

**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)  
ANIMAL HEALTH AND FOOD SAFETY SERVICES (AHFSS)  
MEAT, POULTRY AND EGG SAFETY BRANCH (MPES)  
SHELL EGG ADVISORY COMMITTEE (SEAC)  
MEETING MINUTES  
November 12, 2019**

California Department of Food and Agriculture  
2800 Gateway Oaks Drive, Room 267  
Sacramento, CA 95833

Item  
No.

(1) **CALL TO ORDER**

Mr. David Will, Chair, called the SEAC meeting to order at 9:02 a.m. and a quorum was established.

(2) **ROLL CALL**

Roll call was taken by Mr. Tony Herrera, Egg Quality Manager, Egg Safety and Quality Management (ESQM). Introductions were made.

**Committee Members Present:**

David Will, Chair  
Mike Gemperle, Vice Chair  
Steve Mahrt, Petaluma Farms  
Lupe Gutierrez, NuCal Foods  
Andrew Demler, Demler Brothers  
Dr. Richard Breitmeyer, Public Member  
Frank Hilliker, Alternate  
John Bedell, Alternate  
Ruben Arroyo, CACASA Representative, Non-Voting Member

**Interested Parties:**

Debbie Murdock	Mike West
Stan Foster	Michael Silva

**CDFA:**

Dr. Annette Jones	Jenna Celigija	Emma Middlemiss
Paula Batarseh	William Rohner	Melissa Vasquez
Tony Herrera	Michael Abbott	Kathryn Tockey
Laura Barlow	Paul Roos	Holly Chang

(3) **APPROVAL OF MINUTES**

Chair Will asked SEAC to review the meeting minutes from August 27, 2019.

**Motion #1:** Mr. Bedell made a motion to accept the minutes. Mr. Gemperle seconded the motion. All members agreed with no abstentions. The motion passed unanimously.

(4) **PROPOSITION (PROP) 12 DISCUSSION**

Dr. Jones updated SEAC on the current Prop 12 regulation changes. There are currently two regulation packages moving forward. One of the regulation packages will address the adjustment to cage sizes with shell eggs. Dr. Jones stated that the initial estimated economic impact cost of shell eggs was around \$50 million. However, there will not be any comprehensive economic impact assessment done since the change was driven by the law and not the regulations.

There were questions regarding whether Shell Egg Food Safety (SEFS) compliance will be compliant under Prop 12. Dr. Jones advised that SEFS will be covered under Prop 12 once the regulations pass.

Dr. Jones anticipates publishing the shell egg regulation draft around the end of November 2019. Ms. Batarseh reminded SEAC of the forty-five-day public comment period once the draft is published. Dr. Jones reiterated that the law will be effective January 1, 2020.

Chair Will inquired on ways to expedite the rulemaking process to ensure the regulations are finalized in a timely manner. Dr. Jones stated that it is difficult to know due to multiple factors impacting the rulemaking process.

(5) **PROPOSITION 12 EGG WORK TIME & COST ANALYSIS**

Mr. Herrera provided an overview of the data collected from the Prop 12 Readiness Questionnaires sent to in-state and out-of-state producers. The data presented a breakdown of enclosure types and farm readiness plans for the new regulations.

The time allotted for inspections may vary in the future as there are different enclosure types. At this time, there is an indefinite answer for the cost analysis of future Prop 12 inspections. Dr. Jones advised that in the event of a third-party compliance certification is used, CDFA will audit the third-party Prop 12 auditor.

(6) **OTHER SPECIES OF FOWL & SANITATION UPDATE**

Ms. Vasquez introduced SEAC members to the Other Species of Fowl Sanitation project. The goal is to establish a voluntary program to set sanitary guidelines for other species of fowl.

Ms. Vasquez opened discussion for SEAC members to provide focus areas for the project. The current necessities of the project were discussed. Mr. Gemperle expressed concerns on whether this new project would overlap with the current regulations of CCR 1350. Chair Will suggested that this project should focus on setting guidelines with the farm rather than the processing plant. Mr. Herrera advised that the project would ultimately provide certification on biosecurity and food safety for other species of fowl producers.

Chair Will asked for a follow up presentation on the cost analysis and potential revenue for the Program. Mr. Herrera will have Alan Pham present about the biosecurity portion of the project at the next SEAC meeting.

(7) **NATIONAL EGG STANDARDS UPDATE**

Ms. Middlemiss provided an overview of the ten drafted recommended National Egg Standards. The recommended Egg Standards will set guidelines to ensure uniformity nationwide.

Ms. Middlemiss has collaborated with multiple stakeholders to draft the recommended Egg Standards. Some of the goals of the project include facilitating long term effects to the National Food Safety System through interagency and state collaboration. The project strives to improve regulatory response through compliance and enforcement tools.

Ms. Middlemiss stated that the project is currently in its second phase where it involves finalizing those drafted standards in smaller workgroups. Mr. Mahrt inquired on the specific target group of these recommended Egg Standards. Ms. Middlemiss stated that it will primarily aim to focus on flock sizes 3,000 and above; however, she would like to expand these recommended standards to all flock sizes. As the project continues, Ms. Middlemiss will update SEAC regarding any major milestones in the future.

(8) **BORDER STATION UPDATE**

Mr. Rohner provided an update on the current enhanced Border Station enforcement activities. All Border Station training has been completed and follow up training is now being provided.

As of July 2019, there have been twenty-six Notice of Violations (NOV) issued from the Border Station. There was a discussion on the current process of penalties after NOVs are issued from the Border Station. Mr. Rohner advised that after a certain amount of NOVs are issued to a violator, they will receive a subsequent Notice of Proposed Action (NOPA). There was additional discussion on Border Station monitoring of noncompliant eggs being transported into California after the new regulations.

(9) **ESQM COMPLIANCE UPDATE**

Mr. Abbott updated the current Notice of Proposed Action (NOPA) process to SEAC. Mr. Abbott advised that after an NOV is issued to a company, the company would have time to make corrections. However, if the company has multiple repeated violations without making corrections in a given timeframe, they will be issued a NOPA. Mr. Roos added that there is no equivalent number of NOVs leading to its subsequent NOPA.

(10) **SUCCESSION PLANNING**

Ms. Batarseh has been working with Human Resources to reclassify the Program Manager position. The new manager will be hired a couple of months prior to Mr. Herrera's last day with the Program.

(11) **PROGRAM UPDATE**

Mr. Herrera provided a brief update on the Program. The Program's Annual Report was completed and sent out to all SEAC members for review. Mr. Herrera would like for SEAC to provide feedback on the new format of the report.

Mr. Herrera will be presenting at UC Davis on November 19, 2019 to educate producers from Moldova about the ESQM Program. There will also be an ESQM all-staff meeting from December 9-13, 2019.

Mr. Bedell inquired on the status of the vacant positions from the last SEAC meeting. The Office Technician and Agriculture Technician III positions have been posted and applications are currently under review.

(12) **BRANCH UPDATE**

Ms. Batarseh stated that the Branch will also be participating at the presentation at UC Davis to educate producers on poultry slaughter operations. The Branch has been working with other regulatory agencies such as the Department of Public Health on various efforts. These collaborations include promoting education and outreach efforts on sanitation and assessing outbreaks.

(13) **DIVISION UPDATE**

Dr. Jones stated that the Division is currently in the testing for freedom of disease phase for virulent Newcastle Disease (vND). This phase involves testing a number of premises over the course of three months. Dr. Jones hopes to lift the vND quarantine by January 2020 if all results come back negative within that timeframe.

Dr. Jones reminded SEAC of the funding received from the Governor last year to establish the Animal Health Center of Excellence in Southern and Northern California. The center will focus on setting guidelines to assist and evacuate animals during natural disasters. As such, Dr. Jones strongly encourages applications towards the positions that have opened within the Animal Health Branch during this expansion.

(14) **PUBLIC COMMENTS**

Chair Will shared that the National Organic Standards Board recently passed a vaccine for organic birds, which will expire in October 2027. The vaccine is an ongoing issue and Chair Will advised SEAC to learn more about this through the Organic Trade Association.

(15) **FUTURE SEAC AGENDA ITEMS**

- Formation of Budget Sub-Committee
- Retail violations update
- Other Species of Fowl & Sanitation update
- Border Station presentation
- Election of SEAC officers

(16) **UPCOMING SEAC MEETING DATES**

The next SEAC meeting will be on January 14, 2020, at 10:00 a.m. It will be held in Sacramento, at the Gateway Oaks location in Room 267.

(17) **ADJOURN**

Chair Will asked for a motion to adjourn the meeting.

**Motion #4:** Mr. Hilliker made a motion to adjourn the meeting. Mr. Gemperle seconded the motion. All members agreed with no abstentions. The motion passed unanimously.

The meeting adjourned at 11:43 a.m.

Respectfully submitted:

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Holly Chang