



MARIPOSA COUNTY

Agricultural Commissioner



RESOLUTION - ACTION REQUESTED 2019-58

MEETING: February 5, 2019
TO: The Board of Supervisors
FROM: David Robinson, Ag Commissioner
RE: FY 2018-2019 California Seed Law Memorandum of Understanding
Reference No 18-Sd22

RECOMMENDATION AND JUSTIFICATION:

Approve California Seed Law Memorandum of Understanding Reference No 18-sd22 for Fiscal Year 2018/2019 with the California Department of Food and Agriculture (CDFA); and Authorize the Board of Supervisors Chair to Sign the Agreement. This is an annual Memorandum of Understanding for work performed in Mariposa County in the enforcement of the California Seed Law. Additional funds can be received for compliance inspection for out of state seed labelers.

The minimum available in Fiscal Year 2018/2019 for this Memorandum of Understanding is \$100.

BACKGROUND AND HISTORY OF BOARD ACTIONS: Prior year Memorandum of Understanding's were signed by the Mariposa County Agricultural Commissioner.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

No subvention funds will be received for compliance inspections in accordance with seed law.

FINANCIAL IMPACT:

The at least \$100 State subvention for this Memorandum of Understanding with CDFA is included in the Agricultural Commissioner/Sealer of Weights and Measures Requested Budget for Fiscal Year 2018-2019.

ATTACHMENTS:

18-19 Seed Contract (2) (PDF)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Rosemarie Smallcombe, District I Supervisor

AYES: Rosemarie Smallcombe, Marshall Long, Kevin Cann, Miles Menetrey

EXCUSED: Merlin Jones

**CALIFORNIA SEED LAW
MEMORANDUM OF UNDERSTANDING
Fiscal Year July 1, 2018 - June 30, 2019**

County: Mariposa

MOU Ref No: 18-sd22

PERFORMANCE STANDARDS

1. Inspection of premises and seed lots - One (1) or more inspections of each registered seed firm or distribution center on the County's Units of Activity List will be conducted. A list of all inspections completed and the dates of inspection will be maintained by the county for two years after the fiscal year. A tally of completed inspections will be reported each month on the Report 6 form and submitted to the Seed Services Program of CDFA. Failure to perform an assigned premises inspection will result in a loss of compensation equivalent to three assigned label evaluations.
2. Label Evaluations - Each label from unique seed lots of firms on the county's list will be evaluated as a unit of activity and assigned a base rate of compensation per label. Quantities of labels evaluated beyond the number indicated on the units of activity list, may be assigned a lesser rate of compensation per label. Labels will be evaluated for compliance to the California Seed Law (CSL) and relevant portions of the Federal Seed Act (FSA). Violations of the CSL or FSA will be reported immediately to the Seed Services Program.
3. Commissioners that participate on Investigative Committees for seed complaints may claim up to nine units of activity for each seed complaint Investigative Committee they participated on.
4. Label Evaluation priority and limits- In order to assist the seed industry in achieving and maintaining compliance with the California Seed Law, the following priorities have been developed for the Agricultural Commissioner. The limits indicated are relevant to extra labels that might be evaluated by a county.
 - a) Agricultural and vegetable seed grown, conditioned, packaged, or repackaged at local operations.
 - b) Agricultural and vegetable seed of kinds utilized by farm plantings within the County.
 - c) Grass (lawn) seed kinds are limited annually to not more than fifteen (15) labels from any one Distribution Center, and not more than five (5) labels of grass seed offered for sale by retail merchants for nonfarm use.
 - d) Agricultural, vegetable and grass seed labels on seed identified in 008 Border Inspection Reports will count as extra labels evaluated unless they are counted towards the required amounts on the units of activity list. See Report 6 instructions for proper reporting of labels related to 008 Inspections.
 - e) Stop-sales may be issued on seed containers labeled incorrectly or incompletely at inspection time. Stop-sales are encouraged on seed labeled by firms not authorized to sell seed in California.

This Memorandum of Understanding must be signed and returned to the Department within 45 days of receipt and shall continue to, and terminate on, the 30th day of June, 2019.

Secretary, or his/her representative
Department of Food and Agriculture

Agricultural Commissioner,
Mariposa County

By Brenda Lanni

By MS Monterey
Board Chair

Date 2/22/19

Date FEB 7, 2019

RECEIVED
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MAR 28 2019

APPROVED AS TO FORM:

Steven W. Dahlem
STEVEN W. DAHLEM
COUNTY COURSE 2 of 3.

BY: FLB