



**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)  
CERTIFIED FARMERS' MARKET ADVISORY COMMITTEE (CFMAC)**

**September 16, 2024 Meeting Minutes**

**Hybrid Teleconference**

**2399 Gateway Oaks Drive, Suite 200, Sacramento, CA 95833**

**REMOTE MEMBERS**

**PRESENT**

Phillip Rhodes  
Cameron Crisman  
McKay Smith – Vice Chair  
Oscar De Leon  
Nick Schuller  
Jim Murez  
Portia Bramble – Chair  
Cynthia Ojeda  
Ed Williams  
Kurt Floren

**INTERESTED PARTIES**

Allen Moy – Pacific Coast Farmers'  
Market Association (PCFMA)  
Andrea Boca – Urban Village  
Farmers' Market  
Cheyenne Erickson - PCFMA  
Daniel Delgado – Los Angeles Co.  
Kayla Martin – Placer Co.  
Martin Bourque – Ecology Center  
Monica Winters – San Diego Co.  
Nina Zlatkov – Los Angeles Co.  
Sommer Woolley – Napa Co.

**CDFA**

Marcee Yount  
Jennifer Leidolf  
Sara Cardoni  
Kristi Garcia  
Steve Patton  
Rene Mendoza  
Jasmine Toledo

**MEMBERS ABSENT**

Chris Flores

**ITEM 1: CALL TO ORDER-INTRODUCTIONS/ROLL CALL**

The meeting was called to order at 10:00 a.m. by Chair Portia Bramble. Roll was called by Kristi Garcia, and a quorum was established.

**ITEM 2: PUBLIC COMMENTS**

Martin Bourque, Executive Director at the Ecology Center in Berkeley made a comment stating that market operators are concerned about a potential fee increase and feel there aren't sufficient improvements since the last fee increase. Bourque suggested improvements in data collection and the database, and commented that if a fee increase is approved, equity and opportunity for rural and disadvantaged communities needs to be addressed. Chair Bramble responded to Bourque by stating that many of those concerns would be addressed during the meeting.

**ITEM 3: REVIEW OF MARCH 4, 2024 MEETING MINUTES**

Chair Bramble requested a motion to approve the March 4, 2024, Meeting Minutes as submitted.

A revision to Item 8: There were three spelling errors that were corrected.

**MOTION:** Ed Williams moved to approve the March 4, 2024, Meeting Minutes as amended. Jim Murez seconded the motion. A vote by roll call was taken. The motion passed unanimously. Cynthia Ojeda was not present during this motion.

#### **ITEM 4: DIRECT MARKETING PROGRAM UPDATES**

i. Vacancies and Terms Report

Garcia provided the Vacancies and Terms report. Current vacancies include: three certified producer members, six certified producer alternates, one certified farmers' market operator member, and six certified farmers' market operator alternates. The following members will be eligible for reappointment when their terms end on January 22, 2025: Cameron Crisman, Chrisandra Flores, Ed Williams, and Portia Bramble. The following members will be terming out when their terms end on January 22, 2025: Jim Murez and Oscar De Leon.

ii. Compliance Report

Program Supervisor, Jennifer Leidolf presented the Compliance Report for fiscal year (FY) 2023/24. A total of 523 Notices of Noncompliance for Certified Producers were issued; 388 were categorized as minor, 83 as moderate, and 52 as serious. A total of 394 Notices of Noncompliance for Market Operators and Managers were issued; 43 were categorized as minor, and 211 as serious. A total of 136 Notices of Proposed Actions for Certified Producers were issued; 96 were categorized as minor, 26 as moderate, and 14 as serious. A total of 9 Notices of Proposed Actions for Market Operators were issued; 43 were categorized as minor, and 211 as serious. A total of 136 Notices of Proposed Actions for Certified Producers were issued; 8 were categorized as minor, and one as serious.

Crisman requested that future compliance reports include whether notices were issued by the county or program inspectors.

iii. Quarterly Remittance Participation

Leidolf provided the Participation Report. For 2023, quarterly remittance participation for markets reporting by quarter were: 640 for Quarter 1; 685 for Quarter 2; 702 for Quarter 3; and 681 for Quarter 4. Total markets reported as non-operational by quarter were: 55 for Quarter 1; 44 for Quarter 2; 43 for Quarter 3; and 76 for Quarter 4. For 2024 Quarter 1, total quarterly remittance participation for markets reporting was 624, and total markets reported as non-operational was 85.

iv. Fund Condition

Leidolf provided an overview of the FY 2023/24 Fund Condition. As of June 2024, the beginning fund balance was \$867,426. Total revenue was \$1,559,923, with available cash of \$2,427,349. Total expenditure was \$1,308,049. Cash Adjustments were \$114,008, with an ending balance of \$1,005,293.

#### **ITEM 5: FOOD AND AGRICULTURAL CODE (FAC) SECTION 47004**

This agenda item was requested by a member of the public, Raul Jaquez, during a CFMAC Database Subcommittee meeting held on July 1, 2024. Jaquez wanted to know more information on the intent of this code and whether agricultural items not specifically listed in the code were allowed to be sold in the non-agriculture section of the market. Kurt Floren explained that the code was introduced to prevent non-certified producers from competing with certified producers by selling similar products in the non-certified section of the market.

Monica Winters stated that Jaquez is a certified producer in San Diego County and grows livestock that are slaughtered and used for meat products that are sold at certified markets. Winters stated that Jaquez is concerned about competing with vendors who are not ranchers and could be reselling meat products. Jaquez did not attend the meeting, therefore no action was taken.

#### **ITEM 6: REGULATIONS SUBCOMMITTEE REPORT**

Kurt Floren led the discussion regarding recommendations from the Regulations Subcommittee to amend California Code of Regulations (CCR) Sections 1392.2 (t) and CCR Section 1392.2(m).

Floren gave an overview of the proposed regulation to amend CCR Section 1392.2(t) to define the practice of the agricultural arts for cultivated mushrooms. Floren explained that there were concerns within the industry that some vendors were purchasing almost fully grown mushrooms from out of state and then selling them as locally grown. The proposed language would require that the entire mushroom cultivation process, from inoculation to harvesting, must occur in California. There was discussion about how enforcing officers could ensure compliance when inspecting mushroom production and the challenges of how often inspections should occur, considering the rapid growth cycles of mushrooms. It was suggested that enforcing officers should conduct periodic visits and verify that growers have the necessary infrastructure for mushroom cultivation.

**MOTION:** Kurt Floren moved to accept the Regulations Subcommittee recommendation to accept the proposed CCR Section 1392.2 (t) language, to define the practice of the agricultural arts for cultivated mushrooms. Jim Murez seconded the motion. A vote by roll call was taken. The motion passed unanimously, with no abstentions.

Ed Williams gave an overview of the proposed amendment to CCR Section 1392.2(m) to add "certified" before "trees, vines, or plants" and to strike "(including flowers and processed products)." Williams explained that the intent of the new language is to specify that items like wreaths and garlands must come from a certified agricultural source, meaning the source must be listed on the producer's Certified Producers' Certificate (CPC).

**MOTION:** Cameron Crisman moved to recommend the proposed amendments to CCR Section 1392.2 (m) to add "certified" before "trees, vines, or plants" and to strike "(including flowers and processed products)". Ed Williams seconded the motion. A vote by roll call was taken. The motion passed unanimously, with no abstentions.

Sarah Cardoni led a discussion on whether the CFMAC wanted to continue having a Regulations Subcommittee. After a brief discussion, the committee felt it was best to continue with the Regulations Subcommittee for the discussion of meat products.

**MOTION:** Cynthia Ojeda moved to continue with the Regulations Subcommittee to further discuss animal products. Cameron Crisman seconded the motion. A vote by roll call was taken. The motion passed unanimously.

The Regulations Subcommittee will consist of the following members: Doug Hayden, Cynthia Ojeda, Phillip Rhodes, Kurt Floren, Ed Williams, and Portia Bramble.

### **ITEM 7: LEGISLATIVE SUBCOMMITTEE REPORT**

Chair Bramble led the discussion regarding recommendations from the Legislative Subcommittee.

The subcommittee met on June 3, 2024. The subcommittee proposed that the full CFMAC recommend an amendment to FAC Section 47000.5 to include spun wool as an agricultural product. This amendment would align with a previous motion to add spun wool as an agricultural product to CCR Section 1392.2(j)

**MOTION:** Ed Williams moved to amend FAC Section 47000.5 (a)(1) to include spun wool as an agricultural product. Cynthia Ojeda seconded the motion. A vote by roll call was taken. The motion passed unanimously, with no abstentions.

The committee chose to halt further discussion of the Legislative Subcommittee and move on to the Database Subcommittee report. Discussion of the Legislative Subcommittee report continued when the committee reconvened on September 23, 2024.

### **ITEM 8: DATABASE SUBCOMMITTEE REPORT**

Jim Murez led the discussion regarding recommendations from the Database Subcommittee. The subcommittee expressed concerns about the current database system being inefficient, leading to frustrations among farmers, market managers, and agricultural commissioners. Due to funding limitations, the subcommittee chose to focus on a one-time allocation of \$100,000 to the fiscal year 2024/25 Direct Marketing Program Budget Database line-item, to complete the following prioritized functions: upgrade how CPCs are generated and certificate format, standardizing commodity units of measure, and correcting the commodity dropdown list.

After some discussion, it was suggested to include an amendment to the subcommittee's recommendation that would include adding data export functionality, to allow users the ability to retrieve and analyze data.

**MOTION:** Cameron Crisman moved to accept the Database Subcommittee proposed recommendation to the CFMAC of a one-time allocation of \$100,000 to the fiscal year 2024/25 Direct Marketing Program Budget Database line-item, to complete the following prioritized functions: upgrading how Certified Producers' Certificates are generated and certificate format, standardizing commodity units of measure, correcting the commodity dropdown list, and an export data function. Chair Portia Bramble seconded the motion. A vote by roll call was taken. The motion passed, with Phillip Rhodes and Oscar De Leon voting against, and with no abstentions.

The meeting was getting close to the posted end time. Leidolf called for a motion to reconvene the meeting at a later date.

**MOTION:** Ed Williams moved to reconvene on September 23, 2024, at 1:00 p.m. Nick Schuller seconded the motion. A vote by roll call was taken. The motion passed unanimously, with no abstentions.

### **ITEM 9: SUBCOMMITTEE MEMBERSHIP**

This agenda item was discussed after agenda item four. Sarah Cardoni presented a review of the CFMAC subcommittee procedures and reminded committee members that only voting members and alternates of the CFMAC can vote in a CFMAC subcommittee. Cardoni asked each subcommittee to revisit the intent of why specific subcommittees were formed and whether they have reached their intended goal.

### **September 23, 2024**

The meeting was reconvened on September 23, 2024, at 1:00 p.m. by Chair Bramble. Roll was called, a quorum was established, and self-introductions were made. Alternate County Agricultural Commissioner, Chris Flores, was present. Vice Chair McKay Smith and Oscar De Leon were absent. The Legislative Subcommittee report was resumed.

### **ITEM 7: LEGISLATIVE SUBCOMMITTEE REPORT CONTINUED**

The subcommittee recommended amending FAC Section 47021 to add a minimum fee of \$2 and a maximum fee of \$6, with fee adjustments allowed through the regulatory process instead of the legislative process. A discussion followed and committee members voiced concern about the impact on smaller markets versus larger ones, with suggestions to consider per tent or square footage-based fees and how the fee structure would impact rural markets versus urban markets.

Industry members that were present expressed concern over a lack of transparency and data availability from the CDFA, stating there is a need for the CDFA to clarify how fees support the industry.

Murez proposed adding a mechanism to the proposed amendment that would allow the CFMAC to vote to approve fee increases and effective dates. A discussion followed, with the committee agreed to add, "The Secretary shall adopt regulations establishing the fee and effective date recommended by the committee established pursuant to Section 47011," as a subsection to FAC 47021.

Committee members chose to make a motion to add this additional verbiage to the proposed language of FAC 47021 presented by the Legislative Subcommittee.

**MOTION:** Jim Murez moved to make an amendment to FAC 47021 that would include that "The Secretary shall adopt regulations establishing the fee and its effective date recommended by the committee established pursuant to Section 47011." Nick Schuller seconded the motion. A vote by roll call was taken. The motion passed unanimously, with Kurt Floren abstaining.

**MOTION:** Jim Murez moved to recommend the proposed FAC Section 47021 amendments to modify the fee structure to include a minimum and maximum fee range,

add a regulatory mechanism to set the fee, and that the Secretary shall adopt regulations establishing the fee and effective date recommended by the committee established pursuant to Section 47011. Nick Schuller seconded the motion. A vote by roll call was taken. The motion passed, with Cameron Crisman voting against, and Kurt Floren abstaining.

**ITEM 10: NEXT MEETING/AGENDA ITEMS**

The next meeting will be held on Monday, March 3, 2025, and will be held via Zoom. Agenda items will include information on the Pesticide Pilot Project, sending out notices to the public on fee increases, and whether the committee should meet quarterly.

**ITEM 11: ADJOURNMENT**

The meeting was adjourned at 3:07 p.m. by Chair Bramble.

Respectfully submitted by:

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Jennifer Leidolf, Program Supervisor  
Direct Marketing Program