



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Karen Ross, Secretary

August 1, 2012

**NOTICE OF ISSUANCE OF A MINOR AMENDMENTS TO THE
MARKETING ORDER FOR THE PROMOTION OF GLOBE ARTICHOKE
REGARDING BOARD SIZE, DISTRICTS AND TERM OF OFFICE
PURSUANT TO SECTION 59111 OF THE FOOD AND AGRICULTURE CODE**

Attention California Artichoke Producers:

The California Department of Food and Agriculture, on recommendation of the Artichoke Advisory Board (board), has approved minor amendments to the Marketing Order for the Promotion of Globe Artichokes (order). The minor amendments are attached to this notice as Exhibit "A" and will become effective on August 10, 2012.

The amendments are designed to improve efficiency of the board and save administrative program costs. In summary, the amendments do the following:

- a) Decreases the number of board members from nine to seven.
- b) Decreases the number of board alternates from nine to three "floating" alternate members.
- c) Removes the two-district structure and creates a statewide board.
- d) Changes the term of office for the board from two years to four years.
- e) Holds elections every four years beginning in 2013.

The board recommended these changes due to difficulties in finding board representation from District 2. This issue is exacerbated since Section H, Subsection 1 of the order prohibits the board from conducting any business if there are more than two vacancies on the board. Furthermore, Section H, Subsection 2 provides that a quorum is a majority of the members of the board. With nine board members, a quorum is five members. The board has had difficulty setting a time and date to meet when a quorum is present. At its meeting on June 12, 2012, all nine members of the board voted unanimously in favor of these changes to remove these conflicts and create greater efficiencies.

Sincerely,

Robert Maxie, Chief
Marketing Branch

Attachment

2012.0730 2012.0730 0726



**Minor Amendments to Article II of the
Marketing Order for the Promotion of Globe Artichokes,
as Amended**

ARTICLE II

CALIFORNIA ARTICHOKE ADVISORY BOARD

Section A. ESTABLISHMENT, MEMBERSHIP AND TERM OF BOARD

1. An advisory board to be known as the **California** Artichoke Advisory Board, consisting of **seven (7)** members and **three (3) floating alternates**, is hereby established to assist the Department in administration of this Marketing Order. All of said members shall be producers of artichokes. **The three (3) alternate members will be designated in priority to sit in the place of any absent members.** (Amended 6/10/02) (Amended 8/10/2012)
2. **Membership on the Board shall be from California at-large and shall not be designated by district, county, or other subdivision of the state. However, in making appointments to the Board, the Department will give consideration to representation from the state's various production areas.** (Amended 8/10/2012)
3. Members and alternate members shall be appointed by the Department from nominations received for that purpose.
4. Beginning in **2013**, the term of office of successors to the Board and alternates shall be for a period of **four (4)** years beginning June 1 of each odd-numbered year and ending May 31 of the next **appropriate** odd-numbered year, and until their successors are appointed and have qualified. (Amended 6/10/02) (Amended 8/10/2012)

Section C. NOMINATION AND APPOINTMENT OF SUCCEEDING MEMBERS AND ALTERNATES OF THE ADVISORY BOARD

The Department may appoint members and alternates of the Advisory Board, other than those appointed to fill vacancies **as provided in Section G of this Article**, to succeed the initial members and alternates of the Advisory Board from nominations made as hereinafter provided. (Amended 8/10/2012)

1. Prior to the beginning of the marketing season in **the next appropriate** odd-numbered year, the Department shall request producers to submit, by mail, nominations of persons eligible to be appointed as members or alternate members of the Board. (Amended 6/10/02) (Amended 8/10/2012)
2. **All members and alternates of the Board shall serve at the pleasure of the Department.** (Amended 8/10/2012)

Note: Additions are shown in **Bold**

3. **Subsequent to receiving nominations, the Department shall conduct a vote of all eligible producers as a means to obtain an indication of producer preference among the nominees. Producers will be asked to select up to seven nominees on the ballot. The Department will then tally the ballots without regard to producer volume and use the results to help guide the appointments of the seven producer members and three producer alternates. The Department shall prioritize the alternates as first, second and third. (Amended 8/10/2012)**
4. **Any person appointed by the Department shall qualify by executing and filing forms as required by the Department. (Amended 8/10/2012)**
5. Unless there are compelling reasons to the contrary, the nomination process shall be completed no later than May 15 of **the next appropriate** odd-numbered years. (Amended 6/10/02) **(Amended 8/10/2012)**

Section D. FAILURE TO NOMINATE

In the event nominations are not made pursuant to Subsection 1, Section C of this Article, the Department may appoint the members of the Advisory Board for the ensuing term of office without regard to nominations, from such persons who are qualified as provided in Section E of this Article for appointment to the Advisory Board. **(Amended 8/10/2012)**

Section F. ALTERNATE MEMBERS

An alternate member shall sit in the place of an absent producer member and when doing so shall have all the rights, powers, duties, and privileges of the member. In the event of the death, removal, resignation or disqualification of a member, an alternate shall act in his or her place until a successor is appointed and has qualified. Alternates shall serve in the order of their assigned prioritization. (Amended 8/10/2012)

Section G. VACANCIES ON ADVISORY BOARD

The Department shall fill any vacancy occasioned by the removal, death, resignation, or disqualification of any member or alternate member of the Board. In filling vacancies, the Department may consider the prioritization of the current alternates and/or recommendations submitted by the remaining members of the Board. (Amended 8/10/2012)