

BY-LAWS

Fertilizer Research and Education Program – Technical Advisory Subcommittee

Adopted by the Fertilizer Inspection Advisory Board on July 9, 2014.

ARTICLE I

Name

Section 1. Background – Section 14581 of the California Food and Agricultural Code (FAC) authorizes the establishment of the Fertilizer Inspection Advisory Board (FIAB) within the California Department of Food and Agriculture (CDFA). The nine FIAB members are appointed by the Secretary. The FAC states that the FIAB shall be advisory to the Secretary and may provide recommendations on matters pertaining to the inspection and enforcement program, research and education, the annual budget, necessary fees to provide adequate inspection services, and regulations required to accomplish the purposes of the California Food and Agriculture Code.

FAC Section 14611. (b) In addition to the assessment provided in subsection (a), the secretary may impose an assessment in an amount not to exceed one mill (\$0.001) per dollar of sales for all sales of fertilizing materials, to provide funding for research and education regarding the use and handling of fertilizing material, including, but not limited to, support for University of California Cooperative Extension, the California resource conservation districts, other California institutions of postsecondary education, or other qualified entities to develop programs in the following areas:

- (1) Technical education for users of fertilizer materials in the development and implementation of nutrient management projects that result in more agronomically sound uses of fertilizer materials and minimize the environmental impacts of fertilizer use, including, but not limited to, nitrates in groundwater and emissions of greenhouse gases resulting from fertilizer use.
- (2) Research to improve nutrient management practices resulting in more agronomically sound uses of fertilizer materials and to minimize the environmental impacts of fertilizer use, including, but not limited to, nitrates in groundwater and emissions of greenhouse gases resulting from fertilizer use.
- (3) Education to increase awareness of more agronomically sound use of fertilizer products to reduce the environmental impacts resulting from the overuse or inefficient use of fertilizing materials.

To administer these projects, the Secretary established the Fertilizer Research and Education Program (FREP) within CDFA.

Section 2. The Technical Advisory Subcommittee (TASC) – The TASC was established by the FIAB for the purposes described in Article II.

ARTICLE II

Purpose

Section 1. TASC Primary Functions – The purpose of the TASC is to advise the FIAB on matters related to the funding of FREP projects. The TASC will advise the FIAB on research priorities; make recommendations on project funding; and serve as an expert scientific panel on matters concerning plant nutrition and on environmental effects related to fertilizing materials use.

Section 2. Evaluating Project Suggestions and Project Proposals – The TASC shall assist the FIAB by providing technical review of the research proposals submitted for funding. The TASC shall follow procedures described in the FREP Procedures Manual in reviewing and evaluating project suggestions and project proposals. The TASC will recommend to the FIAB those research and education projects for funding that best meet FREP goals.

Section 3. Reviewing Project Progress and Final Reports – One or more CDFA staff members will review all project reports and will request advice from TASC members as needed. Project reports will be provided to TASC members for their information and comment on request.

ARTICLE III Members

Section 1. Terms – Upon recommendation of the FIAB, the Secretary appoints the members of the TASC for three-year terms. To encourage continuity, the terms shall be staggered and without limit to the number of terms that a member may serve. Approval of appointment requires a majority vote by the FIAB. Vacancies will be filled for completion of the unexpired term by the Secretary upon recommendation of the FIAB.

Section 2. Membership – The composition of the TASC shall be determined by the FIAB but should be of at least nine members as to represent the major segments of the fertilizer industry, certified crop advisors, technical experts, farming community, public, and governmental agencies. Members should have a background in and knowledge of the technical and scientific aspects of the fields of fertilizing materials, agronomy, plant physiology, principles of experimental research, production agriculture, and environmental issues related to fertilizing materials use. One member can satisfy more than one of the criteria stated above. At minimum, one member shall be appointed from the membership of the FIAB, and one member on the TASC shall be from CDFA.

ARTICLE IV Meetings

The meetings shall be conducted in a professional and respectful manner.

Section 1: Electing a Chairperson and Vice-chair – The TASC shall elect a chair and a vice-chair and other officers as deemed necessary. The term of each officer coincides with the term of the member holding the office. The vice-chair will assume the duties of the chair upon exit. There will be a limit of two consecutive terms in each office.

Section 2. Conducting meetings – The TASC meetings are public meetings where the public shall have proper notice of the meetings, and the meeting minutes are available to the public. Robert’s Rules of Order shall be used as a guideline to conduct meetings. Meetings shall comply with the stipulations for conducting public meetings as stated in the California Bagley-Keene Open Meeting Act of 2004.

Meetings may be conducted using conference calls. However, these meetings shall be conducted in a manner consistent with other meetings, i.e. advance notification of the meeting, satisfying the quorum requirement to conduct business, keeping of minutes, using Robert’s Rules of Order, etc.

Section 3. Quorum – A quorum must be present in order to conduct business. A majority number of the TASC membership determines a quorum. A member may participate via conference call when available. Absentee members who have submitted comments and votes on actionable items shall not be counted when determining a quorum.

Section 4. Minutes – The TASC shall keep meeting minutes and shall make approved minutes available to the public in a timely manner.

ARTICLE V Impartiality

Section 1. Conflict of Interest – The TASC members while entitled to their professional opinion, shall review, evaluate and vote in a manner as to reduce the risk of perceived or real conflict of interest. TASC members shall abstain from the voting procedures if there is a conflict of interest.

Section 2. Department requirements – Each member shall complete the annual “Ethics Training for State Officials” and complete the Form 700 – Statement of Economic Interests and satisfy any other Department requirement that promotes impartiality.

ARTICLE VI Compensation

The TASC members shall receive no compensation, but are entitled to reimbursement for necessary travel expenses in accordance with the rules of the Department of Personnel Administration.

ARTICLE VII Amending the bylaws

These bylaws will be reviewed by the FIAB and may be amended by vote of the FIAB.