

By Ken Melban  
Vice President of Industry Affairs

## Plethora of Activity Underway

- Power Shifts in Congress
- Food Safety Ramping-Up
- GEM Release Dates and New PLU
- SoCal Edison's Public Safety Power Shutoff
- Canada's LBAM Avocado Quarantine Requirements to be Removed

### Will Mid-Term Congressional Changes Bring New Opportunities?

The 2018 mid-term elections resulted in a shift in power in the House of Representatives to the Democrats. With Republicans retaining control of the Senate, 2019-2020 should make for some interesting legislative times, to say the least.

The California Avocado Commission (CAC) works hard to develop and strengthen relationships with congressional members of both parties and keep them informed of issues critical to our industry. When power changes from one party to the other, the leadership shifts to the ranking party. This means the Democrats will now control the agenda within all House committees and decide what legislation is brought to the House floor.

Labor availability remains one of the most critical issues for the California avocado industry. Any meaningful resolution to the current labor challenges in agriculture will require a federal legislative solution. With the current situation — a diminishing pool of eli-



CAC's Ken Melban and April Aymami flank Rep. Salud Carbajal (D-Santa Barbara County) and Chief of Staff Jeremy Tittle

gible workers, existing enforcement requirements and no real option to secure guest workers (the H2A program does not work for most avocado growers) — a status quo approach is not tenable for the long term.

Commission staff has strong rapport with key House members in both parties and will continue to stress the dire situation and need for an agricultural guest worker program soon. Hopefully, the divisive, partisan gridlock that has dominated Congress for the last few years, under control of both parties, will begin to diminish. Congress needs a renewed commitment to doing its job — creating legislative solutions to complex problems. It's undeniable the immigration issue is at the forefront of work that

has been left unresolved for the last few decades. Hopefully, both parties will decide to finally work towards a solution that addresses the need for an agriculture labor force in the United States. Commission staff will continue to advocate for a guest worker program that works for California avocado growers.

### Food Safety Requirements Ramping Up

The California Avocado Commission is in the process of updating the Commission's Food Safety Manual to version 4.0, which will align with the Primus GFS version 3.0 audit. The Primus GFS version 3.0 audit is expected to comply with the Food Safety Modernization Act's (FSMA) Produce Safety

Rule (PSR) requirements. As a reminder, as legally required under the FSMA, deadlines have been established (see text box for specifics) for growers to be able to demonstrate compliance with the PSR. The Food and Drug Administration (FDA) has contracted with the California Department of Food and Agriculture (CDFA) to conduct on-farm inspections beginning in January 2019. California avocado growers are strongly encouraged to talk with their packing house representatives about becoming food safety certified. At a minimum, growers can ensure preparedness for a CDFA PSR inspection by requesting a Commission Food Safety manual and complying with the necessary policies, procedures and reporting requirements. The Commission has Food Safety information available on its website: [www.californiaavocadogrowers.com/growing/food-safety](http://www.californiaavocadogrowers.com/growing/food-safety).

One of the mandatory PSR requirements is for growers to participate in a one-time Produce Safety Alliance (PSA) training. The Commission, with support from packers, is planning to host PSA trainings on February 5, 2019, in Fallbrook and February 7, 2019, in Ventura. The trainings cost \$35 per person, run from 8 a.m. to 5 p.m., and attendance is limited to 75 for each training. To register, put this link into your computer and follow the directions:

FALLBROOK: [www.eventbrite.com/e/psa-grower-training-fallbrook-ca-tickets-53574592047](http://www.eventbrite.com/e/psa-grower-training-fallbrook-ca-tickets-53574592047)

VENTURA: [www.eventbrite.com/e/psa-grower-training-ventura-ca-tickets-53574469681](http://www.eventbrite.com/e/psa-grower-training-ventura-ca-tickets-53574469681)

## GEM Maturity Dates and New PLU

Based on requests from California avocado industry members, the Avocado Inspection Committee (AIC) is in the process of reviewing the release dates for the GEM variety. AIC is fund-

ing a GEM maturity release project for the 2018-19 season (November 1, 2018 through October 31, 2019) to confirm appropriate release dates. For the 2018-19 season the California Department of Food and Agriculture (CDFA) has established “provisional” GEM release dates as follows:

Size 32: 01/14

Size 36: 01/28

Size 40: 02/11

Size 48: 02/25

Size 60: 03/11

Size 70 & smaller: 03/25

Additionally, through the efforts of California avocado industry members, a PLU (Price Look Up code) has been established specific to the GEM variety. The new GEM PLU is 3509. The separate PLU for the GEM variety was approved in October 2018 by the International Federation for Produce Standards (IFPS).

## SoCal Edison’s Public Safety Power Shutoff Protocol

In late 2018, Southern California Edison (SCE) announced a Public Safety Power Shutoff (PSPS) protocol that would shut power off during extreme weather events to mitigate the poten-



*Rep. Julia Brownley (D-Ventura County) and Chief of Staff Lenny Young*

tial for wildfires. CAC met with SCE representatives to learn more about the program and to communicate potential impacts on avocado farming if power is cut. The Commission staff fully support efforts to ensure public safety, but believes it is important SCE realizes the potential impact on avocado growers should power be cut. The service area for SCE includes parts of Ventura County and farther north.

In a PSPS protocol, SCE will proactively shut off power in high fire risk areas to reduce the chances of fire during extreme and potentially dangerous fire conditions. SCE defines extreme fire conditions as “conditions in which a fire would grow rapidly, burn intensely, and/or erratically.” SCE stressed that turning off the power to customers is not something the utility takes lightly

### PRODUCE SAFETY RULE DEADLINES FOR PRODUCERS ARE AS FOLLOWS:

- January 26, 2020 deadline for very small businesses — more than \$25,000 but no more than \$250,000 in average annual produce sales during the previous three-year period
- January 26, 2019 deadline for small businesses — more than \$250,000 but no more than \$500,000 in average annual produce sales during the previous three-year period
- January 26, 2018 deadline for all other farms



Rep. Jimmy Panetta (D-Monterey County)



Rep. Devin Nunes (R-Tulare County)

and would only be used as a last resort option to mitigate fire risk.

In November 2018, CAC hosted an information meeting for growers concerning the PSPS protocol. At the meeting, SCE officials outlined their efforts to develop a robust system that allows them to track critical weather conditions such as low relative humidity, strong winds and hot temperatures in combination with dry fuels.

During the meeting, growers expressed concerns regarding the need for SCE to improve its vegetation management efforts. If you are part of SCE's service area and have vegetation management concerns, you can contact one of the following: Jon Pancoast, vegetation management group manager, phone: 310.608.5216, email: jon.pancoast@sce.com; or, Matt Saddler, vegetation management technician, phone: 805.497.5683, email: matthew.saddler@sce.com.

Growers also noted that they believe it is important for SCE to provide timely and accurate PSPS notifications. If you are an SCE customer and would like to ensure SCE has your current contact information, the following two options were provided: phone:

800.655.4555; or, log on to [www.sce.com/](http://www.sce.com/), go to the "My Account" link and update your contact information.

Lastly, farmers questioned the validity of SCE's standby demand charges. The standby charge is levied on customers who have their own generating facility and is intended to ensure SCE can provide electricity to them if they need to roll on to SCE's power grid. However, with the establishment of the PSPS, SCE is now unable to guarantee this standby power will be available and that electrical service will be uninterrupted. The Commission has made an initial inquiry of SCE for further justification of this standby charge. As of this writing no response has been provided.

### **Canada's LBAM Avocado Quarantine Requirements to be Removed**

The Light Brown Apple Moth (LBAM) is an invasive pest first detected in California in Santa Cruz County in 2007. Over time, LBAM has spread and in 2018 was detected in avocado producing regions of Ventura County. These detections prompted the Canadian Food Inspection Agency (CFIA) to begin requiring phytosanitary cer-

tification for California avocado shipments from the quarantined areas. CFIA's listing of California avocado as a host for LBAM was erroneous and in direct conflict with previous rulings from both the United States Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) and the California Department of Food and Agriculture. Both agencies have concluded that avocado is not a host for LBAM. Over the last few months, the Commission has been working with APHIS to secure alignment with APHIS and CFIA on this matter, recognizing that avocado provides a low-risk pathway for movement of LBAM. In late 2018, the Commission received confirmation that CFIA agreed with our request to remove avocado as an LBAM host. CFIA is in the process of making the necessary revisions in their directive and it is anticipated the process will be completed by January 31, 2019. This will remove Canada's unnecessary (and burdensome) phytosanitary certificate requirements for California avocados ahead of the 2019 California avocado season. 🥑