

# ONTARGET

JUNE 9, 2023

VOL.41 - NO.12

## UNITED WAY HOSTS COMMUNITY ROUNDTABLE FOR USDA FARMWORKER RELIEF PROGRAM ON JUNE 21



CFFA members are invited to the upcoming United Way Food and Farmworker Relief Roundtable. United Way is excited to be talking about the USDA Food and Farmworker Relief Grant, which is a one-time \$600 payment for those who worked during the height of the COVID-19 pandemic. It will take place on Wednesday, June 21, from

11 a.m. to 1 p.m. at the Madera County Superintendent of Schools, located at 1105 South Madera Avenue, Madera, CA93637. Lunch will be provided.

To register and for more information <https://www.eventbrite.com/e/united-way-roundtable-luncheon-about-usda-food-and-farmworker-relief-tickets-641417816957>).

## CFFA HOSTS OFFICIALS FROM VIETNAM'S PLANT PROTECTION DIVISION



During the last week of May, CFFA hosted officials from Vietnam's Ministry of Agriculture and Rural Development's Plant Protection Division for an inspection of peach and nectarine orchards and packing facilities. This visit was a critical step towards

opening the Vietnamese market to peaches and nectarines from California. CFFA Board Member Mike Thurlow of **Mountain View Fruit Sales** commented "This represents a huge opportunity for California stone fruit growers. Vietnam has one of the fastest growing middle classes in the region and consumers there are known for preferring high quality and great tasting fruit. California stone fruit will do exceptionally well there once the market opens up."

Later this month, the Association will host Vietnamese importers for a reverse trade mission funded largely by USDA grants. CFFA has requested USDA negotiate market access for California plums

next. For more information, please contact Director of Trade Caroline Stringer ([cstringer@cafreshfruit.com](mailto:cstringer@cafreshfruit.com)).



## NEW FOOD SAFETY WEBSITE NOW LIVE

The Association is pleased to announce the launch of [www.safefreshfruit.com](http://www.safefreshfruit.com) as part of the strategic partnership with **George Nikolich Consulting, Inc.** This new food safety website is sponsored by the California Fresh Fruit Association and is meant to serve as a collaborative forum for members to participate in.

The Association is committed to the principle that food safety is not a competitive issue and should not be levered for that purpose. Through the sharing of experiences, expertise, knowledge and ideas, the mission of this website is to support the California fresh fruit industry in its effort to reduce food safety risks and supply consumers with safe, wholesome fresh fruits.

Please encourage your food safety staff to visit the website. For questions, please contact George Nikolich ([george@safefreshfruit.com](mailto:george@safefreshfruit.com)) or Ian LeMay ([ilemay@cafreshfruit.com](mailto:ilemay@cafreshfruit.com)).

## SACKETT V. EPA – "THE WATERS OF THE UNITED STATES"

On May 25, 2023, the United States Supreme Court released their opinion on *Sackett v. Environmental Protection Agency*, addressing the federal Clean Water Act's (CWA) definition of "the waters of the United States." In summary, the Court found the CWA extends only to adjacent wetlands where the party asserting jurisdiction can establish, "first, that the adjacent [body of water constitutes]... 'water[s] of the United States' (i.e., a relatively permanent body of water connected to traditional interstate navigable waters); and second, that the wetland has a continuous surface connection with that water, making it difficult to

determine where ‘water’ ends and the ‘wetland’ begins.” With this holding, the Court rejected U.S. Environmental Protection Agency’s (EPA) position, and most recent federal regulation, that adjacent wetlands are considered waters of the United States and thus jurisdictional if they possessed a “significant nexus” to a traditional navigable water. The Court found EPA’s interpretation to be inconsistent with the text and structure of the CWA.

Ultimately, the Supreme Court’s decision narrowed the definition and standard of what constitutes a “waters of the United States” as defined in the CWA. The Supreme Court held that the CWA extends to “wetlands with continuous surface connection to bodies that are ‘waters of the United States’ in their own right,” so that they are “indistinguishable” from those waters. They further endorsed previous decisions that characterized the CWA’s use of “waters” as encompassing relatively permanent, standing or continuously flowing bodies of water resulting in “geographic[al] features that are described in ordinary parlance as ‘streams, oceans, rivers, and lakes.’” The decision reversed the judgement of the United States Court of Appeals for the Ninth Circuit and remanded the case for further proceedings consistent with this opinion.

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**DIRECTOR OF TRADE ATTENDS MRL CONFERENCE**

CFFA’s Director of Trade, Caroline Stringer, attended the 2023 California Specialty Crops Council MRL Workshop in San Diego May 24 and 25. This annual workshop brings together commodity trade associations, pesticide registrants, and regulators from the US and around the world. Topics included international trade trends, global registrations, pesticide residue monitoring, MRL strategies for growers, updates for international residue standards (US, NAFTA, Asia, EU, Codex, global etc.), inadvertent issues and panel discussions. As an export dependent industry, CFFA members are heavily impacted by a lack of harmonized pesticide Maximum Residue Limits (MRLs). The workshop provides an opportunity for industry to discuss current and emerging issues and find common sense solutions to this complex challenge facing exporters. Immediately following the workshop, Crop Life America held a training session on how to talk about pesticides with individuals, legislators, and media. For more information, please contact Caroline Stringer ([cstringer@cafreshfruit.com](mailto:cstringer@cafreshfruit.com)).

**USDA ANNOUNCES 2023/2024 RATES FOR SPECIALTY CROPS INSPECTION AND GRADING**



On May 22, the USDA Agricultural Marketing Service (AMS) announced the 2023/24 rates it will charge for voluntary grading, inspection, certification, auditing, and laboratory services for a

variety of agricultural commodities including meat and poultry, fruits and vegetables, dairy products, rice, and cotton. The 2023/24 regular, overtime, holiday, and laboratory services rates will be applied at the beginning of the crop year, fiscal year, or as required by law on the specific commodity.

These rates are established for user-funded programs based on costs incurred by AMS, including for the services provided by the Specialty Crops Inspection (SCI) Division. This year, cost-based analyses indicated the need to increase user fee rates for SCI’s grading and audit services. While cost-saving measures have and will continue to be implemented, user fee rate increases are necessary to offset rising operational costs. In cases where current rates are sufficient to cover the costs of providing the service, user fee rates remain unchanged.

To view the specialty crop fees for fresh fruit and vegetables, please reference the chart below.

Specialty Crops Fees				
7 CFR Part 51—Fresh Fruits, Vegetables and Other Products (Inspection, Certification, and Standards) Subpart A—Requirements; §§ 51.37–51.44 Schedule of Fees and Charges at Destination Markets; § 51.45 Schedule of Fees and Charges at Shipping Point Areas				
Quality and Condition Inspections for Whole Lots .....	\$242.00 per lot .....			Oct 1, 2023.
Quality and Condition Half Lot or Condition-Only Inspections for Whole Lots.	\$200.00 per lot .....			Oct 1, 2023.
Condition—Half Lot .....	\$185.00 per lot .....			Oct 1, 2023.
Quality and Condition or Condition-Only Inspections for Additional Lots of the Same Product.	\$110.00 per lot .....			Oct 1, 2023.
Dockside Inspections—Each package weighing <30 lbs .....	\$0.044 per pkg .....			Oct 1, 2023.
Dockside Inspections—Each package weighing >30 lbs .....	\$0.068/pkg .....			Oct 1, 2023.
Charge per Individual Product for Dockside Inspection .....	\$240.00/lot .....			Oct 1, 2023.
Charge per Each Additional Lot of the Same Product .....	\$110.00/lot .....			Oct 1, 2023.
Inspections for All Hourly Work .....	\$116.00 .....	\$153.00 .....	\$190.00 .....	Oct 1, 2023.
Audit Services—Federal .....	\$155.00 .....			Oct 1, 2023.
Audit Services—State .....	\$155.00 .....			Oct 1, 2023.
GFSI Certification Fee? .....	\$250.00/audit .....			Oct 1, 2023.
7 CFR Part 52—Processed Fruits and Vegetables, Processed Products Thereof, and Other Processed Food Products Subpart A—Requirements Governing Inspection and Certification; §§ 52.41–52.51 Fees and Charges				
Lot Inspections .....	\$90.00 .....	\$116.00 .....	\$142.00 .....	Oct 1, 2023.
In-plant Inspections Under Annual Contract (year-round) .....	\$95.00 .....	\$117.00 .....	\$139.00 .....	Oct 1, 2023.
Additional Graders (in-plant) or Less Than Year-Round .....	\$95.00 .....	\$121.00 .....	\$148.00 .....	Oct 1, 2023.
Audit Services—Federal .....	\$155.00 .....			Oct 1, 2023.
Audit Services—State .....	\$155.00 .....			Oct 1, 2023.
GFSI Certification Fee? .....	\$250.00/audit .....			Oct 1, 2023.

**GOVERNOR NEWSOM SIGNS BILL TO HELP REOPEN MADERA COMMUNITY HOSPITAL**

On May 15, Governor Newsom signed AB 112, the Distressed Hospital Loan Program, into law. This program aims to help struggling rural hospitals with the assistance of an emergency loan.

The legislative action was spurred by the concerns about the financial viability of other rural hospitals in California. AB 112 also follows efforts by Fresno Assemblywoman Esmeralda Soria, who authored AB 412 to provide a similar relief program, which CFFA supported. Earlier this year, CFFA took the lead among a business and agriculture coalition in calling upon the state to address the ongoing public health crisis affecting rural hospitals in the Central Valley.

AB 112 will go into effect immediately. For more information, please contact [Adam Borchard](mailto:Adam.Borchard).