



September 21, 2012

**NOTICE OF PUBLIC HEARING  
TO CONSIDER THE CONTINUATION OF THE  
CALIFORNIA MELON RESEARCH PROGRAM**

**TO ALL PRODUCERS AND HANDLERS OF CALIFORNIA MELONS:**

The California Department of Food and Agriculture (CDFA) is calling a public hearing to consider continuation of the California Melon Research Program (Program). This hearing is called pursuant to Section 59086 of the California Marketing Act (Chapter 1 of Part 2, Division 21 of the Food and Agricultural Code), which requires CDFA to conduct a public hearing every five years to determine whether the operation of the California Melon Research Program should be continued.

The California Melon Research Program, under the authority of the California Marketing Act, conducts research relating to the production of melons in California. These activities are funded by mandatory assessments on melon producers and handlers. The following melon varieties are assessed by the Program: cantaloupes, honeydews, honeyballs, casabas, crenshaws, Persians, Santa Claus, and similar varieties. This Program has been operating since 1972. The last hearing regarding the continuation of the Program was conducted in 2007. Therefore, notice is hereby given that a public hearing is being called to once again consider continuation of the Program.

The hearing is scheduled as follows:

| DATE AND TIME   | LOCATION   |
|---|--|
| <p style="text-align: center;">Thursday<br/>October 25, 2012<br/>Beginning at 1:30 p.m.</p> | <p style="text-align: center;">Fresno County Farm Bureau<br/>1274 West Hedges Avenue<br/>Fresno, CA 93728<br/>(559) 237-0263</p> |

**HEARING PROCEDURE**

At the hearing, CDFA staff will present testimony with respect to the procedure used to develop the official list of melon producers and handlers used to mail this notice of public hearing, and will receive testimony and evidence, both oral and documentary, with respect to all necessary and relevant matters, specifically including the following:

1. The matters covered in Article 6, commencing with Section 58771, and Article 7, commencing with Section 58811, of the California Marketing Act, which relate to the public hearing process, including notification of affected parties and the process of the hearing itself;



2. The production, economic and marketing conditions affecting the California melon industry, some or all of which may be impacted by the activities of the Program;
3. Any conclusions about the application of the Program's provisions on research regarding production, processing, distribution, and marketing of melons;
4. Whether the Program is an effective tool in meeting the declared purposes and attaining the declared objectives specified and limited in the Marketing Act, which include to administer and expend monies for research relating to production, processing, distribution, and marketing of melons.

## HEARING PREPARATION

At the hearing, those who favor the continuation of the Program should offer testimony that supports the activities being carried out by the Program. Witnesses should provide examples of how the Program's research has aided the industry. Any benefits that have been derived during the term of the Program may be offered, but the emphasis should be on accomplishments in the past five years. Supporters of the Program may also wish to discuss the future needs of the industry that could be addressed if the Program continues.

Those against the continuation of the Program should provide testimony and give examples of why they believe the Program has not worked for the industry. Arguments should support the premise that the industry's interests would be better served without the Program.

In preparing their testimony, witnesses may wish to direct their comments to the following questions:

- What have been the accomplishments or deficiencies of the Program over the past five years? Is the industry better off because of the Program or has it not been cost effective? Is there a better way to advance the interests of melon producers and handlers other than through the operation of this Program? Has the research the Program conducted benefited the industry? If so, how? If not, why not?
- Is the Program capable of addressing the problems of the industry? If so, why? If not, why not? Are changes necessary to allow the Program to better serve the good of the industry? If so, please provide specific examples/details.
- Are the assessment monies being spent wisely, efficiently, and according to the authority granted to the Melon Research Board by the California Marketing Act? How could the cost efficiency of the Program's activities be improved?
- What are the problems and opportunities facing the California melon industry in the next five years? If the Program continues, how should the Program operate to address these problems and opportunities?

CDFA will incorporate to the hearing record written comments received by the Marketing Branch by **Tuesday, October 23, 2012**. Please mail such correspondence to:

**CDFA Marketing Branch  
Attention David Hillis  
1220 N Street, Sacramento, CA 95814**

You may also email your comments to Mr. Hillis at **David.Hillis@cdfa.ca.gov**. Please note that written comments submitted prior to the hearing must be received by the Marketing Branch by October 23 to be included in the hearing record. You may also bring written comments to the hearing on October 25.

***Ex Parte Communications Prohibited*** – From the time a hearing notice is issued and until the issuance of a final decision in a proceeding, CDFA employees involved in the decision-making process are prohibited from discussing the merits of hearing issues with any person having an interest in the proceeding. Procedural matters are not subject to the above prohibition and may be discussed at any time.

## **SUBSEQUENT STEPS**

The hearing transcript and written comments received within the allowed time frame will be considered by CDFA in determining if the Program will be authorized to continue. If the testimony presented at the hearing generally supports the continuation of the Program, CDFA may authorize it to operate for another five years. However, if CDFA finds from the submitted evidence that a substantial question exists as to whether the Program is fulfilling its declared purposes, CDFA will conduct a vote of melon producers and handlers to determine if the Program should be continued.

All melon producers, handlers, and other interested persons are invited to attend and participate in this hearing.

***Persons with Disabilities*** – The Department of Food and Agriculture wishes to ensure that all members of the public have access to all public meetings. If you require a special accommodation, please contact Beth Jensen at (916) 900-5018 or by email at [Beth.Jensen@cdfa.ca.gov](mailto:Beth.Jensen@cdfa.ca.gov).

If you have questions regarding this hearing, please call J.D. Allen, Manager of the Melon Research Program, at (559) 591-0435 or David Hillis of the Marketing Branch at (916) 900-5018.

Sincerely,



Robert Maxie, Chief  
Marketing Branch