



July 17, 2020

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

**HEARING DATE: August 18, 2020**

TO ALL INTERESTED PARTIES:

California Department of Food and Agriculture (Department) is calling a public hearing to receive testimony and evidence from handlers of iceberg lettuce, mixed leaf, spring mix and spinach and the general public regarding whether the California Leafy Greens Research Program (Program) should be continued. Such a hearing is required to be conducted every five years to determine whether the Program is fulfilling the purposes of the California Marketing Act (Act), being Chapter 1 of Part 2, Division 21 of the California Food and Agricultural Code, under which the Program was created. The last public hearing held to consider the continuation of the Program was conducted in 2015.

The California Leafy Greens Research Program is a State marketing order that has been in existence since 2008. The Program is authorized to conduct research relating to the production, processing and distribution of leafy greens. Its activities are funded by mandatory assessments on all California leafy greens distributors, processors or shippers who handle 250,000 pounds or more of raw leafy greens products mentioned above.

**Due to COVID-19 California State public health directives, this meeting will be held online and via teleconference. There will be no physical meeting location for attendees. The public hearing is scheduled for the date and time indicated below. Please use the link provided below to join the hearing via Zoom or the telephone number provided below to join the hearing via teleconference. Please see the instructions attached to this notice for detailed information regarding public participation.**

Date / Time	Location
Tuesday August 18, 2020 Beginning at 10 a.m. PT	Join Zoom Meeting: <a href="https://us02web.zoom.us/j/85711299953">https://us02web.zoom.us/j/85711299953</a> Telephone: 1-669-900-6833 Meeting ID: 857 1129 9953 Password: 298136



## HEARING PROCEDURE

All affected California leafy greens handlers and other interested persons are invited to participate in this hearing. During the hearing, a panel composed of Department staff will receive testimony and evidence, both oral and documentary, regarding the following:

1. The production, economic, and marketing conditions affecting the leafy greens industry of this state;
2. Whether the California Leafy Greens Research Program tends to effectuate the declared purposes and attain the declared objectives of the California Marketing Act;
3. Whether the California Leafy Greens Research Program furthers the interests of the residents of California.

In addition to participating during the scheduled hearing, written comments submitted to the Department's Marketing Branch by 5 p.m. on Thursday, August 13, 2020 will be accepted and entered into the hearing record. Please send all such correspondence either by email to Justin Ellerby at [justin.ellerby@cdfa.ca.gov](mailto:justin.ellerby@cdfa.ca.gov) or by mail to:

C DFA Marketing Branch  
Attn: Justin Ellerby  
1220 N Street  
Sacramento, CA 95814-5603

The hearing transcript, written comments, and evidence submitted will be considered by the Department in determining if the California Leafy Greens Research Program will be authorized to continue. If the hearing record documents that the Program is fulfilling the declared purposes of the Act, the Department may authorize the Program to operate for another five years without the need for an industry referendum. However, if the Department finds from the hearing record that a substantial question exists as to whether the Program is fulfilling the declared purposes of the Act, the Department will conduct a vote of affected leafy greens handlers to determine if the Program should be continued.

## HEARING PREPARATION

During the hearing, supporters of the California Leafy Greens Research Program should provide testimony that communicates why they believe the Program should be continued. Conversely, those who oppose the continuation of the Program should provide testimony that substantiates their concerns. In preparing testimony, witnesses may wish to consider the following questions:

1. Has the California leafy greens industry benefited from the activities funded by the California Leafy Greens Research Program? If yes, please explain how. If no, please explain why not.

2. What are the most significant accomplishments of the Program over the last five years?
3. What problems, if any, would the industry face in the absence of a mandatory industry-funded research program?
4. Does the general public benefit from the activities of the California Leafy Greens Research Program? If yes, please explain how. If no, please explain why not.
5. Have assessment monies been spent wisely, efficiently and according to the authority granted to the Program?
6. Are there ways that the Program could be improved?

If you have questions regarding this hearing, please call Justin Ellerby with the Department's Marketing Branch at (916) 900-5018. If you have questions regarding the activities of the California Leafy Greens Research Program, please call Jennifer Clarke, Manager of the Program, at (831) 424-3782.

Sincerely,

A handwritten signature in blue ink that reads "Joe Monson".

Joe Monson, Branch Chief  
Marketing Branch

Attachment

## **INSTRUCTIONS FOR PARTICIPATING IN THE HEARING VIA WEBINAR AND TELECONFERENCE**

During the COVID-19 pandemic, the California Department of Food and Agriculture (Department) is conducting business remotely as we comply with State of California directives and orders for social distancing to mitigate the effects of this serious public health crisis. The Department is committed to ensuring that this hearing, to consider the continuation of the California Leafy Greens Research Program, is accessible to the public and that all interested parties have the opportunity to observe and participate in the hearing by providing written and oral comments pertinent to the call of the hearing. During this extraordinary time, and as we explore new ways of doing business and new technologies, we ask that you remain patient with us. We encourage you to please contact us directly for technical support ahead of the scheduled hearing to ensure you are able to fully participate.

The instructions below provide additional information on how to join the hearing, how to provide testimony and evidence for the hearing, and the process used during the hearing. To access an electronic copy of the hearing notice and these instructions with embedded hyperlinks, please visit our website [www.cdfa.ca.gov/mkt/mkt](http://www.cdfa.ca.gov/mkt/mkt) and click on “Marketing Branch Hearings.”

### **How to join the hearing:**

You can join the hearing from a desktop computer, mobile device, or telephone.

1. To join the hearing via webinar (with audio and video):
  - a. Enter the following Zoom link in your web browser:  
<https://us02web.zoom.us/j/85711299953>
  - b. Enter the meeting password: 298136.
  - c. When prompted, provide your name and email address to be placed in the meeting. You will automatically be muted when joining as an attendee.
  - d. We recommend that you test out your device, internet connection, and Zoom app compatibility well before attempting to join the meeting. You can learn more about joining a Zoom meeting by visiting the webpage:  
<https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>
2. To join the hearing via teleconference only:
  - a. Dial 1-669-900-6833.
  - b. Follow the prompts given on the phone line. You will need to enter the following Meeting ID: 857 1129 9953# and meeting password: 298136. Your line will automatically be muted when joining as an attendee.

### **How to provide testimony and evidence for this hearing:**

1. Submit written testimony and evidence to the Department’s Marketing Branch by 5 p.m. on Thursday, August 13, 2020.
  - a. Mail correspondence to: CDFA Marketing Branch  
Attn: Justin Ellerby  
1220 N Street  
Sacramento, CA 95814-5603

- b. Email correspondence Justin Ellerby at: [justin.ellerby@cdfa.ca.gov](mailto:justin.ellerby@cdfa.ca.gov)
2. Provide verbal testimony and evidence during the hearing by joining the hearing on Tuesday, August 18, 2020 using one of the options above. If you participate in the hearing and would like to submit an exhibit to support your testimony and evidence, please email the document to the Hearing Officer for this hearing, Mike Francesconi, at: [mike.francesconi@cdfa.ca.gov](mailto:mike.francesconi@cdfa.ca.gov) following your testimony.
  - a. Witnesses providing verbal testimony may be questioned by members of the hearing panel.

**Process used during the hearing:**

1. At the beginning of the hearing, the Hearing Officer will determine the order for calling on participants. Participants will be giving their testimony via video or telephone depending on how they've chosen to participate. Participants will be sworn in by the Hearing Officer and will be asked to identify themselves by name and affiliation.
2. If you plan to participate, you will need to "raise your hand" during the Zoom meeting. If you are calling into the meeting from a telephone, you can use "Star (\*) 9" to raise/lower your hand.
3. Once your hand is raised and it is your turn to speak, the Hearing Officer or the meeting facilitator will unmute you and announce your name. You will then be able to provide verbal testimony for this hearing. Depending on how you are participating in this hearing, you may also need to unmute yourself.
4. A participant's time allotment in providing hearing testimony is at the discretion of the Hearing Officer and is dependent on the total number of participants – typically, each witness is allotted 20 minutes to provide verbal testimony. If the testimony you are providing verbally is in written form, it is recommended, though not required, that you submit your testimony in writing before the start of the hearing so it can be distributed to the hearing panel members. After your testimony, and following any questions from the hearing panel members, the Hearing Officer will place you back on "mute".