "be

1 everything to everybody" -- but we try not to
2 leave anybody behind. So, any information we put
3 out, we try to cover as many market channels as
4 we can for anybody who does need it.

5 Now again, we haven't really spent a
6 lot of funding on covering farmers' markets.
7 What we're doing right now is, basically, getting
8 a fax -- to go back to even faxes -- we're still
9 getting from farmers' markets and some emails,
10 that we're putting information in the database on
11 those few markets. It's not many right now.

12 MEMBER CIRULI: Yes. I would think,
13 going back to your comment, like 90 percent
14 coverage when you're talking to people, I would
15 assume that your guys are telling you -- we talk
16 to these people a few times a week. So, I don't
17 think we talk to, like, Market News every day.
18 We talk to them a couple of times a week.

19 So, a couple of challenges for you
20 going forward. One is we truly don't really know
21 how to quote a market until after 10:30 in the
22 morning, right? So, in the morning prices, we're

1 putting them out there; we're trying to sell. We
2 don't really have accurate information for you
3 until after that. Typically, because you guys
4 have to make so many calls, you're calling in the
5 morning, but we really don't know that market
6 until after that.

7 MR. OKONIEWSKI: Okay.

8 MEMBER CIRULI: I don't know what you
9 guys are doing in the way of, like,
10 electronically gathering data. Like, in our own
11 office, we're going to look at every quote sheet
12 that's out there in the morning. Know that they
13 are giving you their highest price; they're going
14 to be willing to deal for less. And then, we go
15 back and try to see how does that work in the
16 afternoon.

17 Certainly, I think brokers are a
18 really important part of our industry. And when
19 we actually want to know what a true market is
20 trading for, we, actually, call a broker to see
21 what they're actually buying for, because that's
22 the easiest way to do it.

1 MR. OKONIEWSKI: Okay.

2 MEMBER CIRULI: I think what Isabel
3 laid out there that didn't exist 20 years ago,
4 that does now, there's a tremendous amount of
5 more contract pricing; there is six-week pricing.

6 MR. OKONIEWSKI: Right.

7 MEMBER CIRULI: There's a lot of
8 different stuff like that that's into effect.

9 MR. OKONIEWSKI: Sure.

10 MEMBER CIRULI: That really is hard to
11 lay out.

12 She was hinting around at what people
13 use and push your pricing for is the mid-mostly,
14 right? So, if you're not familiar with the term
15 "mid-mostly," it's a Cisco term. They actually
16 set your prices off that every week. So, they
17 take your high, your low, and they go to the
18 middle of the U.S. data and they say, "This is
19 the market."

20 It's really hard in a lot of
21 commodities because you're talking different
22 varieties, different things.

1 MR. OKONIEWSKI: Right.

2 MEMBER CIRULI: But they use it as a
3 generic term for that, which is different from
4 what you do.

5 If you're going to look at a data
6 pool, there's one company out there -- and if
7 people want to throw their other companies out
8 there, I think they have like 75 percent market
9 share -- it's Famous.

10 So, if you want to look at --

11 MR. OKONIEWSKI: Sure.

12 MEMBER CIRULI: -- actually
13 electronically trading data, we trade data
14 through that with food service, and we trade data
15 through iTrade with retail. So, there is actual
16 real data out there.

17 And if you're familiar with the old
18 days of cantaloupes, that was the actually only
19 fair market evaluation ever, where you fax in
20 your pricing and you get taxed off of the medium
21 price, right? We're not going to go back to
22 those days, but can the government do an actual

1 job of data collection? In cantaloupe, you did
2 fantastic because you had to.

3 MR. OKONIEWSKI: And we hit so many
4 things. I know we don't have time to do these.

5 MR. HUGHES: Yes, I was going to jump
6 in.

7 MR. OKONIEWSKI: I mean, we could talk
8 for hours with that stuff that you just brought
9 up, but we have thought about some of those
10 things. And some of these issues were brought up
11 with the Subcommittee.

12 But we have looked at social media.
13 We talked about how to get our reports out.
14 Using LinkedIn was one of the suggestions. We do
15 some bits and pieces there and some things on
16 Twitter with just some blurbs about Market News,
17 but not really getting our reports out.

18 We are planning on, for the rollout,
19 doing some video-type -- well, having webinars,
20 first of all, face-to-face, but, then, developing
21 video tutorials, so that people can actually go
22 on -- like you go on YouTube and look up a

1 tutorial that tells you how to search for certain
2 data or how to use it.

3 So, all these things that you just
4 brought up are things that we -- not all of them,
5 but many of the things that you brought up we had
6 been thinking about. So, that just reinforces
7 the direction that we're trying to go in.

8 MEMBER CIRULI: But the one thing we
9 have trouble finding is, like, the chain stores
10 on ad, and that's one of the most useful things.
11 When you go to a commodity and you say, this week
12 there were 14,000 chains on ad, 6,000 on ad,
13 that's really useful, but it's hard for us to
14 find.

15 MR. OKONIEWSKI: Which part is hard to
16 find? You mean you look at the retail report
17 that we have now?

18 MEMBER CIRULI: I don't look at it --

19 MR. OKONIEWSKI: Oh, okay.

20 MEMBER CIRULI: -- but, like, when we
21 pull data to get the chain stores that are on ad,
22 that's like one of the most useful data things we

1 pull.

2 MR. OKONIEWSKI: Oh, okay. All right.

3 MEMBER FREEMAN: But it's under a
4 different section.

5 MR. HUGHES: We've got to move on.

6 MR. OKONIEWSKI: All right. Okay.

7 Well, I'm being pulled off the stage.

8 (Laughter.)

9 So, I will hand that over to Darrell.

10 But I appreciate talking with you all,
11 and I really do wish we could spend more time
12 doing it. So, I hope we have more opportunities
13 in the future to really have this kind of
14 discussion. This is what I'm talking about. We
15 really want to continue this type of thing in the
16 future. I know we're not going to do it in one
17 day. It's going to be over a period of time, but
18 we look forward to hearing from you all and your
19 recommendations.

20 So, thank you.

21 MR. HUGHES: Awesome. Thank you,

22 John.

1 One of the things I wanted to say
2 before we shift to Ryan, I realize that a lot was
3 covered around this particular charge. And one
4 of the things that I want to do is make sure that
5 the feedback gets to Julie and the rest of the
6 Data Reporting and analysis Subcommittee.

7 And so, the likes of Isabel, Chris --
8 who was over here? -- Jorge, I think you all
9 should type up some of the feedback, potential
10 recommendations, ideas, bullets, and email them
11 maybe directly to Julie, so that we can make sure
12 that that gets built into the process. I don't
13 want to lose the nuggets through just discussion,
14 if that makes sense.

15 Yes? Thumbs up? Yay. Okay.

16 Moving on -- oh, okay. So, I'll just
17 go ahead and do the transition.

18 CHAIR RENTZEL: Well, there is a
19 recommendation that we allow the presentation to
20 be handled completely, and then, we ask our
21 questions as a group.

22 MR. HUGHES: Okay.

1 CHAIR RENTZEL: Okay?

2 MR. HUGHES: Perfect.

3 CHAIR RENTZEL: And I think that's
4 what we'll do with the next presenter.

5 MR. HUGHES: Go through the entire
6 presentation.

7 CHAIR RENTZEL: Yes.

8 MR. HUGHES: And Ryan says the
9 presentation is going to be two minutes. So,
10 it's going to be easy.

11 (Laughter.)

12 So, this is Ryan Wilson who is coming
13 up. Ryan Wilson is the Director of the Specialty
14 Crops Inspection Division.

15 As mentioned before, Ryan has engaged
16 with the Labor and Production and Infrastructure
17 and Sustainability Subcommittees through a joint
18 session and talked about some of the things that
19 they would like to do differently and would like
20 to hear from you on.

21 Bruce mentioned some of this stuff in
22 the beginning.

1 And, Donna, this would be your
2 opportunity to mention some good QA stuff, if you
3 want.

4 (Laughter.)

5 All right. So, go ahead, Ryan.

6 MEMBER GARREN: That would give me
7 homework.

8 (Laughter.)

9 MR. WILSON: No, no, no, there is no
10 homework.

11 MEMBER GARREN: Oh, no? Okay.

12 MR. WILSON: It's Thursday. There is
13 no homework tonight, I promise.

14 Good afternoon, everybody. Thank you
15 all for having me.

16 Like Darrell said, my name is Ryan
17 Wilson. I am the Director of our Specialty Crops
18 Inspection Division -- our new Director from
19 about January until now. So, be easy on me
20 today, but we should have a pretty good, quick
21 presentation, and we'll get to the discussion
22 points, and kind of have some good feedback.

1 MR. HUGHES: When you're ready, we'll
2 put on the next slide. Just say so.

3 MR. WILSON: All right. Great.
4 Thanks, Darrell.

5 Next slide. And the next slide.

6 So, a little bit about the Specialty
7 Crops Inspection Division. We're part of the
8 USDA, the Agricultural Marketing Service
9 Specialty Crops Program, providing competitive,
10 efficient, transparent marketing of specialty
11 crops. Our mission is to really support the
12 global specialty crops market, collaborating with
13 the agricultural community to provide trusted,
14 impartial, prompt, accurate, quality assurance
15 and food safety verification services.

16 A lot of you in this room may know/may
17 not know -- we were formerly called the Fresh
18 Products Branch or the Processed Products Branch
19 under the Fruit and Vegetable Program. About 10-
20 11 years ago, we were combined into what's now
21 called the Specialty Crops Inspection Division.

22 Next slide.

1 So, what do we do? All that -- we
2 provide grading and inspection and auditing
3 services. The voluntary inspection or audit-
4 based services, the HACCP services --
5 traceability, food defense, export certification.
6 We are the keepers of over 300 fruit and
7 vegetable standards for fresh, frozen, processed
8 juice; dehydrated products; fruit and vegetable
9 products.

10 By a quick show of hands, how many in
11 this room, for you or your organizations, are
12 familiar with our inspection services; have used
13 our services?

14 (Show of hands.)

15 Oh, boy. Okay. Quite a bit. Great.

16 So, none of this is really foreign to
17 a lot of you. For those that haven't used our
18 services, we're really that third-party
19 inspection or auditing service coming in, and we
20 look at product -- fresh, processed, whatever the
21 case may be -- and we provide certificates
22 attesting to that quality and condition of the

1 product.

2 Next slide.

3 Again, what we do. Our services are
4 voluntary, generally speaking, except when
5 they're not.

6 (Laughter.)

7 They're not voluntary under Marketing
8 Orders, School Lunch commodity procurement
9 purchases. That's when they're actually required
10 under either Section 8e regulations or School
11 Lunch commodity procurement purchases.
12 Inspection is part of those requirements for our
13 services.

14 And one thing that's different from us
15 than what you heard from John a minute ago, we,
16 generally, are a user-fee-funded organization.
17 So, we're going to talk a little bit about that.

18 But, for what that means for us, we
19 operate much like you all. We are a business.
20 We are user-fee-funded. We have to operate like
21 a business and recoup our costs.

22 Next slide.

1 So, a little bit about our
2 organization. We have over 600 federal employees
3 within our Specialty Crops Inspection Division.
4 We've got 14 area offices located across the
5 country. That's broken up into three regions:
6 our Eastern Region, Central Region, and Western
7 Region. Our offices are Los Angeles, Fresno,
8 Stockton, Yakima, San Antonio, Oshkosh, South
9 Bend, Winter Haven, College Park, Hunt Valley,
10 Philadelphia, and up in the Northeast, the Bronx,
11 Boston, New Jersey area. Those are our 14 major
12 area offices.

13 And from there, we all have sub-
14 offices in locations that support services a
15 little bit further out and inspection points in
16 some more remote or rural areas, that we have a
17 handful of inspectors providing inspection
18 services out there.

19 We also have a Federal-State
20 Inspection Program with 3400 federal-state
21 collaborators who are providing inspection
22 services for shipping point inspections, or they

1 are market licensees that are providing the same
2 level of inspection that we would on our federal
3 markets in Philadelphia or Los Angeles, depending
4 on the location.

5 Next slide.

6 So, real quick, our current inspection
7 services, like I've already said, we really do
8 inspection on fresh and processed fruits and
9 vegetables, nuts, specialty crop products. We
10 certify a number of different things. Generally
11 speaking, we're looking at the quality and
12 condition of the product or the class, quality,
13 and quantity condition upon shipping or receipt
14 as it's coming in.

15 We have a lot of different ways that
16 we could do an inspection. Generally speaking,
17 we're looking at product and we base our
18 inspections off of the U.S. standards that we
19 maintain -- the U.S. standard for apples or
20 processed apples or applesauce. We have those
21 standards. We're grading to those standards.

22 But there are things that we can do a

1 little bit differently. We're able to grade to
2 custom specifications, commodity procurement, and
3 their purchases. They, generally, have product
4 specifications that we can grade to. We'll do
5 condition-only inspections, temperature
6 inspections; look at net weights or counts,
7 depending on those products coming in. So, we
8 have a lot of different things that we can do, as
9 far as what we're looking at or what we're
10 looking for.

11 And one of the other areas we're going
12 to talk about here shortly, but, really, there's
13 the "What are we looking for?" But the bigger
14 question is, "How are we looking at the product?
15 Where are we looking at the product?" And I want
16 to kind of talk a little bit about that, the
17 differences of our inspections.

18 We have what's called the shipping
19 point inspection, where we are, generally, at the
20 processing plant for almonds or canned corn, and
21 we're grading the product as it's being packed
22 and processed for the end consumer. So, that's

1 our shipping point inspection.

2 We do in-line inspections during
3 production. Or the other side of it is what's
4 called the terminal market inspection, where we
5 are looking at product after it gets delivered to
6 the final destination.

7 So, those are kind of the two really
8 main differences in the types of inspections, are
9 where we do inspections, depending on the need of
10 our applicant, is what we will kind of shift what
11 our focus is and what the need is there.

12 Next slide.

13 So, really, what we're here to talk
14 about, kind of the challenges that our Division
15 is facing, trying to keep pace with what is a
16 rapidly-evolving marketplace, ensuring our
17 voluntary quality inspection services are
18 relevant and remain valued to the industry. We
19 strive to meet nationwide coverage, but, as I
20 said, we are a user fee organization.

21 So, what does that mean? That means
22 that, in some smaller, more remote, rural

1 locations we may not have inspectors local. So,
2 we've had to actually close a number of small
3 offices in locations over the past five to 10
4 years and provide service out of a larger area.

5 And what that ends up doing is, you
6 know, that results in higher costs for inspection
7 fees, because now we're tacking on travel charges
8 at times to get to those remote locations or
9 delaying our service. Instead of what used to be
10 a two-hour response time, it might be a five-hour
11 response time, because an inspector has to drive
12 somewhere from a little bit further out or get
13 there the next, following day.

14 So, it's really one of the challenges
15 that we're having. We are, like I said, a user-
16 fee service. It's 96 percent of our budget. So,
17 we really have to be mindful of the services that
18 we're providing, and we're providing them in a
19 cost-efficient manner and recovering our costs.

20 Go to the next slide.

21 So, really, what we're doing here
22 today, and for the Committee's consideration,

1 we're looking to the future. How can we use
2 technology to provide a faster, more cost-
3 effective inspection that meets your needs and
4 our responsibilities to provide a third-party
5 inspection service?

6 And so, the last slide.

7 And we can open it up for discussion
8 here. It's really the charge, what we've asked
9 the Subcommittee to look at.

10 The first is, what kind of
11 technologies can we use to optimize inspection
12 and grading services? What are the technologies
13 out there that we could bring in, or rely on, or
14 utilize?

15 Would a virtual type of inspection
16 service leveraging modern technology meet the
17 industry's needs? Would this kind of help to
18 provide a cost-effective, timely service in
19 remote areas?

20 And lastly, what kind of concerns
21 would you all, as the industry members here, have
22 with a virtual inspection protocol? You know,

1 it's all great to go and do something, but what's
2 the downside? What are the concerns we want to
3 make sure we take into account?

4 So, that is the quick run-through on
5 the presentation and the slides. We can open it
6 up for discussion and questions.

7 MEMBER BRIANO: Ryan, Mike Briano,
8 Harris Woolf Almonds and head, Sustainability and
9 Infrastructure Team.

10 We have prepared some comments for
11 you. Just it would be a little collaborative
12 effort. We'd probably bring some of our team
13 members in to make comments.

14 There was some passionate discussion
15 yesterday because -- and I'll kind of give you
16 the high level -- we found this very industry-
17 specific. You mentioned almonds. In our plant,
18 we have USDA there every day. We, actually, have
19 a parking spot in the front that is dedicated to
20 you all.

21 But there's two inspections that
22 happen. As a grower brings his crop in from the

1 field, that is inspected and that's how it's
2 determined how a grower is paid.

3 And then, we have an inspection that
4 happens in-line and after packaging, which will
5 give our buyers an understanding of what product
6 they're actually purchasing.

7 To go along with that, there's a trust
8 level associated with both of those transactions.
9 The marketplace will dictate what the
10 specification is and what your buyer will accept.
11 And if it doesn't work, then the next time
12 they're not going to order from Harris Woolf
13 Almonds, for example.

14 However, there is -- and Darwin can
15 even speak to this on the pistachio side -- there
16 is, I wouldn't say a distrust, but there's a
17 competitive and, unfortunately, it can be a bit
18 tit for tat when it comes to buying from the
19 field.

20 So, at certain times, a grower might
21 not agree with how they're getting paid, yet,
22 definitely find that the USDA is a trusted

1 source, and something in between.

2 So, if you're going to automate, say,
3 almonds, for example, it probably wouldn't
4 necessarily be on the incoming side that that
5 would be accepted right away, but on the outgoing
6 USDA. That's something to take into account.

7 Specifications are market-dictated, as
8 mentioned. So, on our side, the end-users might
9 take a liking to that quickly.

10 And then, something that David
11 mentioned in our meeting, a pilot program should
12 be utilized to tease out efficacy, because let's
13 not go to every commodity. And Jorge can speak
14 to this. It might not work in bananas, but will
15 it work in pistachios and almonds?

16 Some other things that we've talked
17 about. In almonds specifically, some of our
18 internal grading systems are pretty robust, and a
19 lot of our end-users prefer our internal line
20 sheets to USDA. Most of the time, we pass those
21 USDA costs on. So, that's another reason why
22 they like our internal line sheets.

1 But, in saying that, maybe you find
2 some power users within certain industries that
3 have great reputations for internal line sheets,
4 and you try a pilot program. This is not
5 necessarily leveraging technology, but you're
6 leveraging your individual power users. Now, you
7 can do an audit over time -- monthly, quarterly,
8 yearly -- on how the consumer felt about those
9 internal specifications being used.

10 And then, two, completely leveraging
11 technology -- AI, machine learning. We
12 definitely believe that that is a possibility for
13 certain commodities.

14 I'd like Darwin to talk a bit about a
15 company, specifically, his company is utilizing,
16 called Qcify, which is automated pictures, and
17 then, line sheets -- our grading inspections
18 provided specifically after.

19 So, Jorge, do you want to talk a bit
20 about how it might not work in certain
21 commodities?

22 Then, Darwin, maybe talk about your

1 experience in Qcify?

2 I'd appreciate that.

3 MEMBER VAZQUEZ: Jorge Vazquez, Latin
4 Specialties again. Yes, we were trying to
5 reimagine inspections and obviously there's a
6 need in the industry for a third-party --
7 objective third-party-kind of tie-breaker when it
8 comes to the quality of these fields. And I
9 think that's a function that you guys play very
10 efficiently, right?

11 So in the almond and pistachio
12 industry I guess they use optical sorters, so
13 that lends itself to pretty easily programming,
14 taking that data and doing -- exporting it. And
15 somehow you guys submit a grade, right? And so
16 that's easy. But in other commodities such as
17 bananas, tomatoes, I mean especially the terminal
18 markets, like how do you do that right?

19 Also there's a need for more
20 inspectors. There is a need for more objective
21 set of specifications for every single product.
22 And I think that's where you guys -- or we think

1 that's where you guys can play a role, right,
2 like working with the product boards and with the
3 end users, which might be retailers or food
4 service buyers and determining some of the
5 defects, the grades that we can all agree on,
6 right, so there's no disputes. Because right now
7 when we deal with a retailer, for example, we
8 send our spec and then they kind of like have
9 their own spec, and it's a back and forth, right?
10 So there's a lot of friction and a lot of time
11 being wasted in that.

12 So if you guys were able to engage
13 different parties for different commodities,
14 right, and like Mike said, maybe a product or a
15 category at a time, maybe not everything, as a
16 pilot and set that standard spec with pictures
17 with the defects and then sub-levels of like this
18 is what 10 percent defects look like, these are
19 acceptable, these are not. That would be
20 fantastic, right?

21 So again when we ship something to the
22 -- for example to a retailer and then there's a

1 rejection, there's a back and forth with them,
2 whether they're right or not, and sometimes you
3 guys -- we end up calling you guys, right, to
4 decide that. So what better to have like a
5 system or a process by which you guys or remotely
6 -- because growing inspectors is not logical at a
7 certain point, right? I mean, the need for
8 inspectors is much greater than the inspectors
9 out there.

10 So just coming up with a process and
11 maybe taking pictures a certain way. You guys
12 having a SOP that anybody can follow on the way,
13 the methodology for pulling the product out of
14 the sample size, right? How is that pulled? And
15 then submitting that data electronically to you
16 guys and then remotely just coming back with a
17 grade, right?

18 Obviously some of the challenges with
19 that is the human factor; are they pulling the
20 samples right, and the trust factor, right? So I
21 mean that might be more for the future. This is
22 just to plant the seed right now to kind of like

1 what the system might look like, but obviously we
2 have work to do. So that's kind of like what we
3 were discussing yesterday in a nutshell.

4 MR. WILSON: Yes, let me just jump in
5 real quick. A couple of things: One, we do have
6 a Standardization Branch that they develop and
7 maintain the 300-plus standards for fruit and
8 vegetable commodities. Those are your U.S. No.
9 1, your U.S. Fancies, Grade A for a product
10 depending on what it is. So we can certainly --
11 our standards really start as the basis for
12 specifications most of the time.

13 And you'll have my contact
14 information. For anybody in the industry we are
15 always open to that discussion on our standards
16 and making sure that they are relevant to the
17 industries that we serve. There's a process to
18 amend those. There's a process to go through to
19 get those changes, but we're always willing to
20 work with the industry and make sure that they're
21 relevant for what you all need knowing that a
22 standard that was written in 1978 may not

1 necessarily reflect what you all are packing,
2 shipping, buying today in 2023. So we're always
3 willing and open to those discussions. Please
4 reach out to us and we'll make sure you talk with
5 the right people.

6 But to that same point, I think
7 there's something that we could always do in
8 having that dialogue with you all or individual
9 customers about their specifications and us
10 providing feedback. I like that potential idea.
11 I'm going to take that down and kick it around
12 with some staff because we were talking about
13 that just last week actually.

14 MEMBER VAZQUEZ: Yes, I think it's
15 engaging with the end users and maybe getting the
16 buy-out from -- or buy-in from some of the major
17 retailers, some of the major food service
18 companies and harmonizing that spec, right, so we
19 all know what the rules of the game are per se,
20 right, so there's no discrepancy there.

21 MR. WILSON: Yes. Okay. Great.

22 MEMBER INMAN: Okay. This is Darwin

1 Inman. I'm with Horizon Nut Company. We're a
2 pistachio processor in Central California. I
3 think we may have been on a Zoom before, but I'm
4 not sure.

5 So the Qcify product is a color sorter
6 essentially. It's more of a picture thing and it
7 uses a vacuum to select the product that it is
8 removing. It goes across a standard sorting belt
9 so it actually replaces -- can replace a hand
10 sorter. We've just installed a new shelling line
11 that has two of them and we can actually make a
12 Fancy Grade basically from the product. We will
13 pass it across the table in front of the human
14 sorters just to be sure that we're not missing
15 anything that didn't -- just safety sake. But it
16 works really well.

17 The product was first developed to do
18 quality analysis. So it will actually track and
19 print what you're picking out and give you a
20 percentage of defect as far as serious damage or
21 chip and scratch or all those kind of things. It
22 can pick it up depending on the product, so it

1 can give grades.

2 Now how that would work I don't know.
3 You'd have to certify it and then run it through.
4 And they're not cheap. I think they're around 90
5 grand apiece. And then you have to have the
6 coordinating materials to load it and unload it
7 and however you're going to pass it through.
8 So it's an interesting idea. It's something that
9 could -- you know, you verify possibly.

10 Again getting to Mike's point growers
11 are going to want somebody -- they're going to
12 want to feel comfortable that whoever is grading
13 their product is a solid impartial third party.
14 Customers, a lot of them the same.

15 From a sales perspective selling
16 pistachios or almonds, which I've done both, the
17 third party is important to have especially if a
18 market drops and then -- because you'll have
19 people in some -- surprisingly in some areas
20 folks will try to claim product because the price
21 has dropped. So they'll say, ah, these -- this
22 doesn't look like it's up to the standard. It

1 doesn't look like meets Section No. 1. And you
2 can go back and say here's my USDA certificate.
3 They've tested it. It's Extra No. 1. Pay the
4 price we agreed to. So it comes in handy with
5 that. I don't know how you would deal with that
6 if it's electronic or what not.

7 We do do some in-house with certain
8 customers that we're very comfortable with or
9 large companies overseas, but again that third
10 party is important.

11 MEMBER BRIANO: Darwin, can I jump
12 into your comment? It's Mike. Sorry.

13 With retained samples though, because
14 we do retain samples with each of these loads,
15 should there be an issue, Darwin, could there not
16 be then a USDA inspection called in just like in
17 fresh fruit later to go over those line sheets?

18 MEMBER INMAN: Yes, absolutely.

19 MEMBER BRIANO: -- as a stop gap?

20 MEMBER INMAN: Absolutely. And the
21 retained samples can be pulled. With our almonds
22 and pistachios when we ship to Europe we have a -

1 - aflatoxin sample or over toxin sample, which is
2 60 pounds. Lot of that's destroyed, but --
3 during testing, but it's usually around somewhere
4 as well.

5 So as far as some of the other stuff
6 -- you know, in the pistachio industry we're
7 dealing with this internal kernel damage deal
8 with the USDA, and I think that's the call we may
9 have been on before with --

10 MEMBER BRIANO: It could have been.

11 MEMBER INMAN: -- American Council for
12 Pistachios. So this is kind of a new thing where
13 there's some new varieties and they're saying
14 maybe there's internal kernel damage. And the
15 USDA AMS is saying well we want to start grading
16 that, or potentially grade that, which would
17 require opening pistachios and cutting them open
18 and things like that.

19 And there's a lot of pushback from our
20 industry saying (A) we don't have any complaints.
21 Our company's never had any. It's kind of an
22 isolated incident; let's let it roll and not do a

1 patch to the different programs because that
2 would -- and in fact for the USDA and the
3 processes cost a considerable amount of money to
4 institute and could potentially be devastating to
5 some growers and things like that just because of
6 the process. So that's a conversation for
7 another day. But if you're looking to streamline
8 and save money just eliminate that completely
9 internal kernel damage discussion.

10 And the other is -- this was my first
11 experience last year, and those kind of tie
12 together because we never -- we haven't heard any
13 complaints, but we did the -- we did a couple --
14 two-and-a-half million pounds we roasted and
15 salted for a USDA purchase. So we weren't -- we
16 were the middle guys. We were the ones that
17 supplied the pistachios to the roaster. And it
18 was a good process.

19 The interesting thing which -- and I
20 know there are certain things difference when you
21 do these programs when the USDA is buying. We
22 had to have someone on site almost constantly,

1 which I understand is kind of different from
2 previous -- folks had told me that the product
3 has to be tested or certified Extra No. 1 prior
4 to pasteurization. So the USDA would come out
5 and do that. And I think they were using DFA in
6 California to do the actual sampling and testing.

7 So prior to pasteurization they would
8 come out and certify the product as Extra No. 1
9 and then they would put a seal on the bin. And
10 then when we're ready to pasteurize they would
11 come back out. They would want to take the seal
12 off and watch it go into the pasteurizer. And
13 then as it comes off the pasteurizer they want to
14 put another seal on the bin. And then we would
15 go into roasting. Same process. And then we
16 would package and then it would ship. But they
17 wanted to be there for every drop.

18 That seems a little excessive. And
19 costly. I mean nobody factored that cost in when
20 they did their -- because it said you had to
21 maintain traceability, which we do anyways
22 because we're all BRC certified or above or below

1 or whatever it is.

2 So from the USDA on that side I found it
3 interesting that that was heavily done. And I
4 think it's \$45 an hour or something you're
5 paying the DFA or whoever the folks that were
6 required to be there.

7 But it seemed -- and I know speaking
8 to some of the walnut guys that are involved in
9 the walnut purchase that's going -- the large
10 walnut purchase that's going on right now sounds
11 like that's the same as well, which they hadn't
12 seen that level of involvement before. Typically
13 it's graded into grade, then it's run and look at
14 it again or whatever. Of course all the
15 processing paperwork is there. So while I
16 understand the philosophy of how do we make this
17 better from a cost and speed perspective it seems
18 like there are some internal hiccups already that
19 maybe can relieve some of that pressure.

20 Now of course the pistachio and the
21 almond business is different because you do have
22 somebody from USDA on site daily for outgoings.

1 And then during the harvest -- well, the almond
2 guys will have them there longer in there because
3 they stockpile. Pistachios can't. We have to
4 hull and then go into silo on the day of harvest.
5 So that's a relatively short period of two months
6 that the USDA guys are at the hullers.

7 But it's always been a good
8 relationship and we like the third-part
9 verification. If there is a way that we can do
10 it we would be open to test and so things. And
11 if you want to see information from the Qicfys.
12 by all means reach out and we can help you with
13 that as well.

14 MR. WILSON: No, absolutely. I
15 appreciate that. And your comments on the
16 pistachio and walnuts, the commodity procurement
17 specifications, those processes, I certainly
18 appreciate what you're saying and will take some
19 of that back to our team. That's something that
20 commodity procurement and FNS, Food and
21 Nutritional Services -- as they put those buys
22 together they're looking at all those different

1 areas to make sure that it's going to be
2 acceptable food-safe product for the end users,
3 which it always -- it's some of the -- one of the
4 main concerns I know you all have for the
5 industry as well, but something that we'll
6 definitely make sure we bring up with them.

7 MEMBER INMAN: And maybe that's a
8 place to test a program.

9 MR. WILSON: Yes.

10 MEMBER INMAN: I mean because it's
11 internal. It's not -- with folks maybe you're
12 comfortable with you do some testing as far as
13 that goes.

14 MR. WILSON: Oh, absolutely.
15 Appreciate that.

16 MEMBER HAVEN BAKER: Haven Baker from
17 Pairwise. Just a quick comment. I mean I know -
18 - I've seen inspection, so I know less about
19 that, but more about technology adoption. And I
20 think the temptation here is -- with technology
21 adoption is to try to find the best application
22 for the technology, but historically what happens

1 is you're better off ranking by industry
2 cooperation or by the least number of players and
3 trying it that way. So that's what I'd be
4 interested in seeing is a rethinking commodity
5 adoption from those two dimensions as opposed to
6 the technologies dimension.

7 MR. WILSON: Great. Thank you.

8 VICE CHAIR MARSHALL: It's Reggie
9 Marshall, Tennessee. So I had a conversation
10 with our Tennessee Department of Agriculture
11 before I came up here about this actual charge.
12 And they were extremely excited about it because
13 from a producer standpoint we're always trying to
14 increase on-farm income. So if we can grow a
15 small producer or a mid-size producer into a
16 large entity through this process, it's not only
17 going to benefit that small or mid-size producer,
18 but it's going to do an incredible job for that
19 local economy, right?

20 MR. WILSON: Yes.

21 VICE CHAIR MARSHALL: And it increases
22 farm income. So it takes a lot of the angst away

1 from farmers' sleepless nights if you can have a
2 process in place to grow your business and you're
3 not having to go through all the hoops that you
4 typically have to go through get an inspector out
5 to a farm, which is away from your offices now.
6 So this is a huge step in the right direction for
7 growing on-farm income. So I appreciate it. And
8 it also would fit well with urban income as well
9 as urban farming is growing exponentially. So
10 thank you so much. We're excited about it in
11 Tennessee.

12 MR. WILSON: No, that's great.

13 MEMBER CIRULI: So, Ryan, a couple
14 comments: As far as port of entry what's worked
15 really well for us is like in the grape industry
16 super lots, so when we were able to go from one
17 truck to three. And the original talks were like
18 up to 10 and the government got nervous and
19 capped it. That's been going on for maybe like
20 four or five years now. So we could go back and
21 take a look. Like are these triple lots working
22 and can we go higher? And if it works there, it

1 would work with avocados and it would work with
2 tomatoes on the in-bound, right? So it's just
3 the speed of time doing that many lots.

4 I see your technology-based deal being
5 really necessary where you guys have pulled out
6 of markets, right? So like in Kentucky where we
7 no longer have services. Like when you want to
8 do tomato inspections, I think we're paying
9 \$1,500 for inspection to fly someone into
10 Kentucky.

11 So my question to you there is can you
12 guys come up with a format where we do some type
13 of video. You bring in like a state agriculture
14 person for the actual third-party and you guys do
15 the liaison.

16 In the old days when we did like
17 identifying bugs and stuff it had to be done at
18 the port of entry. Now we identify bugs with
19 people in either Sacramento or Dallas via some
20 type of video conferencing, high-tech video
21 conferencing that works, right? So we're
22 outsourcing the actual person that used to be in

1 Arizona. Now they're in Dallas. And it works
2 better.

3 So I'm sure there's some hybrid that
4 we'll come up with. And my thought would be in
5 areas where we've lost, like Portland, is there
6 state people that we can go to to get the hybrid
7 done? But we're going into more video or face
8 timing with customers because of the sheer cost
9 of the \$1,500 to fly them out there.

10 MR. WILSON: No, certainly understand.
11 And that's what we want to try and address and
12 mitigate. That \$1,500 isn't sustainable for you.
13 How can we meet your needs in that fashion? So I
14 appreciate the comment. And looking at our state
15 ag departments as that third party to kind of do
16 the protocol, the inspection protocol, but
17 passing that off to us for the inspection
18 certification portion. So I appreciate that.
19 Something to keep in mind.

20 MEMBER FREEMAN: My comment, I'm just
21 elaborating in the same thing that he mentioned
22 except that you provide a service. The people

1 are relying on it. And I understand that the
2 remote areas you eliminated or reduced the number
3 of inspectors, but they deserve the service
4 because it's not five hours, like you mentioned,
5 delay. In some cases the inspector is scheduled
6 for two or three days. Based on packer rule they
7 only have 48 hours to return the product if it's
8 not good. So they deserve the service just like
9 anybody else.

10 So I will make the recommendation to
11 your department that if you're going to provide
12 the service it needs to be provided equally and
13 to everyone one way or another, whether it is
14 through new equipment or sending the agents or
15 whatever. But there's a lot of people that are
16 very upset. And I mean companies, not people.
17 And I'm voicing their opinion that inspectors
18 have been eliminated from many, many areas that
19 are remote and it's not fair to those companies.

20 MR. WILSON: No, I appreciate that.

21 MEMBER FREEMAN: In addition to what
22 he mentioned, the cost and so on.

1 MR. WILSON: Thank you.

2 MEMBER AMY BAKER: Hi, Amy Baker here.

3 My perspective is from a processor perspective.

4 So when we're using the USDA to grade it's more

5 because of contracts that we probably have with

6 the USDA. And if I use an analogy of our

7 domestic origin verification where we get

8 certified on an annual basis, what about

9 something similar from a grading perspective,

10 that we get calibrated once a year, that the USDA

11 would deem us qualified to grade versus having an

12 inspector come all the time? And like I said,

13 the analogy is the DOV audits from a traceability

14 perspective. That's been really helpful for us.

15 MEMBER BRIANO: So that would be

16 calibrating your internal assets --

17 MEMBER AMY BAKER: Yes.

18 MEMBER BRIANO: -- like someone who's

19 already doing the grading inside?

20 MEMBER AMY BAKER: Yes.

21 MEMBER BRIANO: Yes, that's -- I like

22 that.

1 MEMBER FREEMAN: Because the customer
2 would complain if it's not -- if upon arrival
3 they have a problem. So that's a second check.

4 MR. WILSON: Yes, and I think to --
5 that idea, it's intriguing at the moment. My
6 head's starting to spin around that one. It
7 might be able to work in some circumstances where
8 it's a commodity procurement or specification
9 where we're doing an inspection to make sure that
10 it meets specifications. That system is going to
11 get a little bit more tricky when we're being
12 called in to pretty much dispute between two
13 parties and here's your final inspection
14 certificate.

15 But I really do like that idea. I
16 want to dwell on that one a little bit. Because
17 we have some existing inspection programs that
18 are similar. It's called a QAP, a quality
19 assurance program, that more or less are -- the
20 facility does the grading, but you have an on-
21 site inspector to oversee and verify/validate the
22 results of that inspection. And it's a little

1 bit more hands off. You don't have to have
2 three, four, five inspectors depending on how
3 much you're producing. You've got one and it's
4 really up to your internal QA/QC Department to
5 manage the production and quality.

6 So we have some things like that
7 already, but the idea of a DOV-like inspection
8 program is something I hadn't thought about.
9 Appreciate that.

10 MEMBER AMY BAKER: Sorry. I have the
11 mic.

12 (Laughter.)

13 MEMBER AMY BAKER: I have the speaking
14 stick. My dad always says that. Sorry.

15 Just another thought, too, that I
16 think there's -- when you talk about calibrating
17 internal assets, Mike, from a receiving
18 perspective. So when we're receiving the raw,
19 it's in our growers' best interest to give us the
20 best quality fruit that they can. And we'll go
21 through several grading processes. And maybe
22 there's a tiered approach to how you pay them for

1 the quality. So it's up to them to provide the
2 best quality product and then it's up to us
3 throughout the process to continue to evaluate
4 the quality so at the very end you've got a
5 quality product that meets spec and it's much
6 more efficient. But maybe that's more up to us
7 than it is to you on that part.

8 MEMBER VAZQUEZ: Yes, Jorge Vazquez,
9 Latin Specialties. Following up on Amy's great
10 comments, inspections are not only about
11 disputes, but they're also -- every company, when
12 you receive your product you have to grade it and
13 inspect it to give a report to the -- to your
14 internal teams as well as to the grower, right?
15 So I think it's important to start developing a
16 remote system where -- given the lack of
17 qualified workforce out there and the turnover
18 something -- where anybody with an SOP, taking
19 pictures, taking something in a similar way, and
20 sending them over to you guys that would help us
21 tremendously, you know? So I think we're on the
22 right track.

1 And to Amy's point, if you guys do
2 random inspections once a year or whenever, I
3 think that will go a long way of building
4 credibility and weeding out the bad actors,
5 right, the people that abuse the system. So I
6 think we're in the beginning of something for
7 this.

8 MR. HUGHES: Any additional questions?

9 (No audible response.)

10 MR. HUGHES: Going once? Going twice?

11 Sold.

12 Thank you, Ryan.

13 MR. WILSON: Thank you, all.

14 Appreciate your time.

15 MR. HUGHES: Thank you.

16 (Applause.)

17 (Simultaneous speaking.)

18 CHAIR RENTZEL: You got the only
19 applause of the day, so --

20 (Simultaneous speaking.)

21 MR. WILSON: I do my best work at the
22 end of the day.

1 CHAIR RENTZEL: Thank you so much.

2 MEMBER BRIANO: Oh, if you could get
3 me those comments, I will put them together as
4 well.

5 MR. HUGHES: Yes, any ideas that were
6 thrown out, please send them to Mike similar to
7 what we're going to do with Julie on Market News.

8 So here's a question for you all: We
9 can take a break or keep going to go through just
10 other business and do closing remarks and maybe
11 end up adjourning a little early. Want to keep
12 going?

13 PARTICIPANT: Yes.

14 MR. HUGHES: Yes? All right. So
15 let's do that.

16 All right. Other business. I will
17 touch on travel right now.

18 So here's how travel will work: You
19 all will be reimbursed at I believe 75 percent of
20 per diem. I think per diem is around 70-
21 something dollars. And so the first and last day
22 and travel, which will be the 18th and the 21st,

1 will be around \$59 and some change.

2 In between those two days: Wednesday,
3 Thursday, per diem will be granted for dinner.
4 Per diem will not be provided for breakfast or
5 lunch because that's been provided. We don't
6 want to double-dip or anything that sort of
7 fashion. There's also a -- I think a
8 miscellaneous per diem amount of \$5. I think
9 dinner may be around 36 -- 32 or 36, somewhere in
10 the \$30 range. So that's the amounts of per
11 diem. You all can do the math to tally up how
12 much that will be provided to you.

13 What I will do is I'll provide a wrap-
14 up email. The wrap-up email will be lengthy. It
15 will include all of the PDF presentations. It
16 will include the per diem information that I just
17 provided including the breakdowns for each meal.
18 And you all don't have to worry about submitting
19 anything for per diem. That's processed on our
20 end automatically. But what you do have to do is
21 provide receipts.

22 So those of you who provided -- or who

1 stayed at the hotel, the Holiday Inn, obviously
2 you'll pay that bill and then we just reimburse
3 you until you -- I don't believe you need -- we
4 need your hotel receipts on that, but you can
5 include them in your email anyway.

6 Any Lyft or Uber receipts, obviously
7 submit those for reimbursement.

8 And I think we covered the flights
9 through our CBA, our centrally billed account.

10 Those of you who did not stay at the
11 Holiday Inn -- oh, wait, I talked to each of
12 those individually, so never mind.

13 And those who had to book outside of
14 the system for travel, I think I've coordinated
15 with those folks individually. And then those
16 who had different travel plans, I think I
17 coordinated -- okay. Great. So I don't need to
18 touch on that kind of stuff.

19 I'll ask this question: Are there any
20 questions about travel that you all have a --
21 want to throw at me real quick? Go ahead.

22 MEMBER HODGES: Yes, I parked at the

1 airport at Memphis. I drove 100 miles. I'm
2 driving back 100 miles from Memphis to Mound
3 Bayou. Is that -- I think I read something about
4 mileage.

5 MR. HUGHES: Yes, \$0.54 a mile. I
6 think mileage is only provided if you're
7 traveling here, but --

8 MEMBER SUTPHIN: No.

9 MR. HUGHES: It is to and from?

10 MEMBER SUTPHIN: There was a form that
11 said even traveling to the airport.

12 MR. HUGHES: Okay. Perfect. Then be
13 sure to include that in all your documents --

14 MEMBER HODGES: Oh, okay.

15 MR. HUGHES: -- that as well. If it's
16 not provided, the Travel Team will let you know
17 that they can like reimburse some portion of it.

18 MEMBER SUTPHIN: The instructions that
19 you sent laid that out pretty well.

20 I'm sorry. Say that again?

21 MEMBER SUTPHIN: The instructions that
22 you had sent --

1 MR. HUGHES: Yes.

2 MEMBER SUTPHIN: -- laid that out
3 pretty well.

4 MR. HUGHES: I thought so, but I
5 didn't know what was -- I know that some of --
6 the mileage rate was an old mileage rate that
7 needed to be updated, but for the most part the
8 guidance on what's included, yes, that Word
9 document outlines everything. I will say that
10 the Word document -- there are two, one that
11 provided the instructions and the second that
12 said submit your receipts by this date and submit
13 it to this colleague. My colleague Daviya, she
14 hasn't been feeling well, so our colleague
15 Sharita Daniel is going to step in.

16 When I send the wrap-up email it will
17 include that new contact information, really for
18 two people. And when you submit your receipts
19 you're going to submit it to those two people.
20 It will be Sharita Daniel and Shelly Jackson.
21 And their emails will be included in that email.
22 And you'll probably end up copying the mailbox,

1 the SCP FVIAC. Copy that mailbox just so that
2 it's retained somewhere that if I need to connect
3 with Andy or someone else to help, we can do it.
4 We'll have that material.

5 Go ahead.

6 MEMBER MASSER BALLAY: And just for
7 clarity, it wasn't real clear like if we were
8 driving here. So I'm just assuming I'm going to
9 use that same mileage report just because I drove
10 direct.

11 MR. HUGHES: Right.

12 MEMBER MASSER BALLAY: Yes.

13 MR. HUGHES: Yes.

14 Go ahead, Susan.

15 MEMBER SUTPHIN: You mentioned that
16 you don't have to submit anything for the meal
17 per diem, but then we do have to submit receipts.
18 So I felt like you said we didn't have to -- you
19 don't have to submit anything for the meal per
20 diem.

21 MR. HUGHES: Right, for per diem no
22 receipts --

1 MEMBER SUTPHIN: Okay.

2 MR. HUGHES: -- necessary because
3 we'll handle that.

4 MEMBER SUTPHIN: You can I had dinner
5 this day and didn't get reimbursed for that?

6 MR. HUGHES: Pardon me. Say that
7 again? I couldn't hear the -- I heard something
8 I had dinner this day.

9 MEMBER SUTPHIN: Yes, so you don't
10 need to submit a receipt. You just have to say I
11 had dinner on Thursday night and you'll get \$36?

12 MR. HUGHES: No, because we don't ask
13 for you to document the meal that you've had. We
14 assume that you're having a meal to --

15 MEMBER SUTPHIN: Yes.

16 MR. HUGHES: -- just stay healthy.

17 (Laughter.)

18 MR. HUGHES: So we'll give you that
19 per diem.

20 MEMBER SUTPHIN: Right.

21 MR. HUGHES: Yes.

22 MEMBER SUTPHIN: Okay.

1 MR. HUGHES: There's no documentation
2 that's required for that per diem. It's just
3 something that we'll process on our end.

4 MEMBER SUTPHIN: So if you spent less
5 or more it doesn't matter? You get 36 for that
6 day?

7 MR. HUGHES: I guess so.

8 MEMBER SUTPHIN: Okay.

9 MR. HUGHES: But I mean if you spend
10 -- yes. If you went over, if you had a \$100
11 meal, you're only going to get so much, yes. If
12 you had a \$2 meal, I guess you win. I don't
13 know.

14 (Simultaneous speaking.)

15 MR. HUGHES: If you had ramen, I mean
16 you're winning at life.

17 (Laughter.)

18 MR. HUGHES: Any other questions on
19 travel stuff?

20 (No audible response.)

21 MR. HUGHES: Okay. Where was I? That
22 threw me for a loop.

1 (Laughter.)

2 MR. HUGHES: Presentations, I'll
3 provide. Any Market News recommendations you all
4 will send to Julie. The same thing with the
5 inspection.

6 As far as subcommittee meetings, I
7 think what I'm going to do is just -- I have to
8 think about how to connect with Andy on the best
9 approach. I know that the two subcommittees that
10 we talked about we'll have a consolidated Zoom
11 session with each of those. It's just figuring
12 out what that first meeting will be.

13 I almost think that I may -- we may
14 need to -- because we covered so much and learned
15 so much, we may need to just to get on the first
16 subcommittee call and say hey -- maybe an hour
17 for each group and say, all right, this is where
18 we are, and everyone confirm it. And if there's
19 a need to go back out to a USDA SME -- did I talk
20 about this earlier? Did I say this already? I'm
21 having a deja vu.

22 Okay. If there's a need to go back to

1 a USDA SME we plan to -- I'll -- well, Andy will
2 reach out and schedule another call. I think
3 that -- you know we used to have the three-hour
4 calls. I think we'll shrink that down to like
5 maybe an hour-and-a-half. We don't need to have
6 three-hour time blocks on our calendar anymore.
7 I think we're growing into a mature body --

8 (Laughter.)

9 MR. HUGHES: -- so we don't need that
10 huge block.

11 Other business?

12 CHAIR RENTZEL: Darrell?

13 MR. HUGHES: Yes.

14 CHAIR RENTZEL: Darrell, if I may,
15 I've heard some that are strongly interested in
16 changing --

17 MR. HUGHES: Yes.

18 CHAIR RENTZEL: -- committee groups.
19 And I would suggest they submit it to you at this
20 point --

21 MR. HUGHES: Yes.

22 CHAIR RENTZEL: -- in time, or to Andy

1 so that we can plan for that moving forward.

2 MR. HUGHES: Yes, let's do this:
3 Let's give a -- while I'm still tuned in. You've
4 got 24 hours to send me an email and say which
5 committee you want to go to.

6 (Laughter.)

7 MR. HUGHES: Can you do it?

8 SECRETARY SANTIAGO: Which committees
9 can we get rid of?

10 MR. HUGHES: We're not going to get
11 rid of any committee technically just yet. It's
12 just if you want to move somewhere.

13 SECRETARY SANTIAGO: Oh.

14 MR. HUGHES: Where you think you want
15 to move?

16 SECRETARY SANTIAGO: Hawaii?

17 (Laughter.)

18 SECRETARY SANTIAGO: The Vacation
19 Committee.

20 (Laughter.)

21 MR. HUGHES: Right. GoFundMe
22 Committee.

1 (Simultaneous speaking.)

2 MR. HUGHES: Oh, thank you. The next
3 meeting, the next in-person meeting.

4 PARTICIPANT: The next meeting in
5 Puerto Rico.

6 PARTICIPANT: Yes, Puerto Rico.

7 MR. HUGHES: Yes, Chris Purdy's there.

8 (Laughter.)

9 MR. HUGHES: So we have to think when
10 we -- approaching the next meeting let's think
11 about what makes sense as a whole. And so I'll
12 be honest: As much as I think Puerto Rico would
13 be a great destination, when you think about our
14 USDA services and programs, it's not as heavy --
15 we don't have a whole lot of presence there. But
16 when you think about like some other state, like
17 a Texas, Arizona --

18 PARTICIPANT: Hawaii.

19 MR. HUGHES: -- Hawaii --

20 (Laughter.)

21 MR. HUGHES: -- or some of the
22 northern states like where there's a huge

1 presence, I think that makes more of a business
2 case that we go there. So I want to approach it
3 from that standpoint. And maybe that instead of
4 -- and maybe that we throw around some potential
5 states and then go from there, because I'll have
6 to submit this to my leadership and make sure
7 they're okay with it. And I'm sure they'll have
8 to submit it to their leadership to make sure
9 they're okay with it. So it's not like once we
10 pick a location it's final, like we got -- we
11 have to answer up. And not in the sky.

12 MEMBER CIRULI: So typically one
13 comment I would make when I sit on boards like
14 this, it's nice for you guys to take into
15 consideration the size of the board and that we
16 alternate back and forth something that would be
17 East Coast versus West Coast.

18 MR. HUGHES: Okay.

19 MEMBER CIRULI: Just take into
20 consideration travel time.

21 MR. HUGHES: That would be fair, yes.

22 MEMBER CIRULI: A comment back to you

1 guys? For the Mango Board we went to Puerto
2 Rico. It's incredibly expensive. If you're
3 looking to save money, the cheapest meeting we
4 ever do is Vegas. Lot of direct flights and
5 cheap hotels.

6 MEMBER AMY BAKER: Amy Baker. It's
7 related but unrelated because it's been bothering
8 me this afternoon. As I look around at the tags,
9 we've got five or six food hub, farmer's market.
10 In the conversations that we've had so far like
11 do these initiatives even apply to you that we've
12 talked about?

13 MEMBER SERRATOS: I mean the first
14 charge with why you would want to get prices into
15 farmer's markets. And this is my projecting, but
16 I assume that LFPA dollars would love to have
17 that data at some point whereas right now they're
18 relying on states to set the prices. And there's
19 a few of us that have talked about, like off on
20 the side, how that's the Wild West right now in
21 terms of price setting at a local level.

22 MEMBER MELENDEZ: What are LFP

1 dollars?

2 MEMBER SERRATOS: Sorry. LFPA was
3 what we were arguing about yesterday where a lot
4 of you all zoned out.

5 (Laughter.)

6 MEMBER SERRATOS: I feel like we
7 switched days. Yesterday --

8 MR. HUGHES: Local Food Purchasing
9 Agreement.

10 MEMBER SERRATOS: The Local Food
11 Purchasing Cooperative Agreement. A lot of us
12 were way jazzed yesterday and then I got to take
13 a little vacation today. And then we flipped.

14 So I mean, yes, I think we're seeing
15 kind of both ends. And I mean in food safety;
16 we've talked about this in the subcommittee,
17 we'll go from really, really, really large
18 corporate insane amounts of food being processed
19 and inspected to hyper local. And I'm just
20 noticing --

21 MEMBER GARREN: And just make a fewer
22 number of people?

1 MEMBER SERRATOS: Right.

2 MEMBER AMY BAKER: So my question
3 though is so are we solving for this group and
4 what we're representing from the industry --

5 MR. HUGHES: Yes, and here's --

6 MEMBER AMY BAKER: -- or from the
7 USDA, what they want us to solve?

8 MR. HUGHES: Both. But here's
9 something that I think is important to keep in
10 mind: Any particular charge or recommendation --
11 it may not be that it pertains to every single
12 person. It's an issue that impacts a huge
13 segment of the industry. And so while -- let's
14 say if market -- the market data discussion
15 didn't pertain at all to anything that Rebecca
16 had going on, there may be something that happens
17 in a month or two that is all Rebecca.

18 I mean the NRCS engagement. I think
19 it was something on a sideline we engaged on, and
20 I've already connected her with an NRCS
21 colleague. There may actually be a
22 recommendation setting the charges aside.

1 Rebecca may say in subcommittee hey, I would like
2 to put forth a recommendation of my own regarding
3 NRCS. And you all will make sure naturally that
4 your perspective is included and considered
5 because we selected you all.

6 MEMBER HODGES: Hello.

7 (Laughter.)

8 MR. HUGHES: Oh.

9 MEMBER HODGES: I'm sorry. I'm just
10 piggybacking off the comment about -- I spoke
11 with -- well, in an email to my Mississippi
12 Department of Agriculture and Commerce yesterday
13 on the additional LFP Program.

14 MR. HUGHES: Yes.

15 MEMBER HODGES: And they responded
16 back. Initially our first Zoom meeting there
17 were some issues from specialty crop farmers
18 about pricing too low.

19 MR. HUGHES: Yes.

20 MEMBER HODGES: But that was our first
21 engagement and I --

22 MR. HUGHES: And it was specific to

1 the state? It was a state --

2 MEMBER HODGES: Yes.

3 MR. HUGHES: Yes.

4 MEMBER HODGES: It was the state
5 making the -- setting the prices.

6 MR. HUGHES: Right.

7 MEMBER HODGES: And also picking the
8 distributors. So the kinks are being worked out
9 and I guess it's going to be a state pricing
10 game, but they're taking feedback from the
11 specialty crop farmers.

12 MR. HUGHES: Great. Awesome.

13 CHAIR RENTZEL: Okay.

14 MR. HUGHES: Kay and then Haven.

15 CHAIR RENTZEL: Well, I was just going
16 to chime in on two things: First of all, I think
17 all the points that have been made are very good.
18 And I could see people zoning in and zoning out
19 because this is more important to me than this,
20 but I think in the end we also have to remember
21 we only have the food that the farmer produces.
22 So we're here because of that farmer. So whether

1 it services my need or your need we still have to
2 look at it in that particular perspective.

3 So I just wanted to comment that I
4 observed it as well, Amy, and I thought it was
5 kind of interesting. You could see we all come
6 to the table, but we are all here because we
7 represent a different perspective and it's in
8 order to give guidance to USDA to better serve
9 agriculture as a whole.

10 MR. HUGHES: Going to go to Haven and
11 then Reggie.

12 CHAIR RENTZEL: Oh, I was just --

13 MR. HUGHES: Oh.

14 CHAIR RENTZEL: Oh, no. If we're
15 going to stay on this topic, that's fine. If you
16 want to talk about next meeting, I have an idea.

17 MR. HUGHES: Okay.

18 MEMBER HAVEN BAKER: Well, I actually
19 just had a logistics question. So remind me, how
20 many meetings a year in person? And did you have
21 a time frame for the next one?

22 MR. HUGHES: Time frame for the next

1 one will be after October. And so it's just a
2 small window because we have to avoid vacation
3 and holiday, but it has to happen in the next
4 fiscal year.

5 MEMBER FRASIER: Deer hunting.

6 CHAIR RENTZEL: Well, the comment:
7 I was at a table for lunch today and I thought it
8 was a very good recommendation that wherever we
9 choose to meet for our next meeting we consider
10 taking that third day to go visit specialty crop
11 industries. And depending on where the meeting is
12 and what time of year it is perhaps we can visit
13 three or four different specialty crop
14 operations. So I think it's important for us not
15 only to continue to do this, but also see real
16 perspectives on the ground other than those that
17 we live and breathe 365 days a year.

18 So if it's October, that presents a
19 little bit more of a challenge because we're
20 outside of harvest windows and those types of
21 things. But I thought it was a very good
22 suggestion that came from at least two people at

1 the table.

2 MR. HUGHES: Okay. So I'm going to go
3 to Reggie and then I'm going to provide some
4 insights to you all.

5 Go ahead.

6 VICE CHAIR MARSHALL: I'm going to
7 focus back on what we were talking about
8 previously about all the topics that were brought
9 up. As a farmer everything pertaining to the
10 farmer, right? So when Bruce was talking about
11 technology that's one of the things that is going
12 to enhance every farmer because labor is an
13 issue. Even though some farms may not be as
14 large, labor is still an issue. And we can still
15 use H-2A workers. So that type of thing is a
16 constant with farmers.

17 When you look at market data, whether
18 you're looking at farmer's market prices or other
19 data it all goes back to the farmer because it
20 all impacts our bottom line. So food safety, the
21 virtual inspection. So all those things impact
22 the farmer.

1 So I was in-tuned and I appreciate
2 everything. So you didn't lose me on anything.
3 So again, everything goes right back to the farm.

4 MR. HUGHES: Next slide? And so what
5 I'll say about the meeting is that we have to
6 have -- if we're going to have a second meeting
7 this calendar year, it will have to be after
8 October, and the reason being is because when we
9 first came back into being partially in the
10 office and we're forecasting our operating
11 budget, we didn't know if we would be able to
12 sitting here altogether.

13 And so we couldn't commit our normal
14 travel budget to go anywhere because we didn't
15 even know that it would happen, which is why the
16 first meeting was really virtual. And so now
17 that we are in a different place we can then look
18 at our operating budget for this particular
19 committee and forecast out to travel or other
20 places.

21 And so I think it's a great idea to
22 visit additional -- I'm sorry, producers or farms

1 that will -- because you all -- your terms won't
2 expire until October of 2024. So there will
3 still be room in the first to second quarter of
4 2024, that early part of the calendar year,
5 because we're going to have a meeting around that
6 time for that type of meeting to take place. We
7 can still do something in November. It will just
8 be with our coats on and Ugg boots or something.

9 (Laughter.)

10 MEMBER FRASIER: They should come to
11 South Texas.

12 PARTICIPANT: Or go skiing in Tahoe.

13 VICE CHAIR MARSHALL: There's plenty
14 to do in Nashville. Anybody want to come to
15 Nashville --

16 (Simultaneous speaking.)

17 MR. HUGHES: That's true. We can go
18 to some of the southern states.

19 Go ahead, David.

20 MEMBER VAN EECKHOUT: I was just going
21 to say I think that's a great idea, Kay. I would
22 actually say if we're going to schedule it along

1 with an in-person meeting to do it the first day
2 so that those of us who come from different sorts
3 of local and regional food systems can get some
4 education around what a larger packing house is
5 doing or whatever so we can be more informed when
6 we get to discussions for that meeting.

7 CHAIR RENTZEL: And I think it would
8 be great to visit a food hub and be a part of
9 that.

10 MEMBER SUTPHIN: Well that's where
11 Sacramento would be really good. I mean it's
12 kind of the farm to fork capital, but Darwin has
13 a pistachio farm there nearby. And then there's
14 three food hubs within 60 miles.

15 MR. HUGHES: Okay.

16 MEMBER SUTPHIN: And then I mean
17 Oakland -- wouldn't you think, Darwin, like other
18 farms in those areas would be good?

19 MEMBER INMAN: Yes, I mean the farms
20 further south. We have a processing facility up
21 there, but it's very small.

22 PARTICIPANT: Further south where?

1 MEMBER SUTPHIN: Oh, and it's
2 mandarins -- mandarin is just coming in in
3 November and like they're over Placer County near
4 Sacramento. So maybe go to the mandarin
5 festival, too.

6 MEMBER INMAN: But if you want to see
7 something big I'm sure we can get a tour of Blue
8 Diamond.

9 MEMBER SUTPHIN: Right. Oh, that
10 would be good. Yes.

11 PARTICIPANT: No.

12 (Laughter.)

13 MEMBER FREEMAN: We could see the
14 grapes for grape wine.

15 MR. HUGHES: So how about this? Who
16 want to volunteer to collect locations that we
17 could coordinate with?

18 CHAIR RENTZEL: I was just going to
19 say if you want, let's maybe set up a small group
20 and talk about it, explore some options.

21 PARTICIPANT: Yes, the Meeting
22 Committee.

1 CHAIR RENTZEL: Yes, the Meeting
2 Location Committee.

3 (Laughter.)

4 CHAIR RENTZEL: But more importantly
5 let's also look at some dates because we do not
6 want to overlap key -- other key industry events
7 that already exist. So perhaps if you're telling
8 -- I forget, is it September 30th that the fiscal
9 year ends or is it October 31st?

10 MR. HUGHES: It's September.
11 September 30th.

12 CHAIR RENTZEL: Okay. So it could be
13 late October?

14 MR. HUGHES: Because I don't want to
15 step on IFP, I'm thinking the --

16 PARTICIPANT: What's that?

17 MR. HUGHES: International Fresh
18 Produce. Their floral --

19 (Simultaneous speaking.)

20 MEMBER FREEMAN: October 19th through
21 the 21st.

22 CHAIR RENTZEL: Okay. So that's in

1 the middle of October. So we could look at -- I
2 mean I would personally say perhaps we give you a
3 chance to get back to your business and look at
4 something in early November.

5 MR. HUGHES: Yes, those would be the
6 ideal -- the very end, that last week of October
7 through November 15th. That's out sweet spot.

8 CHAIR RENTZEL: Okay. And who would
9 like to volunteer to come back with a few
10 recommendations and --

11 PARTICIPANT: There she is. Raised
12 her hand.

13 MEMBER SUTPHIN: I'm not going to --
14 I'll stand by. I'll stand by.

15 (Laughter.)

16 MEMBER BRIANO: I'll make one comment
17 though. If you're going to go to California, go
18 to where the larger farms are so you can see --

19 MEMBER SUTPHIN: Oh, yes. I mean,
20 Sacramento, there's a lot of big farms there.

21 MEMBER BRIANO: Fresno, Coalinga,
22 Tulare, Bakersfield. There's some really

1 impressive -- and there's some contacts here to
2 show you crazy operations. I don't want there
3 because that's where I live. So that's --
4 Sacramento is fine.

5 MEMBER SUTPHIN: You know what, we can
6 -- there's food hubs in North Carolina and
7 Minnesota here. I think that would make -- if we
8 wanted a food hub, it would probably be good to
9 make sure we connect with --

10 MEMBER VAN EECKHOUT: I don't think
11 they want to come in November.

12 (Laughter.)

13 (Simultaneous speaking.)

14 MEMBER SUTPHIN: We could dog sled.

15 MR. HUGHES: One thing that I'll
16 mention is that if -- the fact that you mention
17 Fresno, the Inspections Division has a huge
18 presence in Fresno. And so that would be
19 attractive to leadership because then that
20 presents the opportunity for us to potentially
21 see or engage with our staff who are there. They
22 have a very large presence there.

1 MEMBER SUTPHIN: Well Common Market's
2 there.

3 PARTICIPANT: Who?

4 MEMBER SUTPHIN: Not Common Market.
5 Food Commons. Food Commons. I think Food
6 Commons is based in Fresno.

7 (Simultaneous speaking.)

8 PARTICIPANT: Okay. Yes, I'll go.
9 That's nice and close for you.

10 MR. HUGHES: You said West Coast. You
11 didn't say --

12 PARTICIPANT: I didn't say Fresno, for
13 God's sake.

14 MEMBER BRIANO: Yes, I live there. I
15 don't want to be there, but --

16 MEMBER FREEMAN: I don't think there's
17 anything close by.

18 MEMBER BRIANO: -- if we did go there,
19 Darwin and I could get you into 10 different
20 places.

21 (Simultaneous speaking.)

22 MEMBER BRIANO: I don't want to go

1 there though.

2 MR. HUGHES: Sounds like it's going to
3 be Fresno already. I don't know if we need a
4 committee.

5 MEMBER INMAN: We could stay in
6 Monterrey and take a day trip over.

7 PARTICIPANT: Ah, I like that better.

8 MEMBER GARREN: Yes.

9 MEMBER INMAN: I mean there's plenty
10 of fruit packers and greenhouses and everything
11 in the --

12 (Simultaneous speaking.)

13 PARTICIPANT: Santa Cruz? Yes.

14 PARTICIPANT: Monterrey it is.

15 (Simultaneous speaking.)

16 CHAIR RENTZEL: Okay. Might I
17 suggest; and I'll be willing to help somebody
18 else do this, we take a look at maybe what some
19 of the airfares might cost us to go to the
20 various airports in California and perhaps
21 Nashville since our vice chair has suggested
22 Nashville, see where we can go that is -- I don't

1 want to say most economical, but will be somewhat
2 reasonable that we're not going to fly to some
3 place that's difficult to get to and out of.

4 MEMBER FRASIER: Can we throw Texas in
5 there, too?

6 CHAIR RENTZEL: We can throw Texas in.

7 MEMBER FRASIER: If we did Texas we
8 could do the Rio Grande Valley which is in
9 full --

10 CHAIR RENTZEL: Sure.

11 MEMBER FRASIER: -- leafy green,
12 citrus production in October.

13 MR. HUGHES: So just so I understand,
14 it's going to be Texas --

15 MEMBER FRASIER: And we have the
16 Mexican --

17 MR. HUGHES: -- Tennessee and
18 California that we look at places.

19 CHAIR RENTZEL: That we're looking at,
20 yes. Okay.

21 MEMBER FRASIER: I'll get TIPA --

22 MEMBER FREEMAN: Make choices that

1 will be the most economical.

2 MEMBER VAN EECKHOUT: Can you take us
3 deer hunting?

4 MR. HUGHES: Huh?

5 MEMBER VAN EECKHOUT: Can you take us
6 deer hunting with you?

7 CHAIR RENTZEL: Okay. So we have
8 votes for recreational events as well.

9 (Simultaneous speaking.)

10 MEMBER MASSER BALLAY: Hey, it's
11 called pest control.

12 MR. HUGHES: Okay. So I'll just go
13 ahead and jump to closing remarks.

14 One thing that I noticed about this
15 particular committee that I hadn't said even
16 before the pandemic when we engaged here at some
17 of our in-person meetings, every single
18 representative in this room spoke and said
19 something. That's notable. I have not seen that
20 in a while. I'm appreciate of it. I understand
21 that like scheduling these things are crazy.
22 There are subcommittee meetings. You all are

1 very busy. You have many things going on
2 including family stuff. And the fact that you
3 still came today and engaged and worked while
4 engaging I'm appreciative of it.

5 I know Chris says Bruce and when you
6 will submit your draft recommendations and
7 eventually your final recommendations I'm sure it
8 will demonstrate the effort that you put forth.
9 So thank you.

10 Go ahead, Kay.

11 CHAIR RENTZEL: I would just like to
12 echo Darrell's remarks. I thought too it was a
13 very engaging group. I appreciate all of you for
14 taking time away from your businesses, your
15 employers supporting all of you. It is
16 important. And I can speak from my many years of
17 working with USDA. They do value what we as
18 industry members bring back to them. So it
19 certainly is a value to them and it's a value to
20 us as representatives. I personally --

21 So I would also like to just mention,
22 Darrell, you have been awesome.

1 (Applause.)

2 CHAIR RENTZEL: I've probably had the
3 opportunity to engage with him more than most of
4 you, but he is truly a great USDA representative/
5 industry liaison for us. You will be missed in
6 this capacity, but I also recognize that
7 sometimes other things call us away. And however
8 it turns out we wish you well. We wish the best
9 for you. So we appreciate your service to this
10 committee, not only this specific one, but also
11 your history with the committee as well. So
12 thank you so much.

13 And is Chris still back here? Chris,
14 thank you. We're excited to continue to work
15 with you and the rest of the staff. It certainly
16 is an amazing team from USDA AMS.

17 So again thank you. I encourage you
18 to stay in touch with the committee chairs. One
19 of the things that I'm going to do is also reach
20 out to you just to remind you who the committee
21 chairs are because I think that that's important
22 for you just to remember -- there might be

1 something come across your plate and you decide
2 this is important. I want to share it. I don't
3 want to wait until the next committee meeting.
4 Or if you're not on that committee make sure your
5 thoughts are heard as well.

6 Yes, ma'am?

7 MEMBER MELENDEZ: Would it be possible
8 to include with the chairs like what each group
9 is kind of focusing on right now?

10 CHAIR RENTZEL: You would like --

11 MEMBER MELENDEZ: Yes.

12 CHAIR RENTZEL: Yes, we can do that.

13 MEMBER VAZQUEZ: I'd like to make a
14 motion to adjourn.

15 PARTICIPANT: Second.

16 CHAIR RENTZEL: Motion to adjourn has
17 been -- all those in favor?

18 (Chorus of aye.)

19 CHAIR RENTZEL: All those opposed?

20 (No audible response.)

21 (Whereupon, the above-entitled meeting
22 was adjourned at 3:37 p.m.)

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This is to certify that the foregoing transcript

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Advisory Committee Meeting

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