

**MICHIGAN COMMISSION OF AGRICULTURE**  
**Constitution Hall**  
**Atrium Level, Con-Con Conference Room**  
**525 West Allegan Street**  
**Lansing, Michigan 48933**

**MEETING MINUTES**  
**April 28, 2009**

**PRESENT:**

James Byrum, Chairperson  
Dale Norton, Secretary  
Don Coe, Commission of Agriculture  
Todd Regis, Commission of Agriculture  
Don Koivisto, Director, Michigan Department of Agriculture  
Gordon Wenk, Chief Deputy Director, Michigan Department of Agriculture

**ABSENT:**

Ann Jousma-Miller, Vice Chairperson

**CALL TO ORDER AND ROLL CALL**

Chairperson Byrum called the meeting of the Commission of Agriculture to order at 9:00 a.m. on April 28, 2009. Commissioner Norton called the roll with Commissioners Byrum, Coe, Norton, Regis, and Chief Deputy Director Wenk present. Director Koivisto joined the meeting at 9:35 a.m.

**APPROVAL OF AGENDA**

Commissioner Byrum requested an addition to the agenda, that being the resignation of Ann Jousma-Miller from the Commission.

**MOTION: COMMISSIONER NORTON MOVED TO APPROVE THE MEETING AGENDA AS AMENDED FOR APRIL 28, 2009. SECONDED BY COMMISSIONER COE. MOTION CARRIED.**

**RESIGNATION OF ANN JOUSMA-MILLER**

The Commission reviewed a letter received this morning from Ann Jousma-Miller stating her resignation from the Michigan Commission of Agriculture. Ms. Jousma-Miller is now serving as the Governor's representative in the Upper Peninsula and, because the department participates in that activity, she could no longer serve on the Commission.

This resignation leaves a vacancy in the Vice Chair of the Commission. Since notification was just received, the Commission will act on election of a new Vice Chair during their next meeting.

### **APPROVAL OF MARCH 18, 2009, MEETING MINUTES**

**MOTION: COMMISSIONER COE MOVED TO APPROVE THE MARCH 18, 2009, MEETING MINUTES. SECONDED BY COMMISSIONER NORTON. MOTION CARRIED.**

### **NEXT SCHEDULED MEETING**

The next scheduled meeting will be held on July 21, 2009, at the Geagley Laboratory.

### **COMMISSIONERS' TRAVEL**

Commissioners Coe and Norton traveled to attend today's meeting. There was no other travel submitted for approval.

**MOTION: COMMISSIONER REGIS MOVED TO APPROVE THE COMMISSIONERS' TRAVEL. SECONDED BY COMMISSIONER COE. MOTION CARRIED.**

### **COMMISSIONER COMMENTS:**

**Commissioner Byrum** reported the entire Midwest is late in terms of planting and there is uncertainty relative to fertilizer supplies; both issues will impact crop yields. In contrast, the Saginaw valley area is farther ahead in production than any other area in the Midwest.

The animal care and welfare issue is commanding a great deal of attention and progress is being made as issues involved with this challenge are addressed. Discussions also continue relative to food safety inspections.

Trade continues to be a major focus as well. He will be traveling later today on a trade mission to Africa.

**Commissioner Norton** reported his area is also behind with planting; however, because of lighter soil, some producers have been able to begin planting corn. For livestock producers, the wet conditions have resulted in most producers' tractors being engaged in the hauling of manure.

The current Influenza A (H1N1) situation is a great concern to the pork industry. This flu virus is actually a hybrid, being a combination of a human virus, an avian virus, and a human virus. It is not possible to contract the virus from consuming

pork products; however, the pork futures market has been down because of this event due to the errant conclusions drawn regarding the virus.

He noted several key articles in "Feedstuffs" magazine relative to the Humane Society of the United States (HSUS) animal welfare issue in Ohio, the safety of locally grown food, and viewpoint articles relative to animal welfare. He requested the department scan these articles and distribute to the Commission.

**Commissioner Coe** reported weather in the northwest area of Lower Michigan has been fine; rainfall has been sufficient and it has been cool enough to avoid concern about early bud breaks.

He participated in a report to the Traverse Bay Economic Development Corporation on April 16 regarding the agriculture sector in their six-county area. He updated that group on their objective to double the consumption of local food within five years and to establish six working groups which will work toward achieving that goal. He thanked the department for the excellent information they were able to furnish him in preparation for that meeting.

On April 24, he traveled to Cheboygan County with John Hill, Michigan Department of Agriculture (MDA) Regional Supervisor, to join Senator Allen and Representatives Elsenheimer and Schmidt for a visit to a livestock farm within the Modified Accredited Zone (MAZ) that was having a severe problem with deer and elk. Even though the producer is complying with MDA guidelines, because the farm is on a migratory stream for deer and elk, he has had a problem with the wild animals for over 20 years. The Senator and the Representatives requested MDA and the Michigan Department of Natural Resources (MDNR) investigate the potential of recognizing that unique situations may exist on some farms and suggested the development of a "special circumstance farm" designation for livestock producers whose farms provide a natural feeding area for deer and elk. The legislators' suggestions included MDNR providing special permits for hunt clubs and farms to hunt out the wild animals on those farms and MDA providing ways to market the meat produced from the hunts into appropriate channels.

He attended the "Chefs Challenge" Michigan wine and food event in Shanty Creek on April 25. It was extremely successful and he thanked the department for their support of these types of events that focus on locally-grown food.

**Commissioner Regis** mentioned his involvement in the Food Policy Council and recommended that early this fall, the Commission receive an update report from that council. Task Force A of the Council has been addressing local foods and local access. Professionally, his organization is working with community leaders to aggressively contemplate locating a grocery store inside the city limits of Detroit, where there currently is none.

He complimented the department on their excellent new issue of "Wine Country" magazine and noted the wine industry is a true jewel in Michigan's agriculture.

**PUBLIC COMMENT (AGENDA ITEMS ONLY)**

There was no public comment relative to agenda items.

**LEGISLATIVE UPDATE: Nancy Nyquist, Legislative Liaison**

Ms. Nyquist reported the current fiscal year 2009 budget situation is currently the front-burner issue with the Legislature.

On April 29, MDA is presenting to the House Agriculture Committee on the Michigan Agriculture Environmental Assurance Program (MAEAP) at the request of Chairman Simpson. The Michigan Farm Bureau and several producers have also been asked to provide comments on MAEAP.

Last week, MDNR and MDA held a productive meeting with Budget Director Emerson and Senator Jelinek relative to the feral swine issue. Highlighted were the problems and challenges involved with keeping swine confined. MDNR is bringing an expert from Texas to continue discussion on the issue in early May.

Representative Elsenheimer has announced the formation of an Agriculture Task Force that will be chaired by Representative Denby. Those meetings will be scheduled during the summer and part of their focus will be exploring the opportunities for growth in agriculture. Ms. Nyquist will advise the Commission when those meeting dates have been established.

The department is meeting to discuss programs that have been identified for elimination where legislation will be required to repeal necessary sections. They will also consider what sections should be retained.

In response to inquiry from Commissioner Coe, Ms. Nyquist reported Senator Cameron Brown has yet to schedule hearings for Senate Bill 427, the Small Distillers Bill. She will advise Commissioner Coe as soon as something is scheduled.

**BUDGET AND DEPARTMENT REVIEW UPDATES: Amy Epkey, Budget Officer**

Ms. Epkey reported the Governor has released her recommendations for the 2010 budget year, which begins October 1, 2009. Since that release, the department has worked with the Senate Appropriations Subcommittee in a series of meetings and that subcommittee developed their recommendations in Senate Bill 237. In the meantime, the department has begun meeting with the House Appropriations Subcommittee, at which the Director and she presented a department overview that focused on the mission of the department, the impact

of the agriculture industry on the State of Michigan, and MDA's role in the current budget situation. Four additional meetings are scheduled with the House Appropriations Subcommittee which will focus on Equine, Dairy, and Environmental Programs. That Subcommittee is scheduled to release their budget recommendations on May 21. From there, any differences between the House and Senate versions need to be reconciled in a conference committee before being presented to the full Legislature and then to the Governor.

In terms of the 2009 budget, the economic outlook is not good. There is a May Revenue Estimating Conference scheduled. The department is in preliminary discussions with the State Budget Office on a potential 2009 Executive Order, of which details are yet to be determined.

With the current budget situation, MDA continues to consider the department structure and its programs to ensure the most effective and efficient operation. Through the recent review process, some lower priority programs were identified. The next step is facilitating legislative changes to remove MDA's responsibility with those programs. Focus in the future will be on the department's core mission, which is food safety and animal health.

Commissioner Byrum expressed his appreciation for the cooperation of everyone in the department through the program prioritization process. With fewer funds, government simply cannot continue to accomplish all it has in the past. It is critical that those highest priority activities receive the department's focus.

**COMMISSION RESOLUTION – AGRICULTURE PROCESSING RENAISSANCE  
ZONE DESIGNATION FOR HONEE BEAR CANNING/LAWTON PROCESSING LLC:  
Robert Craig, Director, and Mike DiBernardo, Agriculture Business Development  
Specialist, Agriculture Development Division**

Mr. DiBernardo reviewed details of the Honee Bear Canning/Lawton Processing LCC project, noting it is the direct result of the Director having met with Honee Bear management and reassuring them the department could assist in bringing the project to fruition. Honee Bear Canning is a sixty-year old, family-owned business located in Lawton, Michigan, that cans top quality asparagus and fruits. They formed a joint venture/partnership, known as Lawton Processing LLC, with the principals of Pasco Processing of Pasco, Washington, a partnership between Frank Tiegs and Simplot, Inc. The new operation will be blending bulk packing ingredients, dehydrating, and individually quick freezing fruits and vegetables. They will be revitalizing the plant previously operated by Birds Eye by utilizing local fresh fruits and vegetables and incorporating new equipment technology to process those commodities.

The approximate \$17.7 million capital investment will initially bring over 160 new jobs to be filled primarily from local residents. Once the project is operational, there is tremendous potential for future growth.

**MOTION: COMMISSIONER REGIS MOVED TO SUPPORT A RESOLUTION TO APPROVE THE PROPOSED AGRICULTURAL PROCESSING RENAISSANCE ZONE DESIGNATION WITH HONEE BEAR CANNING/LAWTON PROCESSING LCC IN THE TOWNSHIP OF PORTER, MICHIGAN. COMMISSIONER COE SECONDED. MOTION CARRIED.**

Mr. DiBernardo introduced Lisa Pung, Renaissance Zone Analyst with the Michigan Economic Development Corporation (MEDC), and Glenn Rodgers, from Honee Bear Canning, both of whom have been extremely helpful partners in the progress of this project.

**COMMISSION RESOLUTIONS – RENEWABLE ENERGY RENAISSANCE ZONE DESIGNATIONS FOR HEAT TRANSFER INTERNATIONAL AND ALPENA PROTOTYPE BIO-REFINERY: Robert Craig, Director, and Mike DiBernardo, Agriculture Business Development Specialist, Agriculture Development Division**

Mr. Craig noted the other two designations requested today are Renewable Energy Renaissance Zones, which is a new designation for the Michigan Commission of Agriculture. Effective last year, the authority for a Renewable Energy Renaissance Zone added the requirement that the Commission of Agriculture recommend the creation of a renewable energy renaissance zone if the proposed facility uses agricultural crops or residues, or processed products from agricultural crops as its raw material source.

The Alpena Prototype Bio-Refinery is a joint project of American Process, Inc., of Atlanta, Georgia; Valero Energy Corporation of San Antonio, Texas; and Decorative Panels International of Alpena, Michigan. Alpena Prototype Bio-Refinery will use hydrolyzate steam, which is a waste by-product of Decorative Panels International's manufacturing process, to generate 931,000 gallons per year of fuel grade ethanol and 2,000 tons per year of sodium acetate (a déicer). Alpena Prototype Bio-Refinery will operate as a profitable commercial plant upon successful completion of the demonstration stage and could be the first cellulosic ethanol production facility in Michigan.

The \$23.5 million investment in the pilot facility will create ten new full-time positions and could be expanded in the future, or replicated in a number of other facilities around the state, particularly by food processors who wish to utilize some of their waste stream.

In response to inquiry from Commissioner Regis, Mr. Craig advised there currently are available ten Renewable Energy Renaissance Zone designations. This project would be the second.

Commissioner Byrum noted MEDC previously approved three or four Renewable Energy Renaissance Zones on which no development was ever initiated and asked if it is possible in the resolution to add a clause requiring construction to commence and be completed within a specified time frame. Mr. DiBernardo advised the statute designates that once awarded, designations cannot be reissued to another entity. There are a number of renaissance zones not having started construction which MDA and MEDC are currently investigating to determine their exact current status. Ms. Pung advised construction time lines are part of the original agreements and the State Administrative Board would have the authority to initiate any action toward revocation of a renaissance zone designation.

Mr. DiBernardo introduced Kevin Korpi, representing the Alpena Prototype Bio-Refinery project.

**MOTION: COMMISSIONER COE MOVED TO SUPPORT A RESOLUTION TO APPROVE THE PROPOSED RENEWABLE ENERGY RENAISSANCE ZONE DESIGNATION WITH ALPENA PROTOTYPE BIO-REFINERY IN THE CITY OF ALPENA, MICHIGAN. COMMISSIONER REGIS SECONDED. MOTION CARRIED.**

Commissioner Byrum recused himself from consideration of the next request because Sietsema Farm and Feeds, LLC, who will be working with Heat Transfer International, is a member of his organization. Commissioner Norton assumed Chairing the meeting at that point.

Mr. DiBernardo noted MDA previously partnered with Heat Transfer International on the Sietsema waste-to-energy project currently being constructed in Howard City. This innovative project converts turkey litter into steam and electric energy for feed production at the feed mill.

Heat Transfer International manufactures innovative custom biomass gasification electrical generation systems. Their propriety systems convert solid and semi-solid waste (such as farm animal manure, agricultural waste, solid waste from landfills, waste water treatment sludge, and hazardous waste) into a combustible syngas that can power generators, dryers, heaters, and cooling equipment. All gas and electricity that is produced is "carbon neutral" and considered environmentally "green" and, thus, is an ultimate preferred combustible energy source.

Heat Transfer International will renovate a vacant 17,000 square foot building in the Kenwood area. They plan to invest \$4.6 million and add 20 new jobs within the first five years. Additionally, they hope to introduce this technology to numerous facilities around the state.

Mr. DiBernardo introduced Dave Prouty, President of Heat Transfer International, and Rick Chapla, from The Right Place, Inc.

**MOTION: COMMISSIONER COE MOVED TO SUPPORT A RESOLUTION TO APPROVE THE PROPOSED RENEWABLE ENERGY RENAISSANCE ZONE DESIGNATION WITH HEAT TRANSFER INTERNATIONAL IN THE CITY OF KENTWOOD, MICHIGAN. COMMISSIONER REGIS SECONDED. MOTION CARRIED.**

Commissioner Byrum returned and reassumed chairing the meeting.

Commissioner Coe noted he was contacted by the manager of the Incubator Kitchen in Hart, Michigan, advising he contacted his local representative asking for legislation to create additional small business opportunities by allowing for small or individual businesses to apply for renaissance zones. Mr. Craig advised in the legislation that extended the Agriculture Processing Renaissance Zone number from 20 to 30, there was an amendment requiring five of those to be in "rural areas" and be \$7 million or less in investment, which would involve medium-size companies. There always are opportunities to investigate ways to provide business development incentives and MEDC has numerous tools to assist small businesses as well.

### **DIRECTOR'S REPORT**

Director Koivisto reported he attended the Governor's Cabinet Meeting this morning, which included discussion relative to the budget, a potential Executive Order, and the overall economic situation going forward. Financial issues will be a concern to each department and the state as a whole.

A report on the Influenza A (H1N1) indicated 40 cases currently world-wide, with one potential case in Michigan. Various concerns were discussed. On the animal side, no swine have been infected with this particular strain in the U.S. and it was confirmed the virus cannot be contracted by consuming pork products. Migrant worker camps have been notified and will be monitored for the disease.

The department is in the process of a reorganization plan, which should accomplish short-term savings with additional savings over the next two years. The reorganization will better position the department to deal with the financial concerns it foresees in the near future. Staff reduction will be achieved over time through attrition. Details will be forwarded to the Commission.

There currently is another Salmonella outbreak occurring in alfalfa sprouts. Recall efforts are being coordinated by the department.

A recent issue in the northern part of the state involved elk breaking through fences of a horse farm. It was alleged by the MDNR that the horse farm could be feeding the elk. MDA staff are assisting the owner with a management plan.

The U.P. State Fair transition continues to proceed smoothly as coordinated by Ann Jousma-Miller at the local level.

### **DIRECTOR'S TRAVEL**

Because of department expenditure reductions, Director Koivisto advised neither he nor Gordon plans to attend the Midwest Association of State Departments of Agriculture (MASDA) Conference to be held in Ohio on July 16-20, 2009.

Following discussion, it was determined that participation may be prudent depending on development of the various issues facing agriculture today. The potential of the conference expenses being covered by the industry was also discussed. It was decided to wait until closer to the meeting date to determine MDA's potential participation in the July MASDA meeting.

**MOTION: COMMISSIONER REGIS MOVED APPROVAL OF THE DIRECTOR'S TRAVEL PENDING THE DIRECTOR'S DISCRETION. SECONDED BY COMMISSIONER COE. MOTION CARRIED.**

### **FEDERAL FOOD SAFETY LEGISLATION: Jerry Wojtala, Deputy Director, Food and Dairy Division**

Mr. Wojtala provided an update on the status of various federal bills that have been introduced since January addressing various food safety issues. He provided a summary and comparison of those major food safety bills, which have been driven by the continual food safety outbreaks in the country.

At this point in time, it appears that Senator Durbin's bill (S. S510) and Congressmen Dingell's bill (H.R. H759) are the two major bills positioned to move through Congress.

In addition, President Obama has created a Food Safety Work Group chaired by the Secretary of Health and Human Services and the Secretary of Agriculture. This group will be considering the issue relative to creating a single food safety agency, an issue that is not addressed by either the Durbin or Dingell bills.

Mr. Wojtala reviewed the various elements in the bills, including the Association of Food and Drug Officials' (AFDO) priorities. There are a number of issues that impact not only state regulatory activities, but industry as well.

One of the key issues is that most of the national bills do not address what the states see as a critical need – they mention building capacity to address food safety issues, but are silent on how states would be involved to accomplish that, and they are silent on how to fund the system. The National Association of State Departments of Agriculture (NASDA) and AFDO are emphasizing this is a system that requires funding from the federal government to assist with state budgets. The states clearly possess roles and authorities that the federal government does not. Rather than addressing whether food safety should be under one agency, what is actually needed is a single system – one that funds the federal system while funding the states for their role in that system.

Included in both bills are other various issues, including the expansion of traceability of produce, regulation on the farm, new fees, and third party certification. National discussion continues on all of the issues. NASDA and AFDO are making contacts in an attempt to influence how these bills move forward.

Commissioner Coe noted there are a number of inspections conducted by MDA that have ramifications for food safety to be considered as part of the food system. He noted funding appears to be the largest concern, including inspections for the small farmer as more food moves directly into commercial channels. Retailers want to sell local foods in their markets, but need a system in place to ensure safety of those foods. The Michigan Farm Bureau (MFB) and MDA must emphasize with our Congressional Delegation there must be a funding mechanism in place.

Mr. Wojtala confirmed the retail industry pushes third-party audits which many producers cannot afford; especially when different retailers require different audits. Relative to traceability issues, these bills do not recognize there are actually two factors present – one is the sustainability with small producers and the other is operating the system with large producers. NASDA has advised legislation needs to include some regulation of scale.

Director Koivisto advised the department very effectively and efficiently handles the numerous food safety recalls as they arise, including the work coordinated by the Rapid Response and Sampling Teams. At one point in time during the peanut recall, 109 of the department's total 409 employees were assisting with the sampling responsibilities during that crisis.

Commissioner Coe recently requested Michigan State University (MSU) conduct an economic analysis relative to funding for food safety. MSU reported that a 1% tax on fresh food in the State of Michigan could raise \$196.2 million for funding of the system, if there were no other alternative.

Commissioner Byrum requested the department develop the top four or five recommendations the Commission could potentially forward to the Congressional Delegation relative to current federal food safety legislation and present those recommendations for consideration by the Commission during their July 21 meeting. Funding for the department and recognition of what the department is currently accomplishing should be included.

**EMERALD ASH BORER SLOWING ASH MORTALITY PROGRAM UPDATE: Deb McCullough, Professor, Forest Entomology, Michigan State University and John Bedford, Survey Coordinator, Pesticide and Plant Pest Management Division**

Mr. Rauscher introduced Ms. McCullough, MSU Professor of Forest Entomology, who has been involved in the Emerald Ash Borer (EAB) program since its beginning. He also introduced John Bedford, Survey Coordinator with MDA's Pesticide and Plant Pest Management Division and who is coordinating the department's EAB efforts.

Ms. McCullough reviewed the current EAB distribution, predicted future EAB distribution, and the eradication efforts to date, which included detection surveys; regulation of ash trees, logs, and wood; eradication attempts; and approach to outlier areas. EAB has killed nearly 100% of ash trees in forested sites in southeast Michigan. According to current prediction models, in the span of ten years, EAB may be present across much of the Northeast and Midwest areas of the U.S.

Because eradication efforts have proved ineffective, Michigan has developed a new integrated approach – the Slowing Ash Mortality (SLAM) program for EAB infestations in localized outlier sites. The objectives of SLAM include: integrate available tools and strategize as appropriate for a specific site, slow EAB population growth and spread, and delay onset and advance of ash mortality. Much of the funding for the project is realized through the U.S. Forest Service and the U.S. Department of Agriculture (USDA).

She explained the approaches involved with the various tools and techniques available for use in the SLAM project, which include girdled ash trees, insecticides, ash utilization, biological control, quarantine regulation, and outreach and education. Evaluation of systemic insecticides for EAB control indicates that a new product, emamectin benzoate, has proven very effective. It requires trunk injection of individual trees every two years. This means that

treating ash trees can now be accomplished in an effective manner. The cost is based on the size of the tree, but would average \$150 per tree per treatment.

The initial SLAM Pilot Project is being conducted in Moran and St. Ignace in the Upper Peninsula. She explained the techniques being employed and reviewed the results of activities to date. The overall success and economics of this approach appear to be very favorable.

**CUSTOMS AND BORDER PROTECTION REPORT: Ken Rauscher, Director, Plant and Plant Pest Management Division; and Gregory McCann, Assistant Director, Trade Operations, and Daniel Lundgren, Agriculture Program Manager, Detroit Field Office, U.S. Customs and Border Protection**

Mr. Rauscher introduced MDA's partners from Homeland Security, Gregory McCann, Assistant Director of Trade Operations, and Daniel Lundgren, Agriculture Program Manager, from the U.S. Customs and Border Protection (CBP) Detroit Field Office.

Mr. McCann provided background on CBP and emphasized its importance in protecting Michigan's agriculture. CBP is responsible for inspecting all international travelers, cargo, and conveyances entering the U.S. The Detroit Office is responsible for the entire State of Michigan. Working closely with USDA and MDA, one of their most critical responsibilities is to conduct agriculture inspections. Michigan has some of the busiest land border crossings in the U.S., which include the Detroit Windsor Tunnel, the Detroit Ambassador Bridge (the busiest truck crossing in the U.S.), the Blue Water Bridge in Port Huron (the busiest U.S. rail crossing), and the International Bridge in Sault Ste. Marie. Inspections at various sites away from the border are also conducted, which include the Detroit Metropolitan Airport. Over 1,300 personnel work at Michigan's ports of entry processing travelers and trade. On a typical day, over 40,000 people, over 20,000 conveyances, and about 10,000 cargo shipments are processed, which lead to an average of 250 interceptions of pests and quarantine materials. Examples of past interceptions and specifics of how those were handled were discussed.

The three agencies (USDA, MDA, and CBP) do alert each other relative to any emerging agriculture risks and work together to address those risks. Committee discussions include interception, special operations, threat trends, the impact of new laws and regulations, and future plans to manage agriculture risk.

Mr. McCann extended an invitation to the Commission to visit one of Michigan's ports of entry to gain a first-hand experience of exactly what CPB does for agriculture in Michigan and noted the Detroit Airport and the Ambassador Bridge would be especially interesting.

Mr. Lundgren explained the basic job requirements and the rigorous training process required for the agriculture specialists. In response to inquiry from Commissioner Coe, Mr. McCann advised CBP has received some staffing increases and the trends are positive in Michigan. If a particular threat or risk arises, USDA and the department will request an increase in inspection services.

Commissioner Norton inquired relative to undeclared on-farm activity and the risk of an animal disease coming into the country. Mr. McCann confirmed declaration is a self-regulatory type inspection and they rely on the honesty and concern that is conveyed to the passengers. And, although not required, cleaning of shoes is an extensive, regular practice.

In response to inquiry from Commissioner Regis, Mr. McCann reported a handout is given to passengers who routinely travel across the Canadian border indicating general items that are prohibited. Currently, there is nothing quick and easy posted on the Web site. Commissioner Regis requested the department work with Customs and Border Protection in developing a quick list reference for distribution and posting on the Web delineating for the public what items cannot be brought across the American/Canadian border. Director Koivisto advised the department will research this potential and report to the Commission for the July meeting.

**USDA ANIMAL PLANT HEALTH INSPECTION SERVICES-PLANT PROTECTION AND QUARANTINE REPORT: Ken Rauscher, Director, Plant and Plant Pest Management Division; and Craig Kellogg, State Director, USDA Animal Plant Health Inspection Services-Plant Protection and Quarantine**

Mr. Rauscher introduced Craig Kellogg, State Director for USDA Animal Plant Health Inspection Services-Plant Protection and Quarantine (USDA-APHIS-PPQ), who is a long-time friend and partner with MDA.

Mr. Kellogg emphasized the mission of USDA-APHIS is to safeguard agriculture and natural resources from the risks associated with the entry, establishment, or spread of animal and plant pests and noxious weeds. In Michigan, APHIS has traditionally worked with MDA and the Department of Homeland Security (DHS) to examine possible pest threats, as well as their associated pathways into the State of Michigan.

One of his goals for 2009 is to continue strengthening the relationship with their traditional partners, MDA and DHS, and forge new relationships with groups they may have overlooked in the past. Outreach will include groups such as the Nature Conservancy, Michigan Entomological Society, Native Americans, and other organization that have similar goals and interests.

In light of budget constraints, additional goals include continuing survey work through the Cooperative Agreement Pest Survey (CAPS) program, continuing to support eradication of pests, and seeking alternatives to traditional survey work, which will include piloting of a program to enlist volunteers to help survey for invasive species.

On the emergency preparedness side, USDA and MDA will participate in several activities designed to prepare agencies for response to pest emergencies. They are always appreciative of their working relationship with MDA and look forward to continuing in 2009.

#### **RAPID RESPONSE TEAM: Brad Deacon, Emergency Management Coordinator**

Mr. Deacon reported there is improved coordination with the Food and Drug Administration (FDA) and USDA Food Safety Inspection on food programs. Last summer, the FDA issued a grant proposal to build rapid response teams within up to six states. Michigan was one of the six selected for the program. It is a three-year grant of \$500,000 per year. This will allow the department to build its rapid response capabilities and to hire staff to assist with planning, risk evaluations, develop risk reduction materials, and be available to conduct rapid response activities. Four staff members have been hired and he introduced those individuals: Jennifer Bonsky, food specialist (unable to join the meeting today); Dr. John Buchweitz, toxicologist; Brenda Brennan, epidemiologist; and Tim Lyons, livestock feed specialist. The department is very happy to have these individuals on board.

FDA's goal is to develop best practices for rapid response that can be shared among the six states and ultimately with the other states. The grant agreement will bolster "all hazards" emergency response capabilities addressing food and feed emergencies. When completed, it will result in a more integrated network for sustained, multi-disciplinary, regional protection of the food and agricultural infrastructure.

In response to inquiry from Commissioner Coe, Mr. Deacon advised the grant does not provide for indemnity, but they are looking for opportunities in that area. The department is very excited to have received this grant to fund four people housed in three different parts of the department that will facilitate information sharing internally, as well with our external partners. Outreach to stakeholders is a key focus of what is planned over the life of the program.

#### **ANIMAL INDUSTRY ACT RULES: Brad Deacon, Emergency Management Coordinator**

Mr. Deacon explained the Animal Industry Act, Act 466 of 1988, provides for the promulgation of rules. One set of rules was last amended in 1994. The Attorney General's Office advises the rules should be updated (in particular the provision

relative to indemnification) to bring the rules in compliance with language in the Act. The Act has been amended several times, in particular, due to Bovine TB.

Approval from the Commission was requested for initiation of a work group and the opening of the Animal Industry Act Rules for the appropriate and necessary changes. Draft rules will be presented to the Commission for review, and subsequently, for final approval.

**MOTION: COMMISSIONER NORTON MOVED FOR APPROVAL OF THE ESTABLISHMENT OF A WORK GROUP AND THE OPENING OF THE ANIMAL INDUSTRY ACT RULES FOR APPROPRIATE AND NECESSARY REVISIONS. COMMISSIONER REGIS SECONDED. MOTION CARRIED.**

**FAIRS AND RACING REGULATIONS: Barb Hensinger, Director, Fairs, Exhibitions, and Racing Division**

Ms. Hensinger advised the Standardbred Horsemen Association and Breeders Association requested the department consider opening the regulations that are part of Public Act 279, the Racing Law of 1995. Section 20 provides for several programs that MDA administers in support of Michigan horse breeding and horse racing industry in Michigan.

The department is requesting approval to open Regulation 808, Payment of Breeders Awards; Regulation 812, State Purse Supplements for Harness Horse Racing at Fairs and Pari-mutuel Tracks; Regulation 814, Futurity and Sire Stakes Races; and Regulation 820, Michigan Bred Pari-mutuel Races. With the decline of dollars available and the significant loss in number of horses bred in Michigan, the industry is asking the department to begin creating some flexibility and options to assist in supporting the industry. Discussion ensued as to the specifics of what might be included in the changes.

**MOTION: COMMISSIONER COE MOVED FOR APPROVAL TO OPEN THE RULE MAKING PROCESS FOR THE REGULATIONS ASSOCIATED WITH THE RACING LAW OF 1995. COMMISSIONER NORTON SECONDED. MOTION CARRIED.**

**COMMISSIONER ISSUES**

Commissioner Byrum reviewed a resolution before the Commission to honor the retirement of Josalene Taylor after 31 dedicated years of service with the Michigan Department of Agriculture.

**MOTION: COMMISSIONER REGIS MOVED THE RESOLUTION FOR JOSALENE TAYLOR BE ADOPTED WITH BEST WISHES FOR HER**

**LONG AND HEALTHY RETIREMENT. COMMISSIONER NORTON  
SECONDED. MOTION CARRIED.**

Next, Commissioner Byrum reviewed a resolution before the Commission to honor the retirement of Stephen Donald Reh following his 32 years of dedicated and loyal service to the Michigan Department of Agriculture. He noted that over the years, Mr. Reh has provided outstanding leadership for the department's Laboratory Division.

**MOTION: COMMISSIONER NORTON MOVED THE RESOLUTION FOR  
STEPHEN DONALD REH BE ADOPTED WITH BEST WISHES FOR HIS  
LONG AND HEALTHY RETIREMENT. COMMISSIONER REGIS  
SECONDED. MOTION CARRIED.**

Commissioner Byrum congratulated Mr. Reh and extended the Commission's appreciation for a job well done.

Mr. Reh noted their ultimate goal is to move north to Burt Lake. He expressed it has been a pleasure and a privilege to work for MDA for 32 years and it was a fantastic career. He thanked the Commission for their support of the Laboratory Division throughout those years.

On behalf of the department, Director Koivisto noted Steve was able to perform his job both effectively and efficiently, and in a most personable way. His employees not only respected him, but they liked him, and that is a very difficult thing to accomplish as a manager.

**PUBLIC COMMENT**

**Tonia Ritter** from the **Michigan Farm Bureau (MFB)** remarked that in listening to the discussion of how MDA is involved in emergency response and dealing with the various issues we face in agriculture, human health, and those issues important to the people of this state, she couldn't help but think about the budget under which MDA operates. She emphasized how important those points are for our legislators to understand as they make the decisions before them in the very near future. MFB is involved in that process and will continue to advocate for MDA and is pleased the department is taking steps toward prioritization and reorganization.

MFB recognizes the Julian-Stille Agricultural Innovation Grant legislation offers an important opportunity for agriculture. They are assisting in advancement of the legislation through the House of Representatives. Julian-Stille has proven results and investing another \$5 million in grants toward agriculture development, an industry that has and is growing, is excellent public policy.

MFB is actively working on issues in animal care and animal welfare and is involved in monitoring what is being publicized through main stream and social media. Their members are greatly concerned with the issues and the potential threats to agriculture in this state, as well as ability for Michigan citizens to have access to the food they desire. MFB may look to MDA and the Commission for support of their efforts as they advance in that cause.

## **ADJOURN**

**MOTION: COMMISSIONER COE MOVED TO ADJOURN THE MEETING. COMMISSIONER REGIS SECONDED. MOTION CARRIED.**

The meeting was adjourned at 12:01 p.m.

### Attachments:

- A) *Agenda*
- B) *Letter of Resignation from Commissioner Ann Jousma-Miller*
- C) *Agriculture Commission Meeting Minutes March 18, 2009*
- D) *"Feedstuffs," April 20, 2009 Articles*
- E) *Privately Owned Cervid Industry Survey Results*
- F) *Legislative Status – April, 2009*
- G) *Honee Bear Canning/Lawton Processing LLC - Request for APRZ*
- H) *Alpena Prototype Bio-Refinery – Request for RERZ*
- I) *Heat Transfer International, Inc. – Request for RERZ*
- J) *Federal Food Safety legislation Update 4-13-09*
- K) *EAB - Slow Ash Mortality Pilot Memo 4-21-09*
- L) *SLAM Power Point Presentation*
- M) *Outline of SLAM Work Plan*
- N) *CBP Agriculture Inspection in the State of Michigan*
- O) *USDA-APHIS-PPQ Memo 4-28-09*
- P) *Resolution for Josalene Taylor*
- Q) *Resolution for Stephen Donald Rey*