UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.

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ADVISORY COMMITTEE ON  
BIOTECHNOLOGY AND 21ST CENTURY  
AGRICULTURE  
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A meeting in the above-entitled matter was held on March 14, 2016, commencing at 9:02 a.m. at 1400 Independence Avenue S.W., Jamie L. Whitten Building, Room 107-A Washington, D.C. 20250.

Russell C. Redding, Committee Chair
Michael G. Schechtman, Executive Secretary
APPEARANCES

Russell Redding, Chair
Michael Schechtman, Executive Secretary

Committee Members:
Mary-Howell Martens
David Johnson
Paul Anderson
Alan Kemper
Lynn Clarkson
Gregory Jaffe
Leon Corzine
Latresia Wilson
Barry Bushue
Kelly Rogers
Angela Olsen
Ron Carleton
Laura Batcha
Douglas Goehring
Rita Nalubola
Charles Benbrook
Isaura Andaluz
Betsy Rakola
USDA Officials:
Michael Gregoire
Gary Woodward

Non-USDA Officials:
Patty Lovera

Presentations:
Catherine Greene
Roger Noonan
Barbara Glenn
MR. SCHECHTMAN: Good morning, everyone.

UNIDENTIFIED MALE: Good morning.

UNIDENTIFIED MALE: Good morning.

UNIDENTIFIED MALE: Are we going to have a meeting?

MR. SCHECHTMAN: Yes.

UNIDENTIFIED MALE: Good morning, Michael.

MR. SCHECHTMAN: If everyone could take their seats, please. So these microphones do amplify.

UNIDENTIFIED MALE: It sounds like it, yeah.

THE REPORTER: The ones she brought in do, yes, but the ones that are flat are just for recording.

MR. SCHECHTMAN: Oh, ah.

THE REPORTER: There are two sets.

MR. SCHECHTMAN: Ah, two sets. Okay. This is the seventh meeting of the U.S. Department of Agriculture's Advisory Committee on Biotechnology and 21st Century Agriculture, or AC21, the seventh meeting since the Secretary of Agriculture brought back the AC21 in 2011.

My name is Michael Schechtman, and I'm the executive secretary and designated federal official for the AC21. I'd like to welcome you all to this meeting and to Washington, D.C., if you've come from out of town. I would like to welcome our committee members, 16 out of 21 of whom
are scheduled to be here today, as well as several ex
officio members -- I know there's some problem with the
Metro this morning, so some people may be coming in later --
and also to welcome the members of the public who have come
here today to listen to our proceedings and perhaps to
provide statements for the committee later this afternoon.
Again, thank you all for coming.

I will note at this point that one of our members,
Mr. Michael Funk, who is the chief executive officer of
United Natural Foods, has elected to retire from this
committee because of work commitments. He did so, noting
that he has the confidence -- he has confidence that the
committee retains a good balance of perspectives among its
members. USDA thanks him for his service, and we will all
miss him here.

I also welcome our chairman, Mr. Russell Redding,
who is now Pennsylvania's Secretary of Agriculture, from
whom you will hear in a little bit.

I would also like to note that we are scheduled to
have one new ex officio member on the AC21, Dr. Ritu
Nalubola from the Office of the Commissioner, U.S. Food and
Drug Administration. I'll welcome her now, though I see she
may be stuck on the Metro as well, and also welcome two
other ex officio members, who I suspect may be coming in
later as well, from the Environmental Protection Agency and
the National Institute of Standards and Technology. Our member from Office of the U.S. Trade Representative is out of the country at the moment.

I will also note that unfortunately our representative from the Secretary's office, Mr. Doug McKalip, who is senior advisor to the Secretary, who's helping to guide the AC21's efforts and who attended our last meeting, he's on official travel out of the country and unable to attend these two days. However, he's given me some remarks to deliver, and I will come to those in due course. In addition, you will note that the Secretary of Agriculture is not on our agenda this time. He, too, is out of the country on a trade mission.

I'll also note that we have with us, at least for a while this morning, Mr. Michael Gregoire, who's the associate administrator of the USDA's Animal and Plant Health Inspection Service. Welcome, Michael.

MR. GREGOIRE: Thank you.

MR. SCHECHTMAN: For this meeting we also have Ms. Betsy Rakola, who's an organic policy advisor at the Agricultural Marketing Service, who's helping our process a great deal by taking notes for most of the meeting, and she will also be providing one of the brief updates this morning. Thank you so much, Betsy.

MS. RAKOLA: Welcome.
MR. SCHECHTMAN: We will, as always, have a very full agenda. So we ask that when the meeting is in session, conversations need to be limited to those between members. The public will be invited to participate by providing comments to the committee and USDA this afternoon between 3:15 and 5:00. I think we have a few individuals signed up to provide comments at this, at this meeting.

Members of the public who've preregistered to provide comments, please be sure you've signed up on the comment list so we can call you in order. In addition, some members of the public submitted comments electronically before this meeting, and we've prepared a notebook of those comments. AC21 members and other members of the public can peruse the notebook at your leisure at the documents table outside, over the next two days. Please don't remove it from the table, however.

We'll be preparing the minutes of this meeting, and a computer transcript of the meeting will also be available within a few weeks. We hope to get the minutes and all meeting announcements up on the web. The website, as I've told this committee many times before, the address is pretty long, but the website can be accessed by going to the main USDA website at www.USDA.gov, clicking on Topics on the top left, then Biotechnology, then the name of this committee.
For any members of the press who may be in attendance, you're welcome to speak to whomever you wish during the breaks of our meeting and before or after the meeting itself. We ask that you not conduct any interviews or request comments from members while the AC21 is actually in session. Mr. Redding, our chair, and I will be available for questions and comments at the end of each day at the meeting.

I'd also like to request that all members of the AC21, as well as all members of the audience and the press, please shut off your cell phones and beepers while in the room. They interfere with the microphones and with our recording of the meeting in order to be able to produce the publicly available transcript.

Bathrooms are located on either side of the enclosed courtyard, outside and to the left. I apologize for this relatively tight space for our meeting. This time this is the best space that was available for our two days.

One other important housekeeping matter, members and ex officio members, you have tent cards in front of your places. Please turn them on end when you wish to be recognized. Also, for the transcript, please identify yourself when called upon to speak.

Just outside the meeting room, there are tables with documents on them. Please take only one copy of
documents if you need them. We don't want to run out early. Among the handouts is the detailed meeting agenda. Please note there are breaks scheduled this morning and afternoon.

I'd like to repeat, we are planning for a period of up to one and three-quarters hours for public comments, from 3:15 to 5:00 this afternoon. We want to be responsive to the needs of the public, and we'll see, as the meeting progresses, how we need to structure that time.

Members of the public, if you've preregistered to make a comment and you've not signed in already, please do so at the sign-in table so we can plan the comment period and have in order to call the names. You'll have five timed minutes to provide your comments. For each member of the public who speaks during the public comment period, I'll need a hard copy of your remarks and an electronic copy so that we can post your remarks on the committee website.

Let me remind the committee and members of the public of the AC21's overall mandate and its specific charge for the current work. Under its charter the AC21 mandate is, quote, examining the long-term impacts of biotechnology on the U.S. food and agriculture system and USDA and providing guidance to USDA on pressing individual issues identified by the Office of the Secretary related to the application of biotechnology and agriculture.

The committee in its last effort addressed the
issue of potential compensation for economic damage to farmers caused by unattended presence of GE material and how to bolster coexistence more generally among different ag production methods. This resulted, in November 2012, in an important report entitled Enhancing Coexistence: A Report of the AC21 to the Secretary of Agriculture, which contained a large number of significant and interlocking recommendations among which was that USDA should incentivize the development of joint coexistence plans among neighboring farmers.

Since that time our Office of General Counsel has informed us that we lack the legal authority to provide such incentives, but the Office of the Secretary has followed up on the spirit of that particular recommendation with the following new charge, which was announced to the committee at the committee's December 2015 meeting, and that charge was: Is there an approach by which farmers could be encouraged to work with their neighbors to develop joint coexistence plans at the state or local level and, if so, how might the federal government assist in that process? This is what the committee is now in the process of considering.

Now, as has been true of all the past AC21 meetings, we have a lot we need to accomplish in this meeting over the next two days. For this meeting, in
addition to a series of fairly brief updates we'll start off
with this morning, there are three objectives: first, to
consider the work of the three ad hoc subgroups on their
analyses relevant to the new AC21 charge -- those are the
Guidance Document subgroup, the Models and Incentives
subgroup, and the Venues and Conveners subgroup -- second,
to listen to presentations from outside experts on topics
relevant to the work of the AC21 -- we will have speakers
this afternoon from the National Association of Conservation
Districts and the National Association of State Departments
of Agriculture -- and, finally, to continue overall
discussions on the committee charge and planning subsequent
work; that is, figuring out how to be sure that members have
articulated the path forward and your specific
recommendations that can be captured in the report and an
associated guidance document.

Welcome, Ritu.

MS. NALUBOLA: Thank you. I'm sorry.

MR. SCHECHTMAN: Let me emphasize -- oh, that's,
for everyone, that is Ritu Nalubola, who is the new ex
officio member from the U.S. Food and Drug Administration.

Let me emphasize, as I did at our last meeting in
December, that there's a very limited amount of time for
this committee to complete its work during this
administration. So members will need to work both
cooperatively and efficiently to articulate the main consensus messages that will be contained in the final reports, and of course, we'll be encouraging you to do so.

For this meeting we have lots of documents, some of which are old and familiar, but the new ones of which I hope all committee members will have received before you left home for the meeting. They're also provided to the public on the document table outside, and they are the Federal Register notice announcing this meeting; the meeting agenda; package of biographies of all current members; the AC21 Charter; the AC21 Bylaws and Operating Procedures; the previous report produced by the AC21 entitled Enhancing Coexistence: A Report to the Secretary of Agriculture; the meeting summary from the December 14th through 15th, 2015, plenary session of the AC21; a package of meeting summaries from all of the conference calls held intersessionally for the three subgroups -- each had two meetings, so the package contains six summaries; one document containing copies of two proposed outlines for a potential guidance document developed by Angela Olsen and Lynn Clarkson on this committee, which are under discussion by the Guidance Document subgroup; then copies of the North Dakota Pollinator Plan, kindly provided by North Dakota Agriculture Commissioner Doug Goehring -- we'll thank Doug now; he indicated he is not going to be in until later this morning,
and I should just note, we may have to jigger around the morning schedule just a little bit to accommodate his remarks in the subgroup update session -- then a notice of intent to prepare an environmental impact statement for new proposed biotechnology regulations published in the Federal Register by USDA's Animal and Plant Health Inspection Service, or APHIS, on February 5th of this year, which will be briefly discussed this morning; and, finally, a new report developed by USDA's Economic Research Service entitled Economic Issues in the Coexistence of Organic, Genetically Engineered, and Non-GE Crops, which was alluded to but not yet released at the, at the time of our last meeting.

In addition, we have two other documents from members, not specifically requested either at the last plenary or in subgroup discussions, and they are, one, a proposal from Commissioner Goehring for an outline or format for coexistence discussions, which may fit in some of the topics for discussion tomorrow; and, second, a draft coexistence policy under consideration by the National Corn Growers Association, which was kindly provided to the committee by Leon Corzine.

I'd like to welcome to our discussions this morning the deputy undersecretary for Marketing and Regulatory Programs, Gary Woodward. I wasn't sure you were
coming today. We didn't have a spot for you, but welcome.

MR. WOODWARD: That's fair. I know Ron so -- I know Ron, so he won't mind me stealing his seat. He actually was my boss at one point in time.

MR. SCHECHTMAN: I'll need you to talk into this mic later, but that's okay.

Let me now speak briefly -- oh, actually, first, I'll mention that everyone, all committee members should have at their place a schedule information gathering sheet for the month of October. There were some concerns -- there were some concerns about the meeting that we had scheduled in September, so we wanted to see if October might be any better. We are limited. November will be too late for our last meeting, and we couldn't find anything in August. So we're just checking to see whether September or October is better. We'll choose the one that appeals for everyone, appeals -- or inconveniences the fewest number of folks and for which we can get meeting space, et cetera.

So now let me speak briefly about the agenda. During this morning's session, once I stop talking, we'll continue with the introductory remarks of Secretary Redding and then address a few topics by way of background:

regulatory developments at USDA and the ongoing work on the coordinated framework modernization process, an update on a new conservation option offered by USDA's Farm Service
Agency, and brief discussion of a new study on coexistence from the Economic Research Service that I mentioned a moment or two ago.

After our morning break, we'll have report outs from our three subgroups. I believe that Lynn Clarkson, Doug Goehring, when he arrives, and Leon Corzine will be speaking about each of these -- each of their group's work. Then we'll have a brief discussion, trying to get a little clarity around the various types of coexistence discussions that are being envisioned, I think, in the plenary and subgroups, broad educational discussions as well as more specific farmer-to-farmer discussions and others and the relationships between these different kinds of discussions.

Then, following lunch, we'll have two presentations from outside experts -- first, Mr. Roger Noonan, who is vice chair for the Northeast Region of the National Association of Conservation Districts as well as a New Hampshire organic farmer, who will speak to the committee about cooperative local processes and conservation management. And then Dr. Barb Glenn, who is CEO of the National Association of State Departments of Agriculture, or NASDA, will tell us about NASDA's involvements in similar cooperative processes and perhaps how they can engage in the future on coexistence.

We have, as always, a good chunk of time set aside
for comments -- in this case, one and three-quarters hours -- and whatever time is not used up in comments, we will reclaim and use for further discussions about the charge.

Tomorrow we'll start with a recap of today's discussions followed by what is envisioned as a fairly loose agenda designed to move the discussions forward on some key issues -- on the potential scope of farmer-to-farmer discussions, on developing a specific cooperative model for coexistence discussions, on what should be contained in the proposed guidance document, on eliciting support and participation for local coexistence processes, on future work for any or all of the subgroups and how their work overlaps, and on getting the report and guidance document written. We'll fit those topics in somehow tomorrow, though conceivably we'll hop back and forth between them. We anticipate being able to wrap up tomorrow no later than 3:45.

Now, before I turn the microphone over to Secretary Redding, I'd like to read to you a few remarks from Doug McKalip from the Secretary's office. This is Mr. McKalip's statement:

Thank you all for your work on the committee. It is very much appreciated and very important to the future of U.S. agriculture. I regret missing the meeting this week. I'm on international travel in New Zealand, presenting on
the intersection of agriculture and forestry technology with sustainability and development of a bioeconomy.

I'm pleased with the committee work on state-local partnerships on coexistence and particularly excited about the presentations during the program by NASDA and NACD. In particular, conservation districts at the local level play an important role in setting local priorities and helping to steer conservation activities. I hope you will find interaction with NACD valuable and that it can help to forge a strong relationship with locally led conservation processes.

While you're in town, you will undoubtedly be hearing about the GMO labeling debate in Congress. USDA is very much encouraging providing consumers with additional information about their food without stigmatizing any technology. We are hopeful that a compromise can be reached that will lead toward enactment of the bill. Recently the Secretary has made comments signaling support from mandatory disclosures, using a variety of tools including smart codes. We believe that multiple tools can be useful for disclosure and establish one national system.

Thank you again for all your work. I and the Secretary's office are looking forward to learning about the results of your meeting and are working with you to follow up on next steps.
Those were the remarks of Mr. McKalip. Now it is my great pleasure to welcome back to his chair role the Secretary of Agriculture from the State of Pennsylvania, the Honorable Russell Redding. I know this is a very busy week for you. Russell, your current -- our current situation, your current situation, and your thoughts moving forward.

MR. REDDING: Dr. Schechtman, thank you, and to the committee, good morning and, again, thank you for returning to the task, returning to the work of AC21. I very much appreciate the commitment. This is not an easy sort of time of year to pull away. So thanks to each of you for being here and appreciate the work on coexistence.

Happy National Ag Week, by the way. It's good to be with you here in D.C. at the USDA during this week. We celebrate agriculture, as we should do all year, but we certainly take a moment this week to recognize the good work of ag across the country. We've got a number of events back in Pennsylvania that look forward to participating.

Coexistence, as our work demonstrates, embodies so many fundamentals to the business of agriculture -- as we have noted, that farmer-consumer choice, I mean, the science, markets, policy issues, responsibility, and certainly change. Our Enhancing Coexistence report outlined a comprehensive approach to our work as agricultural stakeholders, building on the previous work of AC21
committees but also recognizing that the landscape has changed and is certainly more complex.

While it would have been easy for the USDA and Secretary Vilsack to simply let the production agriculture system discussions play out and farmers and consumers, trading partners, and allied industries struggle with the conversation of technology and choice alone, they have instead engaged us to help find solutions. Their confidence in us, in this committee, is very much appreciated.

As I have done several times in preparation for AC21 meetings, I went back and reviewed the signing statements where each of us qualified support for the committee's recommendations. The one recurring theme that was about the prevention of the problem of unintended presence, was preferred over waiting to respond to a problem. This theme is at the center of our current charge and the three subcommittee deliberations.

I want to applaud the work groups who have taken time to inform our charge and moving our actions from one of aspiration to, to practical. This is a phrase that I have used many times in many of the issues that I've been involved with, is that we know, much like other things in life, there is a tension between the aspirational and the practical, and we've got to find a way through the aspiration for what we want the ag sector to look like, and
we've stated that in our, in our report, but converting that
now to the practical is where we find ourselves in the
current charge.

Our collective challenge is designing a guidance
document that strengthens diversity in agriculture and helps
to strengthen the culture of the entire ag sector that moves
from one of I have to do something to I want to do
something, and that is an important transition. It's not
about a mandate. It's about agriculture adopting the
everyday best management of practices that allow the choice
in the marketplace and the choice at the farm level to
occur.

Coupled with the substantive changes underway at
the USDA, some of which we heard about at the last meeting
and others on today's agenda, I believe we are adding
significant value to and changing the narrative about
coexistence. As one example, at the recent NASDA, the
National Association of State Departments of Agriculture
meeting, midwinter policy meeting, Dr. Schechtman and I,
along with Laura in a separate presentation, updated the
secretaries and commissioners of agriculture on AC21 and our
work on coexistence.

The new NASDA policy on biotechnology now
considers coexistence. The best part, it was not something
that Michael or Laura or I recommended. This came from the
observation of other secretaries and commissioners around the table. They said they believe that that policy needed to reflect the work of the USDA and this committee on coexistence -- a sign that our work is noticed and valued.

Finally, since scheduling this meeting, Pennsylvania's House, House and Senate Agriculture Committees have scheduled a joint hearing on the impacts to agriculture without a fully enacted 2015-16 state budget. Tomorrow morning this hearing will occur at 9:00 a.m. As a result, I will be returning to Pennsylvania tonight to testify with the goal of returning tomorrow afternoon for the committee's work here, to make sure that as we move forward in the coming months, that Dr. Schechtman and I, as we work on drafting, that I have the benefit of understanding the exchange and dialogue and the context for the work of this committee and the reporting out from our three work groups. So I apologize in advance that I will miss tomorrow morning, but hopefully that hearing will be done in time for me to return.

So I'll end where I began and that's with a simple thank you to the Secretary, to the USDA team, and to each of you as AC21 members for your good work and staying involved in this conversation about coexistence and how we, as agriculture leaders, ensure that the diversity that we enjoy today in production agriculture in the marketplace continues
to grow, so thank you.

MR. SCHECHTMAN: Thank you. Now we will have two brief updates on biotechnology regulatory developments since the last meeting, the first of which will be from Michael Gregoire, associate administrator of APHIS.

MR. GREGOIRE: Thank you, Michael. Good morning, everybody. I'm happy to provide you with an update again today. When I spoke to you at your meeting back in December, I talked about some developments in terms of the oversight of regulated field trials, I talked about switching wheat field trials from notification to permit, and talked a little bit about the process of updating our biotechnology regulations.

So with respect to the wheat permits, wheat trials are now done under permit, and the Agency has issued seven permits for wheat field trials for spring planting. And we would expect to get some more permit requests during the summer months for fall wheat planting, but that, that has been implemented.

Also, in February we published some new guidance on the extension procedure. The extension procedure is a feature in our biotechnology regulations that provides a mechanism for the Agency to extend nonregulated status to a GE plant that the Agency determines is similar to one that has previously been deregulated. So some, some clarifying
guidance was put out on that, and that procedure does still provide for public input in that process, so the Agency does a similarity analysis to explain scientifically how the organism in question is similar to one that's previously been deregulated, and we may fall back on an existing environmental analysis if it was done rather recently, and if it's an older one, it may be updated. So that guidance was put out in February as well.

With respect to changes to our biotechnology regulations, again, our biotechnology regulations date back to 1987. So it's been more than two decades since they have been, been updated. There have been some minor changes along the way. In March of 2015, USDA withdrew the outstanding 2008 proposed rule to amend the regulations and basically started the process over again.

We had some webinars and comment period during which we had 221,000 comments, and on February 5th of this year, we published a 30-day public notice, or public comment period on the notice of intent to prepare a programmatic environmental impact statement that will inform the proposed rule when it comes out. So a draft environmental impact statement will accompany a proposed rule when that is published.

We got many, many requests from a variety of stakeholder groups to extend the comment period on the
notice of intent, and we did in fact extend the comment period by an additional 45 days. So that comment period is open now and runs through April 21st, 2016, and we will very carefully review and consider all of the comments that are received during the comment period on the notice of intent.

Some of the key things in that notice of intent for the EIS, the Agency identifies four alternatives that may be analyzed in the EIS and asks for public comment on, on those alternatives and whether any other alternatives ought to be considered.

One of the alternatives is a no-action alternative, which would basically leave the regulations as they are right now. A second alternative would create a regulatory review criteria for a system in which the Agency would analyze a GE organism first and then, based on that analysis of the plant pest and noxious weed risk, the Agency would determine whether or not it should be subject to regulation and, if it were subject to regulation, then the regulation would be handled through a permitting process, much like it is now. There's some new terms that are used in the NOI that we ask for public input on.

So you have the no-action alternative, and then you have this kind of analyze first and regulate, if appropriate, as a second alternative. Then there are two other alternatives that kind of are bookends. A third
alternative would increase the scope of what’s regulated. So it would capture more products of biotechnology, and that regulation would be, again, handled through permit. And then the fourth alternative would eliminate altogether separate biotechnology regulations in APHIS, and we would just use the existing plant pest and noxious weed regulations that the Agency has in place.

So those are the four alternatives that we propose to analyze in the EIS, and again, we ask for comments on those. And the notice also has a number of different questions that are posed to the public on some of the definitions that are used, on what sort of impacts would be analyzed in the EIS, and so on.

In Alternative 2 we talk about this approach of analyzing first and then regulating if there’s a demonstrated plant pest or noxious weed risk. That would be based on a risk assessment that APHIS performs, and we have developed a new weed risk assessment model that is currently being peer-reviewed through USDA's Office of Risk Assessment and Cost-Benefit Analysis. And so that weed risk assessment model would also be made available to the public at the same time the EIS and the proposed rule is published.

So that’s a very quick snapshot of where we are with this. Again, the NOI is open for public comment through April 21st. If there’s not copies out there, we
could arrange to have --

MR. SCHECHTMAN: It's out there.


So with that, Michael --

MR. SCHECHTMAN: Okay. I think what we'll do is we'll give you the other regulatory update and then see if there are any questions.

So I'll give you a quick update on what has been happening in the White House-led effort to modernize the coordinated framework for the regulation of biotechnology. You'll recall that this effort was initiated by a White House memo in July of 2015. The memo called for the establishment of a biotechnology working group under the Emerging Technologies Interagency Policy Coordination Committee and including representatives from the Executive Office of the President, EPA, FDA, and USDA.

The group has three tasks -- first, update the coordinated framework to clarify the current roles and responsibilities of the agencies that regulate the products of biotechnology; second, develop a long-term strategy to ensure that the federal regulatory system is well prepared for the future products of biotechnology; and, third, commission an external independent analysis of the future landscape of biotechnology products. The White House memo also affirmed the existing scientific principles on which
The original coordinated framework is based.

The first task has been to work diligently on the description of the current roles and responsibilities to clarify that information for the public. The long-term strategy, the second task, is something that will take a little longer, and for the third task, the National Research Council of The National Academy of Sciences has been commissioned for the analysis of the future landscape of biotechnology products. I understand that the NRC is nearly done with choosing the members of the, the panel that will perform that analysis.

Last November the first of three public meetings was held on the coordinated framework update process at an FDA facility in the Maryland suburbs of Washington, D.C. The discussions were very general and focused on the process of the update.

Last week at an EPA facility in Dallas, Texas, a second public meeting was held. At that meeting the focus of discussions was a series of eight case studies prepared by the regulatory agencies, illustrating the regulatory pathways for a diverse series of GE organisms. In addition, a detailed table, still very much a draft document, was provided to the public, describing how a broad range of actual or potential GE products and organisms would be regulated under current statutes and regulations.
That table, probably with some edits, along with accompanying text, will be published for comment in the Federal Register later this year. To find those two documents, the table and the case studies, there is a March 7th White House blog that provides links to both of the case studies, as -- but both the case studies and the draft table, and they've also been uploaded on regulations.gov.

And I will finally note that a third public meeting is scheduled for March 30th at the University of California, Davis, which will be hosted by USDA. I anticipate there'll be more focus, more focus at that meeting on issues related to the long-term strategy.

That's the update. Now we can open it up for questions for either of us here.

MR. REDDING: Yeah, Laura.

MS. BATCHA: Are we on here or --

MR. GREGOIRE: You have to use the stand mics.

MS. BATCHA: Strategically placed far enough away from me that I can think twice before I speak, so I appreciate that. I have what I think are three questions about the part 340 --

MR. GREGOIRE: Uh-huh.

MS. BATCHA: -- work, but I first wanted to just, to our chair Russell Redding, amazing commitment. I can't believe you're even here with us with what you have going on
tomorrow morning with the hearing and you'll be back. So --

MR. REDDING: Yes. Thank you.

MS. BATCHA: -- for me, I thank you tremendously for that.

So on the, on the part 340, I know we've had some, some discussions, and I'm wondering if you have any updates or if you can provide comment on current thinking from APHIS on the two issues related to -- so you have first established perhaps the best use of the regulatory bandwidth is not to re-review traits with crop types that have already been commercialized; rather, use the bandwidth for new technologies, new combinations of traits and crops. Do you have any updates for us on current thinking about how stacked traits come into play so that the crop type and the trait and the crop type and the trait have been deregulated but then you stack them and that hasn't been reviewed?

And then my second question is around current thinking around review of new technologies, specifically gene editing and gene deletion. I've heard a tremendous amount of conversation about that lately, and I'm just wondering whether or not -- how you're viewing the purview on those processes.

My third question is around definitions, and since Mr. McKalip brought up the labeling issue, one of the sort of real challenge points in the discussions around a path
forward on this has been the issue of definitions and, when you establish a definition for what would need to be labeled, whether or not that be mandatory or voluntary. By default, the other side of that border on the definition is what could potentially be labeled as not genetically engineered. So you have a boundary there.

So there have been a lot of discussions about how important that definition becomes because it creates a market for -- a de facto market for non-GMO that may be inconsistent with either the organic definitions or the current marketplace for non-GMO.

So could APHIS conceive of definitions that were exclusively related to labeling that wouldn't impact your thinking around regulatory review? Do those definitions have to be common? And the question of gene editing and gene deletion plays into that definitions question as well.

MR. GREGOIRE: Okay.

MS. BATCHA: Thank you.

MR. GREGOIRE: Thank you for your questions. So, Laura, the first question of stacks, your question is about the extension procedure and how it is in -- I don't know that I can do this justice. Let me just explain what I think the answer is, and I'll go back and check, and if I give you the wrong answer, we'll --

MR. SCHECHTMAN: We'll get it to you.
MS. BATCHA: Okay. Great.

MR. GREGOIRE: -- get a correct answer to you.
But my understanding is if you take two events that have
been deregulated by the Agency and put them together, that
would still be covered, that would be covered by -- they
don't have to go through a new review process.

Okay. With respect to gene editing, gene
deletion, new plant breeding technologies, that's really
still an open question that the Agency is wrestling with,
and there are some specific questions in the NOI around this
issue. In Alternative 2 in the NOI, there is a preliminary
definition of biotechnology and products of biotechnology
for which we ask for public comment on, and then also under
Alternative 2, we ask for public input on whether in --
which technologies should potentially be exempted from this
consultation process that the Agency would undertake under
Alternative 2, whether it be sort of a pre-decisional
consultation about whether or not the organism should be
regulated.

So there's some questions in the NOI about that as
well, and these questions about gene editing, gene deletion,
new plant breeding technologies is really a regulatory issue
that a lot of governments around the world are wrestling
with right now, as you probably know.

And I think your third question was about labeling
and the definitions that are used of genetic engineering in some of the legislation that is up on the Hill. I think there's a potential for there to be different definitions of this. The definition that I have seen in the Senate bill that is being considered did not amend -- the Plant Protection Act, which is what we operate under, there's no definition of biotechnology or genetic engineering.

The House bill, the House labeling would have amended the Plant Protection Act and basically have us sort of enforcing the Food and Drug Administration's consultation process by not allowing GE products into commerce until that consultation process has, had been completed. I don't recall if that version of the bill defined biotechnology or bioengineering. It may have. The Senate version does have a definition as well, but it doesn't do anything to the Plant Protection Act.

So under the Senate version of the bill, there's no role per se for APHIS in the labeling administration, and so I think it would be possible under that version that there might be different definitions used for different purposes across the government.

MS. BATCHA: Thank you. I appreciate that.

MR. GREGOIRE: Uh-huh.

MR. REDDING: Laura, could you expound just a little bit just so I'm clear --
MR. SCHECHTMAN: Hold on. Hold on.

MR. REDDING: Sorry, expound a little bit just on, on your -- it sounds like you had sort of a very specific question there about sort of definitions and what was captured in definition and what would not be, not be captured by that definition. Can you just explain that a little bit, please?

MS. BATCHA: Sure, and with the recognition this is a little off topic from our mandate, but at the indulgence of the chair, I'll follow the thread a little bit.

So as I understand it, when you defined bioengineering for the purpose of labeling, if the law includes a definition of what needs to be labeled, by default everything else could conceivably carry a non-bioengineered claim in the marketplace. So where you set that definition impacts what the future of both presence labeling and absence labeling looks like in the marketplace.

As I understand the current attempts at definitions in the Senate, it's based on, I think, the existing technologies primarily, and when you write a definition that's fairly strictly constructed, it doesn't necessarily accommodate what might be in the future.

So I think some of the concerns would be that you flip over and you look at the organic standards, for
example, which encompasses a non-GMO program, amongst other attributes. We have a much more narrowly constructed definition of what is prohibited from the perspective of GMOs. So then you could conceivably have in the marketplace what would be required or voluntarily encouraged to be labeled further presence; then you would have the zone in between, which it was unclear whether or not -- it might not need to be labeled but, for the purposes of the public, might still be viewed as genetically engineered and, for the purposes of the organic standard, would still be viewed as genetically engineered, and then you go here.

And so it's just a concern we have about attempting to clarify the marketplace in a way that would cloud the marketplace even more from the perspective of the consumer understanding what's happening and a level playing field --

MR. REDDING: Uh-huh.
MS. BATCHA: -- in the marketplace.
MR. REDDING: Thank you.
MS. BATCHA: Make sense?
MR. REDDING: Yes.
MR. SCHECHTMAN: Okay. This is a little off topic.
MR. REDDING: Yeah, Lynn.
MR. CLARKSON: Michael, at the bottom of page 5 in
this material that somehow or other I was presented --

MR. SCHECHTMAN: Oh, there are two Michaels. It's
carl to --

MR. CLARKSON: Sorry about that. You have --

MR. SCHECHTMAN: Is --

MR. CLARKSON: -- the final sentence that I'm very
pleased to see there, and it refers to considerations of
socioeconomic considerations, to include potential impacts
on regulated GE crop plants, on domestic economic
environment, international trade, and coexistence among all
farms and U.S. agriculture. I regard that as good to see, I
regard that as controversial, and I want to know how solid
your footing is on that particular part of your statement.

MR. GREGOIRE: Okay. Is -- so you're referring to
the NOI, right?

MR. CLARKSON: I believe I am.

MR. GREGOIRE: Page 5. Let me just read what
you're referring to here.

MS. MARTENS: Could you read it out loud again,

Lynn?

MR. GREGOIRE: Yeah.

MR. CLARKSON: Sure. The final sentence in the --
it starts out with, under the provisions of the National
Environmental Policy Act of '69 --

MR. GREGOIRE: Oh, okay.
MR. CLARKSON: -- and then closes out by saying one of the considerations in the statement should be about socioeconomic considerations, to include potential impacts on regulated GE crops, on the domestic --

MR. GREGOIRE: Uh-huh.

MR. CLARKSON: -- economic environment --

MR. GREGOIRE: Right.

MR. CLARKSON: -- international trade, and coexistence. And since I approach much of this from a market standpoint, that is a key consideration of mine and players like me in the industry. I'm pleased to see it. I don't think it's always been there, and I'm curious to know what the foundation is and whether you're comfortable with that foundation of a socioeconomic consideration, not just safety considerations. So this is a broader definition of the environment I'd like to see.

MR. GREGOIRE: Uh-huh. So what this refers to, this section of the NOI is explaining what environmental impacts we will analyze pursuant to the National Environmental Policy Act. So we would look at -- for each of the four alternatives, or whatever the alternatives turn out to be in the EIS, for each one of those, we would look at things like impacts on soil, air, water, things like that, as well as the socioeconomic impacts of those four alternatives.
That's what this is explaining that we would do, and that is actually something we have examined in environmental impact statements that we have prepared in the Agency. So, for example, it would look at the impacts, the socioeconomic impacts of drift, trade, and things of that nature. So that is something that we typically do look at in EISs.

MR. CLARKSON: And is that something that might come into consideration, or the synchronicity with which trading partners are accepting new trades?

MR. GREGOIRE: Well, I think that issue would be examined, but I'm not sure I exactly understand your, your question.

MR. CLARKSON: It really goes to disruption in trade that we've all seen between the United States and China over the past --

MR. GREGOIRE: Uh-huh, yes.

MR. CLARKSON: -- five years and to see perhaps more government involvement in making sure that before we put something out throughout the U.S. production system, that all of our significant trading partners are included in approving that trade.

MR. GREGOIRE: Uh-huh. We certainly have that input, especially from the green trade groups. This has been and remains a really tough issue to deal with.
Secretary Vilsack is personally engaged in working with China and other trading partners to better synchronize the approvals across the globe so we don't run into the kinds of trade issues that we often have.

    MR. CLARKSON: Thank you.

    MR. GREGOIRE: Okay.

    MR. REDDING: Leon.

    MR. CORZINE: I don't know if this is really a question, but the thing that Lynn addressed is, it is important, and a lot of us around here have worked on that synchronization around the world, as you know, but it is also a fine line because you get countries that are so unpredictable that they basically would stop technology if you, if you consider that too far. So it's not -- it is like other things: it is not a black-and-white. For example, China will be -- has become a major market sometimes, and then they put up technical barriers to trade when they don't want our products.

    So it is good that you have that in there, but you had that in there in the past, as I understand. But it's just like, you know, you can get into a big-time debate and, as you analyze, and actually slow down the process, because we, you know, we've had that happen with some commodities before when somebody made the decision that technology, you need worldwide approval before it is brought to
commercialization or you basically stop the research, you stop everything, as you know.

So good luck with that part, I guess, as you work through it, and I hope what happens is we don't get to a point that you really slow down or almost stop our own regulatory process because of that one line. Okay. Thank you.

MR. REDDING: Angela.

MS. OLSEN: My -- wow, this is a loud mic.

THE REPORTER: Just move it back.

MS. OLSEN: Just move it back? All right. Thank you. My question is actually for our chair, and that is that -- and, again, we're all committed to delivering for the Secretary with this charge -- and so you referenced a meeting that you and Laura had with the Secretary, and I was wondering, before we get too far into our discussions today, if there was anything that might, that would be important takeaways for the rest of us to be aware of in terms of the Secretary's thoughts.

I wasn't aware of the meeting. So just is there anything that would be important for all of us to be aware of that will help inform our discussion, to make sure we're delivering what he's, you know, what he's expecting and would be helpful to the Agency?

MR. REDDING: Yeah, Laura, thank you. Yeah, I
should have been clear. The meeting that we attended was
the National Association of the State Departments of
Agriculture policy meeting here in D.C. but no personal
meeting with the Secretary.

MS. OLSEN: Sorry, I was confused about that.

Thank you.

MR. REDDING: Chuck.

MR. BENBROOK: Yes. The process that's going on
now to review the coordinated framework is, you know,
certainly long overdue and, hopefully, will lay the
groundwork for some long-needed changes in the, you know,
when we have a new administration next year. And, of
course, we're also in a political era when trade deals are
getting a lot of heat in the political process, and it's
hard to say how our markets are going to evolve in the
period that lies ahead.

And so we have a situation now, it's my
understanding that over 30 technologies involving gene
silencing have been deregulated by USDA without any further
consideration because they don't involve the insertion of
any foreign DNA into the, into the target organism, and I
understand the logic and the scientific basis for that
judgment under the Plant Pest Act and the statutes that the
Department of Agriculture has to work under, but I, you
know, I can't help but wonder what impact that, that action
by USDA under the statutes the Department is responsible for administering impacts how the discussion will unfold in FDA and EPA and, in fact, across the whole federal government, which is, through this process of revisiting the coordinated framework, trying to come up with a more science-based and harmonized treatment of agricultural biotechnology in general.

So my question for Michael is, within the executive branch committee that you have working on this, how are you going to prevent further -- you know, kind of building on what Laura said -- further confusion, you know, in the industry, the consumers, scientists, buyers abroad on what the position of the U.S. government is vis-à-vis agricultural biotechnology regulation if different agencies are kind of going off in different directions and there really isn't a logical consistency to -- even the definition of what, what a genetically engineered organism is? I mean, I, I see real potential for the problems that arise from the fact that the U.S. has never modernized its legislative foundation for biotech regulation. I think the problems can get far worse fairly quickly with this new generation of technology if, if we don't get our act, our collective act together. So could you speak to, are the, are the three major agencies, are you, are you confident that you're going to wind up at the same place at the end of
this process and is that one of the goals?

MR. SCHECHTMAN: It's a complicated question, and in part, it's complicated because what the focus has been thus far has been on much more clearly articulating what the current road map is for, for products. The next step in this process is really going to be setting out a road map for how we will look at all of the big-picture questions that may exist. You know, among them are consistency and cooperation and outreach to the public so that there isn't confusion, but that is a process that is just beginning to be undertaken, and what is going to happen through this administration is going to be essentially developing a road map for future administrations to analyze all of those questions.

You know, we want to get a plan together to be able to address all of the big-picture issues, consistency, et cetera, thinking towards what the developments in science are going to be in the new years, coordination, helping to not address -- or to minimize duplication between agencies, working together, making it more obvious that agencies are working together and doing things in a coordinated way. We have to develop a plan for doing those things, but that's, that's still in very, very early stages, but we're certainly very aware of the fact that these are the kinds of things that need to be looked at.
Do you want to add anything, Ritu --

MS. NALUBOLA: Sure.

MR. SCHECHTMAN: -- since she's another member of this, of this group?

MS. NALUBOLA: No, I will -- think only one point to add, and that's that as part of the July memorandum that, that had instructions for the three agencies, one of the aspects has to do with an independent external analysis of the future products of biotechnology and how prepared agencies are with respect to providing the appropriate oversight. And the first such independent analysis has been commissioned to the National Academies of Sciences, and that study is -- they did announce that study. So whatever the results are of that analysis, are -- it's intended that those results would inform the thinking of the agencies as we develop this long-term strategy.

So I think, you know, I just wanted to mention that NAS is also looking at this issue, but it's -- and then we also received a lot of public comment on these newer technologies. So it's definitely part of the discussion, and it will become part of the effort going forward.


MR. BENBROOK: If I might, just one, one quick follow-up. You know, many of us around this table have followed the evolution of this industry and its applications
for a long time, and it is patently obvious that the rate of change in technological development and potential products entering into the marketplace, from genetically engineered mosquitoes to Lord knows what else, is, is picking up pace at a considerable rate while the ability of governments, both national governments and international bodies, to deal with it is not getting any quicker.

And I think the scope of exposure to U.S. agriculture and companies that are dependent on export markets for incapability with what's going on in other parts of the world, I think the, the odds are that the problems are going to get substantially more serious and, and in, within the next few years. And I just, I think somehow the message has to get across to the U.S. Congress and the executive branch agencies that you don't have five years to talk about this, you know, unless, unless you want to sort of throw the dice and see, see happens.

I really think that the international market consequences of not dealing with the, the incapability, in many ways, between what we do from a regulatory point of view and even a definitional point of view in the U.S. relative to the rest of the world is, is, it's going to be such a bigger issue than really anything else before this committee.

So I'm -- I hope that this, this review of the
coordinated framework, I hope it does more than just tee up some issues, although that's perhaps all it can hope to do.

MR. SCHECHTMAN: I will just respond and say that the international implications of all of the regulatory actions and definitions under existing laws are things that the government is keenly aware of, and we've been involved in a variety of different international forums discussing these things.

I think the fact is that every country under its national laws is going to have its own definition and its own policies. The hope for a harmonized definition all over the world or a harmonized approach is a distant one at this point, and the question is how we work through all of these things, recognizing that different governments have different approaches, work at different rates of speed, have different considerations that, that they may hold important. But certainly the government is very heavily involved in trying to work in a range of international forums on this issue.

I don't know that we can continue to talk about this a whole lot here. It is a little bit off the subject, though it's a clearly very, very important -- very, very, important topic which, which has been brought up.

MR. REDDING: Mary-Howell, then Isaura.

MS. MARTENS: I don't think this is off topic. In
recent years I've not been completely impressed by the ability of Congress to understand and act on complex and nuanced ideas. And so I'm wondering, and maybe you can help, these two labeling bills that are up in either house, are they crafted in such a way that take into account new and emerging technologies or are they stuck in a definition of what is getting to be archaic and therefore will allow things to drop through the cracks as the new emerging technologies become more prevalent?

MR. GREGOIRE: I think the -- and I'm trying to recall -- the Senate bill, I think, defines bioengineered products as products that are developed through recombinant DNA technology and that couldn't otherwise be developed through conventional breeding. I think that is what the definition is.

MS. MARTENS: So CRISPR would not fall under that?

MR. SCHECHTMAN: No.

MR. GREGOIRE: I don't think so, but -- I don't believe so.

MS. MARTENS: Big crack. Big crack.

MR. GREGOIRE: I think it's a fairly narrow definition in the Senate bill.

MR. REDDING: Isaura, then Alan. We'll take those two; then we'll have to move on.

MS. ANDALUZ: I wanted to address this --
MR. SCHECHTMAN: Mic, please.

MS. ANDALUZ: Oh, is it on? Okay. I really wanted to address this more whenever Doug was here, but at our first meeting, Doug passed out the North Dakota Plan for Management Pollinators, and their main thing here was saying that, you know, NASDA points to the scientific review of the 2007 National Academy of Sciences report Status of Pollinators in North America and the joint USDA-EPA report National Stakeholders Conference on Honey Bee Health, and they found all these different things, and one of the main causes of the collapsed bees, they're saying, is the Varroa mite.

And so what I wanted to point out here is just that even if it's the National Academy of Sciences -- I mean, first of all, this report was 2007; we're now in 2016. I didn't pull this report, but I find that version to be very old, and as a beekeeper all my life -- well, not all my life, half my life, 25 years -- you know, the Varroa mite is not, is not an issue for us. There's lots of information, I mean, proven information. Some of it was from USDA where we had bred, you know, bees that are resistant to Varroa mite.

So I'm saying that what I'm concerned with here, too, with all of these issues is that cherry-picking scientific information that's, you know, that's appropriate -- that they want to put in certain documents like this that
are not really valid, I mean, that there's more information out there that's being ignored.

MR. REDDING: Michael, any comment?

MR. SCHECHTMAN: (No audible response.)

MR. REDDING: Okay. All right. Thank you. Alan.

MR. KEMPER: Thank you, Mr. Chair, and I think Doug will be here this afternoon to address some of your thoughts too. That'd be good.

Mr. Chair, I'd just ask for us to get back on to the topic, and I would suggest, I would love to discuss more about GMO labeling and what's going on on the Hill but maybe we can hold that until a later time when there's more time in the end of the day or tomorrow. Thank you.

MR. REDDING: Okay. Thank you. All right.

Michael and Michael, thanks, yeah, appreciate it. We'll have an update now from Betsy Rakola, an organic policy advisor at Ag Marketing Service, on FSA Conservation Reserve Program allotments --

THE REPORTER: Microphone, please.

MR. REDDING: Sorry. Okay. Yeah, just moving along with the agenda, I appreciate Betsy being here to give us an update on the Farm Service Agency Conservation Reserve Program allotments for organic producers. Betsy, welcome.

MS. RAKOLA: Thank you, and good morning, everyone. I wanted to share with you a new initiative that
the Farm Service Agency has rolled out relating to the
Conservation Reserve Program. Some of you may be familiar
with CRP. It's often known as a program that takes land out
of production entirely, that would retire a farm from
production. There is a piece of the CRP, though, that can
be used to retire pieces of land, and in this case they're
looking specifically at buffer zones.

So what the Farm Service Agency has done is to set
a goal to try to enroll 20,000 acres on organic land or land
that is immediately adjacent to organic land, and this land
could be in really any practice that is eligible for what's
called the Continuous Conservation Reserve Program. So
there are a number of practices that are eligible under that
initiative; however, the FSA has recognized that buffer
zones are, of course, required in the organic regulations
and that by offering these conservation incentives, they may
be able to make a good fit with the existing program
authorities.

So a little bit of detail on that -- all of the
current continuous practices will be eligible. So those are
practices which have high conservation benefits, like
pollinator or wildlife habitat, shelterbelts, those sorts of
things. The enhancements generally have cost share to
support implementation. The amount of cost share that's
available depends on the specific practice, but it's usually
at about 50 percent of the cost of implementation.

So this, of course, is a program where
conservation is the goal, and it is a voluntary program, but
I did want to mention it because I know that similar topics
have come up before in front of this committee.

MR. REDDING: Laura.

MS. BATCHA: Betsy, I want to just first thank you
and all the team at USDA for putting this program together
and getting the program out. I think it's, it's creative
and it's a, it's an important step forward, and I have a, I
have a couple thoughts and then a question for you.

I know you all announced it, I think, officially
two weeks ago, and we had our crop and livestock special
sort of field day in Michigan last week with a poultry
operation, current organic farmers primarily on the feed
side and non-organic farmers interested in transitioning to
organic, and Nate was able to walk folks through this new
program -- tremendously well received. So I think sort of
the first reaction that we're beginning to hear is, is
strongly positive.

I think two things are on my mind. I'm struck by
a little bit -- we have a little bit of a lag in people
actually understanding that, that the announcement has been
made, and I think there's a lot more work to be done about
how to roll out that program. And one of the questions that
we have -- and we've been trying to model it a little bit --
that I think might be helpful, particularly as we look at
what value this program could potentially play in
incentivizing joint coexistence plans -- because, notably,
adjacent lands are covered as well as the organic lands; so
conceivably neighbors with buffers on both sides of a border
could be participating in this CRP program and not only cost
share to put the buffers in but perpetual payments for
maintaining the buffers, so I think it's, it's a tremendous
opportunity -- I think it would be helpful to have some
models about what those payments might look like.

I know it's so hard to get to a model because no
one farm and no one farm's neighbor, it's never replicable,
but either by region, maybe by crop type, average farm size,
but something to dimensionalize the economics of this, I
think, would be helpful in terms of being able to understand
and promote its utility as an incentive for the joint plans.

MS. RAKOLA:  Sure. Yeah, I can take that back to
the Farm Service Agency, but I like the idea.

MR. REDDING:  Yes, Alan.

MR. KEMPER:  Okay. This is an unusual day, I
agree with Laura, and so I --

MS. BATCHA:  It's happened once before.

MR. KEMPER:  So, Betsy, you can always tell
there's various opinions around the table, but I will
compliment, I will compliment your agency in coming up with this. As long as it's voluntary, conservation and buffer strips are well needed out in American agriculture, and whether that's organic or GMO farmers or conventional, it's a tool that provides a great way to save the environment.

A couple questions, so I don't mean -- you may or may not know; you probably do. Is there a minimum size to that particular area, one? Two is, since it is a CRP program, there would be contractual sign-ups for certain amount of time periods or is there an ongoing, forever easement that you can go and buy into forever for that land? And so those are just some of the thoughts. First of all, good job, and I think it'd be well placed in American agriculture. Thank you.

MS. RAKOLA: Sure, and I will give all of the credit to my Farm Service Agency colleagues; in particular, Brad Pfaff, who is our newly installed deputy administrator of Farm Programs who really was the driver behind this.

I don't know the answer to the minimum size. I don't believe so, but I'm not sure the answer to that. And as far as the contractual sign-ups, since this is a part of the continuous program, the enrollment is year-round and a farmer could enroll at any time. My understanding is that the contracts are about 10 to 15 years, similar to existing, you know.
MR. KEMPER: Thank you.

MS. RAKOLA: Sure.

MR. REDDING: Other thoughts, comments? Yeah, sorry, Leon.

MR. CORZINE: A couple questions I have on other requirements -- you mentioned that it would be cost share in the distances. Would the other requirements be, are they set up to be like the other CRP buffer strip programs? For example, we have one place where they come out and do an analysis and the 30-foot didn't -- 30 or 60 feet did not qualify because of the slope. We had to go quite a distance or -- if we were going to get in the program. So a question whether those type of things still apply, because buffer strip programs, as others have mentioned, I think is a good program.

But this is an initiative for, you said, 20,000 acres, I think. So is that organic only, because in our discussions we talked about IP, which is more than organic? So is this program going to be eligible for someone that is growing other IP products, such as, I don't know, a specific product for a specific purpose or seed production or those kind of things, because it seems like if you're going to -- if it's going to be for one IP product, it should probably be for others? So is that the way it is now, or do you see that in the future?
MS. RAKOLA: Sure. As far as the other requirements, there isn't really any new authority or any difference in how the program would be applied on the organic land versus non-organic land. So my assumption is that whatever requirements there were for the buffers, like the ones that you mentioned, would apply in this instance as well.

As far as other IP products, I don't know that that's been specifically considered. I will say that if the 20,000 ceiling isn't hit on organic land, they would certainly look at using those acres on other land. So it doesn't necessarily preclude others from participating. They're trying to do some outreach to let organic farmers know, but can certainly talk about whether an initiative that would reach other IP producers might be warranted.

MR. CORZINE: Okay. Thank you. Just to clarify, though, so it isn't just if -- if it's an organic farmer, that isn't the only qualifier; you --

MS. RAKOLA: No.

MR. CORZINE: -- still have to meet the other regulations as well?

MS. RAKOLA: Sure, yes.

MR. CORZINE: Thank you.

MR. KEMPER: Betsy, I just hope you look into that
because that would give us a lot of chances for buffering IP products around various farmsteads also. So I think as long as it's voluntary, as long as there's enhancements to help get into the right legumes or whatever for that buffer, and as long as it's open to everybody to be able to be used for sensitive IP and organic crops --

MS. RAKOLA: Uh-huh.

MR. KEMPER: -- or pharmaceutical crops type things, I think it would be really great. Thank you.

MS. RAKOLA: Great. I'll share that with the FSA.

MR. REDDING: Isaura.

MS. ANDALUZ: Just I don't know about how the buffers work. So you just put -- you set land aside? Do you have to do anything to the land, or it just sits there, or how does this work?

MS. RAKOLA: I don't know the details, but I do know that conservation enhancements are a part of it. It's not just setting the land aside.

MS. ANDALUZ: So you have to do something.

MR. KEMPER: So, in other words, when we do it, you have a certain variety of grasses, legumes, and others that you have to not only plant, but you have to maintain. You can't -- not let it have noxious weeds on it or anything like that. So there's a prescription basically on what we do. It's --
MS. ANDALUZ: Okay.

MR. KEMPER: -- very good for the environment.

MS. BATCHA: Including hedgerows as well --

MS. RAKOLA: Yeah.

MR. KEMPER: Yeah. Yeah.

MS. RAKOLA: Hedgerows, agroforestry, shelterbelts, yes.

MR. REDDING: Yeah, I like the opportunity that folks who are organic or adjacent to organic can participate. I mean, this really goes at the heart of what we talked about, you know, in our report and facilitate that conversation between production systems. So I appreciate FSA taking this step to, to, again, make sort of an intentional effort to enroll lands that would fit this buffer and the CRP program, so thank you.

Other questions, comments?

(No audible response.)

MR. REDDING: Okay. Alan, you're --

MR. KEMPER: Oh, sorry.

MR. REDDING: -- you're done? Okay. All right. Betsy, thank you. Catherine Greene, Economic Research Service, ERS report on coexistence, which I believe folks have or have picked up a copy. I know it was sent out to us. So, Catherine, welcome, thank you.

MS. GREENE: Thank you. All right. So it sounds
like you all have a copy of the report itself. What I'm going to do today in our short amount of time is just give you an overview of what we have in the report and show you a couple of pictures from the report.

Basically, it's a modest report. We don't have a ton of data, but using the data that we do have, we tried to say how big are the GE-differentiated sectors, pull it all together, kind of synthesize what's out there and how GE, non-GE conventional, and organic fit in the landscape; also, what are the strategies being used to maintain coexistence, and what are USDA survey findings, which I think we talked about the last time we were here -- again, our modest amount of information.

All right. I'll try this. Okay. So this is what I remember last time. It was not, it was not working that well.

MR. SCHECHTMAN: Try swiping your hand across.

MS. GREENE: Oh, let me try again.

MS. BATCHA: Oh, this is so funny.

MS. GREENE: No. I --

MR. SCHECHTMAN: While you do that, I'll work on the side and see if I can get it to do anything.

MS. GREENE: All right. I do not have the technique.

UNIDENTIFIED FEMALE: Ooh, that looks good.
UNIDENTIFIED FEMALE: Wow.

MS. GREENE: Awesome. Thank you, Michael. You're the weather person.

MR. SCHECHTMAN: Flatter phones. Who knows?

Yeah, I'll stay here.

MS. GREENE: Thank you. So the first picture, do we, do we have any data on what's being sold for non-genetically engineered conventional products? Yes, a little bit. So organic we've got a lot of data. It's a $39 billion market in the United States, 12 percent growth last year. Industry puts it at about 12 percent growth for the next few years.

Non-GE conventional are products that are being verified by a private sector group. Most of you are familiar with this group, the one with the butterfly. For risky products, the ones that have GE counterparts, they require testing, and in recent years manufacturers and processors have required organic producers to also, even though they are completely non-GE under USDA organic, to also get this non-GE verified seal and, you know, pay for all the, everything that goes into getting yet another verification.

So you're also going to see the USDA organic and a Non-GMO Project verified seal together on many organic products in the grocery store. About half of the non-GE
verified products also have a non-GE seal, but again, the organic market is much, much bigger than that currently.

Uh-oh. Let's pick up where I left off. Okay. Michael, I'm not good at this. Okay. Thank you again. On the production side, for the five field crops that were genetically engineered in 2014, most of them are mostly genetically engineered -- field corn, soybeans, cotton, canola -- with just a little bit of red bars for non-GE production, and you can't even see organic showing up under Acreage because it's that tiny. It's 0.2 percent of the corn acreage in the United States and 0.2 percent of the, 0.3, I'm sorry, 0.3 percent of the corn and 0.2 percent of the soybeans.

Alfalfa, you can see actually a little green bar of organic showing up for alfalfa because it's, has an order of magnitude higher or adoption level than corn and soybeans. Then you see really bigger, much bigger bars for sweet corn and squash. The green bars are organic, and then the red bars are the non-GE.

Again, most, most vegetables and fruits grown in the United States are either non-GE or are organic, mostly, mostly non-GE. Overall, less than, less than half of one percent of the fruit and vegetable acreage in the United States is genetically engineered. It's really just these three crops currently and not much more.
And, again, I think someone else pointed out earlier, the non-genetically engineered acreage of, let's say, field corn and soybeans is much, much higher than the organic acreage of field corn and soybeans. We only have one point of data on how much of that acreage, non-GE acreage, is going into markets for identity-preserved non-genetically engineered products, and that one point of data was from our 2012 soybean survey, and we -- and producers that were growing non-GE, 60 percent of them told us they were taking it into an IP non-GE market.

Next slide. Thank you.

MR. SCHECHTMAN: I think you can probably do this now.

MS. GREENE: I'll try, I'll try, I'll try the next one.

What practice -- again, you all are such a knowledgeable group; you all probably know everything I'm saying -- what practices help maintain coexistence? Obviously the practices that are, that organic and non-GE producers are taking. There are also some collective efforts. Purdue is one. They expanded their, their field watch, which is a registry that helps people know where pesticides are being sprayed. They expanded that to genetically engineered crop planting so that people would have an idea of where those crops are growing. Plant
breeders, I know you all have heard discussion about the pollen-exclusion varieties; obviously they cost more.

Several county governments exploring GE crop prohibition. So you're probably aware that there are several counties in the United States that have banned production, and that's gone in and out of courts in terms of its legality. And, finally, the, the one that maybe not everybody is aware of in here is that alfalfa hay producers in the Imperial Valley in California -- it's the largest alfalfa exporting region in the United States -- apparently worked out a deal with GE alfalfa seed manufacturers so that that seed wasn't sold in the Imperial Valley of California, because the growers there, the conventional alfalfa growers were really worried about their export markets.

I don't have the touch. I just don't have it.

Okay. This is -- you all talked about field buffers earlier, and that's obviously a huge strategy that the organic and the non-GE producers are using to maintain coexistence. For organic producers it's required. If you're an IP non-GE conventional producer, you're probably also required by contract, or you may well be, not everybody is, to use a field buffer.

For the crops that outcross, we have a little bit of data on another major strategy that's used for outcrossing crops, and that is, planting late, delaying
planting. So we had an oversample of organic producers in
our 2010 USDA corn survey, and we compared the planting
dates in eight states for organic producers and for
conventional producers. And you can see that across the
eight states where organic corn was being grown, producers
were planting anywhere from two to four weeks later than
their conventional counterparts, which can be a very
effective strategy for preventing cross-pollination.

My understanding is that in, I believe it's in the
cool wet years, you can still have an overlap of pollination
which makes the strategy rather ineffective, but I guess in
many years this does work really well. And, of course, the
downside for the producers using this strategy is that it
may lower yield because of delays; you're not planting in
that optimal time frame.

And then this is -- I talked about this the last
time I came to the committee meeting. These are the results
from the USDA National Organic Survey. If you hone in on
the certified organic producers, which were the vast
majority of them, and look at the farmer -- and look at the
states, the 20 states where farmers said they had a
cross-pollination issue, not, I'm sorry, an economic loss
from unintended presence of GE, one percent of the farmers
in those 20 states reported an economic loss. It was a lot
higher in states like Illinois, Nebraska, and Oklahoma; six
to seven percent of those farmers reported having an economic loss. And it was a lot lower in states like California, but also Indiana, Maine, and Minnesota had -- a much smaller percentage of them reported a loss. Again, we talked about that earlier, the $70,000 per farm, way higher in some states. There were some outliers, and also, the one other thing is NASS collected data on earlier time periods, and these numbers are much, much higher than in earlier time periods.

The big disadvantage of this data is that NAS was not able to break out commodity-level reporting, and that's where it's really going to be meaningful because there aren't, there aren't that many crops genetically engineered. So it's just those crops that are even, have this potential.

The USDA 2010 corn survey, we also asked them in that survey, the organic producers, whether they had ever experienced an economic loss, and one percent of the producers with food-grade corn told us that they had ever, at any time in the past, ever experienced an economic loss due to the unintended presence of GE, and two percent of the feed-grain producers -- feed-grade corn producers told us they'd ever experienced a loss, so higher numbers likely at the commodity sector level.

MR. KEMPER: May I ask a question on that?

MS. GREENE: Yeah.
MR. KEMPER: Just, just a quick question --

MS. GREENE: Okay. Sure.

MR. KEMPER: -- because it says that two percent of the feed-grade corn rejected. That's different than an economic loss.

MS. GREENE: I apologize for writing that down incorrectly.

MR. KEMPER: Okay. Thank you.

MS. GREENE: That's my, that is my typo, sorry.

MR. KEMPER: No, that's fine. Thank you.

MR. SCHECHTMAN: Did you ask about economic losses in 2010?

MS. GREENE: We, we didn't phrase it as, precisely as it was phrased in 2010. We actually asked them if they'd had a load rejected, shipments rejected. So it's --

MR. KEMPER: That's a major difference.

MS. GREENE: It's a major confidence.

MS. ANDALUZ: It's still a loss, though. I mean, it's not, it's not --

MS. GREENE: It's, what we were trying to get at with the, asking them whether they had, asking them their specific, whether they'd had an economic loss -- yeah, that's right, they could have not had; they could have sold it for an organic price somewhere else, potentially.

It's --
MR. KEMPER: Well, they could sell it for commercial corn.

MS. GREENE: Yeah, and then the economic loss -- and, again, the economic loss --

MR. KEMPER: That doesn't mean it was rejected.

MR. SCHECHTMAN: Al, could you use the microphone, please?

MR. KEMPER: Oh, that's fine.

MS. GREENE: Well, it was -- okay. It was rejected by their buyer as organic corn. Does that clarify?

MR. KEMPER: It just basically didn't meet the contract they were growing under. So they violated their contract. So the buyer was forced to reject the seller's load, is what you're saying --

MS. GREENE: That's right. It tested over the --

MR. KEMPER: -- but it had not -- but it did take an economic lowering but not a true rejection of the load because they had an opportunity to sell to the market that load.

MS. GREENE: Right. So they may have had to go to a different buyer, they may have incurred transportation costs to get to a different buyer, and so forth.

MR. KEMPER: Thank you.

MS. GREENE: Yeah.

MS. ANDALUZ: But, Alan, I do know of cases --
MR. SCHECHTMAN: Could you --

MS. ANDALUZ: But, Alan, I do know of cases where the growers, the -- when they take a load and it's rejected, they don't get it back and it's dumped, and so they -- it's not sold. So that is a loss.

MS. GREENE: Yeah. It's, it's a range of possibilities that happen, and that's why we've improved the question, and that's how we're asking the question going forward: economic loss.

Yeah, so you can probably sense that data, data limitations are a major limitation in trying to really say what's happening with this market. I mean, for instance, we don't even know -- we know that non-GE conventional corn and soybean producers get price premiums for their crop. USDA started publishing a report in September of 2015, publishing those premiums. We don't know whether, whether there are premiums at the retail level. That's -- so that's a gap.

USDA currently is tracking only planted acreage, GE and non-GE acreage for three crops: corn, soybeans, and cotton. So the numbers that I showed you in the graph earlier on planted acreage for GE, non-GE conventional, organic, those numbers are coming from other sources, possibly not as reliable as USDA. So, you know, that's, that's a major -- major, major data gap.

Also, I guess one of our conclusions from the
report was because the structure of organic agriculture is
different than conventional. With organic we've got five,
10 percent of many fruits and vegetables -- sometimes even
more than 10 percent -- under organic production in
comparison with the big field crops, which are currently the
genetically engineered crops. So fruit and vegetable
producers are not having to take coexistence -- they're not
having to pay for coexistence measures currently; they're
not having to go through verification processes currently
because the crops don't have GE counterparts, and that can
change if, if genetic engineering -- if genetic engineering
becomes popular for fruits and vegetables.

So that's it. There's a lot more detail in the
report.

MR. REDDING: Yeah, Laura.

MS. GREENE: This is the link for the report.

This is the link for the topic, the Organic topic page, and
this is the link for the ERS Biotech topic page.

MS. BATCHA: First, Cathy, thanks for pressing on
in the pursuit of data for us to be able to consider as we,
as we have these conversations. It's helpful. I want to
just touch on a couple of the data points that you presented
just for clarification from my perspective.

I think on that slide where you showed the private
sector non-GMO verified product in the marketplace and the
percent that's organic, just so that folks in the room have
a shared understanding, within that group of products that
fall under the non-GMO verification, they do verify products
as non-GMO for which there is no genetically engineered
counterpart. So that's a distorting figure. So that's not
all truly non-GMO with a counterpart. So it could be
non-GMO verification on wheat berries, for example, right?
So just so that we understand that.

On the fruit and vegetable production and the
acreage base there in terms of being larger as a percent of
the total acre production and the cost of coexistence, I
just want to clarify, it's certainly not for the scope of
this conversation, but those growers have their own unique
challenges in a different type of coexistence in the field.
So they do maintain buffers. They have to maintain programs
to prevent pesticide drift. There is actually an action
level, and they're getting standards for pesticide residues
above five percent of the EPA tolerance. In that case it
does deem the product non-certifiable. So they, they, they
have their own challenges. It's just not related to genetic
drift. It's primarily related to pesticide drift.

And then I think the other thing that I will note
is -- and you've got it in Table 2 on 17 -- but your GATS
data is from 2014 on the imports on corn and soy and the low
development in terms of acreage in the United States, and I
think that's sort of -- that's, that's a huge piece of this puzzle. So I thank you for including the data, but encourage us to be aware of what's happening in the 2015 data, and now I think those numbers are skyrocketing in terms of --

MS. MARTENS: Yeah.

MS. BATCHA: -- the percentage of imported corn, particularly coming -- Mary-Howell is sort of nodding as I'm talking -- but we're seeing a huge influx, particularly from countries where the presumption is there's less pressure on coexistence and from other markets. But, you know, the, the default sort of response to some of these challenges -- not only this, but many, you know, this is a piece of it -- is the product is coming in overseas rather than being able to be grown domestically.

MS. GREENE: Great point, yeah. All three points are well-taken, yes. In fact, for the non-GE project verified, we did look at the categories. We didn't publish the numbers, but it's across all product categories. I mean, it's still a fairly modest number of products, but it's across every category.

MR. REDDING: Leon.

MR. CORZINE: Catherine, thank you for, for putting this together because it's a really difficult task, I understand, to try -- one of the key things that I have
that I would, would note and then ask a question is that really what -- you are looking at economic loss; it really, it really is what I kind of coin organic-plus contracts where organic is process-verified, not test-based. So some have said, okay, we'll give you an extra premium if you, or the end user, the customer will say, well, we want to test now, right?

So if we're going to get into a test-based, or first, I guess, how -- the way I understand the organic standard is, if you are truly just an organic contractor or organic producer, I don't see how you could be rejected for GE material if you have followed the process. So then it comes to the -- and I don't know how you -- it would be a good thing if you could differentiate somehow in your next round of questions that you, that you send out, because I think that would help us in the committee.

Now, we can get into, and we do -- we don't do organic on the farm, but we do identity-preserved things. Okay? So we can get some rejections or a problem with that, or what generally happens is it won't be a rejection, it's just you go back to the next market but, generally, in the same elevator. Okay? If you're doing non-GE beans, and -- a lot of guys do that without very much segregation, knowing they're going to get some rejected. So what happens in practical matter, they just swing around and a lot of times
don't even have to weigh a second time; they just unload at
the other dump, but --

MS. GREENE: But they just get a lower price
premium, or they don't --

MR. CORZINE: Yeah.

MS. GREENE: -- they don't get the price premium.

MR. CORZINE: Yeah, right. So I guess how do you
differentiate between that? I would submit that you need to
do, or are we reaching the point, do we need to redefine
what is organic? I mean, if you're going to be doing what I
call an organic plus, do you need a test-based and not just
a process-verified system?

MS. GREENE: We -- the USDA published the rule in
2000 and included many, many Federal Register pages
discussing the comments that recommended setting a threshold
for GE, and they spent many, many pages saying why they
didn't set a threshold, but that was the end result: USDA
did not include a threshold. Well, most countries in the
world do have a threshold, and most buyers in the United
States, many -- many, many buyers, I don't know how many,
but many, many buyers now have their own private, have set
their own private threshold, typically similar to the one in
Europe, for the unintended presence of GE material.

So you're right that it's not in the USDA
generally process-based rule with the exception that Laura
mentioned, which is it does have a product-based test for
the amount of pesticide residue, no more than five percent
of the EPA pesticide residue tolerance level.

MR. CORZINE: So what we're talking about here,
though, in the coexistence, I think it's relevant that you
make note of that if you can differentiate, or do we take a
look at, at going, or moving away from a process-based into
a test-based if that's where the market is driving it, and
then you also, other IP things; for example, I'm glad you
did the, the non-GE that isn't necessarily organic.

I had a question too. If you're going to try and
track what is imported, okay, in a lot of cases, in corn and
other products where things are produced in other countries,
you need to note, a lot of times the value of the dollar --

MS. GREENE: Uh-huh.

MR. CORZINE: -- makes about as much difference as
anything, whether you use a U.S. product or a product from
Canada, for example. There's a big differentiation now, as
well as Mexico and -- so it is going to get more complex,
not less, but that is, that is a very important element to
include when you look at anything that involves what's being
imported. Okay?

MS. GREENE: We -- the trade data that we have for
organic is value-based and that's what I included in the
report. It's also volume-based, and the fact that we're
importing 70 percent of our soybeans doesn't, it doesn't move the needle much if you're looking at volume versus value.

MR. CORZINE: Yeah, I don't mean just to the value in your data, but, but the amount of volume --

MS. GREENE: Uh-huh.

MR. CORZINE: -- that comes in is dependent on the value of the dollar. Okay? See what I mean?

MS. GREENE: Yeah. Yeah.

MR. CORZINE: Okay. Thank you.

MR. REDDING: Mary-Howell.

MS. MARTENS: Cathy, two factors play into this, and this is kind of complicated, but I presented this last week on -- to a group of organic farmers. The strong dollar really makes a huge difference. The way organic corn looks as price-based in Argentina is very different than it does when it arrives here. The other thing is that three and a half years ago, rather predictably, organic grain price peaked at an outrageously high level. Strangely enough, three and a half years later, there's a lot of certified organic acreage, especially in the Black Sea area and in Argentina.

One thing that you're going to see this year, though, the imports of organic corn and soybeans has skyrocketed, and I am hearing from a number of American
producers that as the imports are coming in and the price has plummeted, too, by about a third of where it was last year this time, there are, there are buyers who are getting out of contracts, who are basically reneging on contracts by applying the GMO filter to reject American products. And this has never been commonly done, especially in the feed-grain market, but now it's a way of not paying on expensive contracts at the expense of American organic farmers.

MR. REDDING: Alan and then Laura.

MR. KEMPER: And, Mary, hold on. Mary, I have really a question for you or Catherine. On the -- it always entices me, because we talk about organic being process-based and then we talk about Argentina and corn coming in here that's organic, but who certifies, one, the process-based that makes them organic down there and then, two, are they held to a, once they hit our shores, a GM or GE test for their tainted product possibly, because you're talking Argentina, the largest GM corn country in the world next to us -- has to have some tainted corn coming in here. Give me some thoughts or feedback on that so I can help understand it. Thank you.

MS. MARTENS: Lynn might be the better one than I. As far as I know, the Argentinean harvest has not started yet. The biggest impact right now is coming from the Black Sea area -- Ukraine, Kazakhstan, Turkey, quote/unquote, and
other countries over in that area -- and those are largely
certified by European certifiers, which are accredited by
USDA.

The Argentinean certifiers are also accredited by
USDA and theoretically are being held to the same standards.
Are they being tested for GE presence when they come to the
shore? I doubt it. They're coming in on large -- not even
in containers anymore. Now they're in large, large holds,
bulk ships, and I kind of doubt that most of them are being,
that are going into the feed market, are being tested. I
don't know about the food market. Maybe Lynn can comment.

MR. CLARKSON: Betsy.

MR. REDDING: Yeah.

MS. RAKOLA: Just to clarify the process, for any
imported organic product, USDA does accredit and oversee all
organic certifiers, whether here or abroad. We currently
have about 50 that are headquartered in the United States,
30 that are headquartered in other countries, and all of
them do follow the same standards, as do their certified
operations.

There are also several countries with whom we have
equivalency arrangements. The European Union is one of
those, and so we also oversee their systems, audit their
government officials to make sure that they are applying the
same standards that happen here at home. And, again, as far
as the testing that would be happening, since there isn't a regulatory threshold for the presence of GE traits, that's dependent on the buyer.

MR. KEMPER: Okay. So basically, what USDA is certifying is the process, not necessarily the purity?

MS. RAKOLA: Again, the GE traits are not a part of the organic regulations, correct.

MS. GREENE: I mean, one caveat to that is that -- and this is going to be for U.S. producers and producers in other countries -- and that is that it's process-based, but if there is some -- but part of the process is to ensure that buffers are in place, strategies are in place to prevent commingling and cross-pollination.

MS. RAKOLA: Right, and since Laura mentioned the pesticide residues, we do require that five percent of all of the certified operations be tested every year, and that requirement applies again similarly here in the U.S. as it does abroad.

MR. REDDING: Okay. Thank you. Laura and then Lynn.

MS. BATCHA: Well, maybe, Lynn, you go first because I think you're responding to a question that's on the table. So go ahead.

MR. CLARKSON: The market filter requires stuff coming from Argentina and every place else to meet the same
standards that we're applying to U.S. production. It has to meet the .9 standard if the company that it's going to use that standard. I would say about half the feeders use a .9 and half the feeders use a classic organic definition. For processed food, it's almost 100 percent using .9 and some percentage using a lesser than .9, but cargos coming in from countries are rejected in the United States have to find a new home.

The Argentines deliver very little corn up here because of the problem you're pointing out. They can't meet the GMO-tolerance standard. You'll find the Argentines delivering more soybeans. Where the corn is coming from is primarily Eastern Europe, with significant buffer areas, or increasingly coming from places like India. And so they are held to the same organic standards by the buyers that I'm familiar with, which is a fairly broad range of buyers in the United States, as U.S. production is.

And I want to point out that the U.S. buyers went looking overseas, not for price, just to find enough to fill orders. Price was a secondary consideration up until recently. It will probably become a primary consideration, but the GE or the GMO issue is just the same, no matter where it comes from.

MS. GREENE: ERS has documented chronic price shortages in a number of articles with the feed grains
because of the much faster growing dairy market and much faster growing poultry markets.

MR. REDDING: Laura.

MS. BATCHA: Yeah, I'll just be quick. I don't want to take up too much time with this, but I do want to concur that I'm hearing the same thing that Mary-Howell is hearing around thresholds being applied to domestic, exceeding the .9 percent being a rationale to shift towards cleaner corn coming from overseas that also happens to have a lower price.

So I'm hearing the same thing in the marketplace as well, and that GATS data shows sort of Romania came on strong, and again, I think the sort of experience that we're hearing from folks involved in the trade is that that production space has less pressure in terms of the genetic drift, and then now the pricing has come into play, though, significantly. So --

And then in regards to some of these questions again around certification and rejections and testing on a process-based standard, Leon, you asked the question, how can it be rejected if it's organic? There's a difference between a load being rejected and losing your, your certificate for the load. So those two things happen sort of independently. Sometimes they collide. Sometimes they don't collide.
Any positive residue sample for GMOs or any other residue, if reported to a certifier, does require an investigation. So that's where you would go back and you would look at the production and see whether or not the buffers were adequate and you would conceivably issue non-compliances or work with the client to either tighten up the commingling or expand buffers, et cetera. So there's a, there is a feedback loop within, within the system that's triggered by positive tests if reported to the certifiers.

MR. REDDING: Great. All right. Thank you. Let's say thanks to Cathy and her team, appreciate the report. You know, four years ago or so we were, we were debating what was the economic loss and those issues. So to be four years on and now have a, you know, a good report --

MS. GREENE: Somewhat.

MR. REDDING: -- that begins, no, begins to sort of frame this, understanding that this is still self-reported, but you have some basis now to have an intelligent conversation about what the loss is, and then what do you do to mitigate that. So thank you for --

MS. GREENE: And we do have that question on the -- oh, I'm sorry. Another good thing, I mean, we are improving our data. We do have that question on the 2015 National Organic Producer Survey, so more data points.

MR. REDDING: Excellent. Thank you. So let's
take a 10-minute break, and then we'll reconvene here and
pick up with our subgroup reports. Commissioner, good to
see you.

(Whereupon, at 11:00 a.m., a brief recess was
taken.)

MR. REDDING: Okay. Let's reconvene. First, a
note of welcome to Doug and Greg and Isaura, officially
welcome. Thank you for being here. Thanks for taking the
time. We'll pick up with the report, reporting out from the
three subgroups, beginning with the Guidance Document
subgroup and Greg Jaffe. Greg, you're going to present
this --

MR. JAFFE: Yes.


MR. JAFFE: Hello, I -- well, I don't have a
microphone. So I apologize for being late this morning. I
spent an hour and 35 minutes on the, on the Orange line,
normally taking, normally, a 20- to 25-minute ride. So that
was not my -- not the best way to start Monday morning, but
I agreed to give the report out from the Guidance subgroup
of the AC21.

So next slide. So just to remind everybody, the
subgroup members are Mary-Howell, Paul, myself, Alan,
Darren, Lynn, and Angela, and we have two calls, one on
January 12th, which was the first call of all the subgroups,
and then we had one on the 23rd, which was one of the last calls of the subgroups. So we sort of book-ended the process.

Next slide. So our charge, which Michael had put together and we agreed to, was to please draft -- please develop a draft framework of relevant considerations for farmers who wish to produce an identity-preserved crop. What additional general guidance can be offered to aid farmers in constructively interacting on coexistence-related issues with neighbors producing identity-preserved crops or other crops? And we generally agreed to those two sub-charges, but you'll see in a second, we did have some discussion about identity preservation and what was the scope of what we were doing.

So next slide. So, as I said, we agreed to the charge, and we thought it was a, you know, what we needed to do was draft a guidance document to help farmers get along, but we had this issue of scope, and I think we decided we couldn't agree to it and that we would bring it to the larger group to decide at the next plenary. And it was, you know, are we just talking about preventing adventitious presence related to GM or does it include all topics related to identity preservation and does it include mitigation by all farmers or are we just talking about mitigation primarily by the farmer who's producing that
identity-preserved crop. So those were -- we had some discussions on that, and it was agreed that we would bring that back to the plenary, and I assume that's something we'll end up discussing today or tomorrow.

      And we also talked a little bit about the level of detail, whether it was going to -- and I think we decided it would generally be generalizable concepts that all, for, that all could use with local conditions. I think we all agreed that, that to be too prescriptive wasn't going to be helpful, because there are always local conditions and there needs to be flexibility for individual farmers because of those local conditions. So the idea was we would have broader concepts in whatever draft document came out of the group.

      Next slide. We also talked about that, if possible, the guidance should contain both a framework and a decision tree that could be applied by individual farmers; it should include principles. And so Angela and Lynn agreed to take, to do an initial draft, and they weren't working together to do an initial draft; they were each going to do a separate initial draft and provide those by our second work group call.

      The committee also asked USDA to reach out to Nick Kalaitzandonakes to see what data and information -- what?

      MR. KEMPER: Good job.
MR. JAFFE: To see what, to see what -- I don't know if I did it correct -- but to see what information he could add to the subgroup and to the information that I -- and Michael reported out at our second call that he still had not reached Nick to decide, but I'm going to keep putting pressure on Michael to get a response on that. And then --

MR. SCHECHTMAN: I'll answer in a minute.

MR. JAFFE: Okay. And then we did talk about, talking to neighbors would be part of our second call. That was the second part of our charge; so we didn't do that so much on the first call.

So on the second group, next slide, second call, we reviewed two documents, one that Angela had provided and one that Lynn had provided, and we just agreed to combine them, with Lynn's being the primary document and then adding some of Angela's principles and things into that document.

We did have a long discussion on -- and I know all of you don't have Lynn's document yet; since it was so draft, I think we decided we wouldn't provide it yet for this, for this committee at this meeting -- but we did have a discussion about one of the sections, on the knowledge of the seed, and that was a lively discussion about the need for knowing information on GE content of non-GE seed and certifications and systems around that. And for those of
you who were on our committee when we did our first report, I think that was a big issue, was if you come, come in with seed that has very little GE content, it's fairly easy to meet thresholds but, if it has some, some amount of adventitious presence of GE content in it -- and it's hard to know that because it isn't identified -- then it may be very difficult to meet a threshold. So we -- there was a discussion of that because it was in Lynn's original document, and so we had a fairly lively discussion on that, and my guess is we'll come back to that today or tomorrow as we discuss this subgroup's work.

And then the chair, we agreed with Michael that the system that had worked for the last AC21 report, where the chair, Russell and Michael drafted documents, was better than drafting by committee. And so we tasked Michael to take the two documents from Lynn and Angela, meld them together, and take in comments from the rest of the group, the subgroup at this point, to come up with a draft that would then be presented at future meetings for the plenary but it would not be available on today's, March 14th and 15th.

Next slide. We also had a little bit of discussion about whether the document should identify sources of information. We agreed, yes, but we weren't going to be exhaustive. There was just no way to be
exhaustive. And we had, we had some reports from Minnesota and from Extension and different, different states, and we said it was good where we could put out some references that we all thought were respectable and useful references but that obviously we weren't going to do any sort of exhaustive search and put those in that. We also, we felt that there were a couple places where you could add portions of our AC21 report from the previous report into this, this guidance document, keeping in mind we may know about that report but the audience of this document might not know about those.

And then we've ended with a discussion about how, what do we do about guidance, about neighbors beginning to discuss the issue of coexistence. And we talked about the fact, or at least there was some discussion that some farmers start that with a letter, telling their neighbor what they're planting, when they're planting it, and asking them to respond and let them know what -- let that farmer know what the other farmer is doing so they can have a discussion to try to minimize coexistence. And so, again, we decided not to sort of invent the wheel on the letter, but Lynn and a few other people on the committee agreed to sort of look for some sample letters that would begin the discussion, particularly to the -- Illinois Farm Bureau was going to be contacted by one person, I think that was Lynn,
and then somebody else was going to look at the American Farm Bureau, and I can't remember who agreed to do -- maybe that was Angela, agreed to do that.

So that was it. That was our two discussions and that's as far as we've gotten so far, and I don't know if there's anybody else from the committee subgroup who wants to add additional comments to that.

MR. REDDING: Yeah, Angela.

MS. OLSEN: Thanks, Greg, and I think you did a great job reporting out on the discussions that we had within our group. I did reach out to Farm Bureau, and they didn't have a prepared document, but I would like to ask Leon Corzine to talk about a document that was circulated not only among our group but Michael made it available outside and circulated to everybody which was a proposal that NCGA had on some discussion topics that may be helpful for farmers as they're having discussions with their neighbors.

So, Leon, would you make a few comments about that? It's relevant to our work group, but I think it's also relevant to the entire group.

MR. CORZINE: Sure. Thanks, Angela. There's a copy for everybody on the table, I think, right? And it's, it's draft, and everybody needs to understand it is a draft in the process when I'm, our biotech committee was meeting
and the way the policy works as far as NCGA.

Our policy book, there were just a couple sentences that you could say regarded coexistence, but I had talked with our committee chair, and I thought, you know, we need something more, something that actually says coexistence, so came up with, with what is written here. And there's some points, and I don't know whether I need -- I don't think it would be useful for me to read them now, but take a look at them, and -- but you understand it's a proposed policy, because as we do that, you, you present policy and it has, our -- actually, our committee is reviewing it now, and then it would be, like, our summer meeting. But this kind, I, we thought, would be useful, and I talked with Michael about that, to have so the committee can, our committee, can see the direction or that NCGA is paying attention or taking a look at what we can do.

And one thing that is important in the NCGA world and, I think, probably for us is to continue -- and the first line is, we support the continued enhancement of coexistence practices in the production of IP products and commercial corn -- because it's, what we talk about is, in this committee, and that's why I keep bringing up, what we're talking about is more than -- it's organic, but it is all IP, anything you want to grow IP in a commercial world, right, where you've got -- a commodity world, I should say,
commercial and commodity world. So that is what we were
talking about, and then also promoting the farmer education
and farmer-to-farmer communications, right?

And one of the other lines in here is, farmers may
choose to communicate in ways that work best for them and
their operations, and then when evaluating IP production,
what -- and it's kind of what I go through when we look at
various contracts that are available. So, so that is what
this is about.

For example, it doesn't pin down -- I think in my
part of the world, we don't send letters, but there might be
a grower or two that, that if you have trouble, maybe they
farm some acreage that is outside of our community, right,
that you might need to make a contact other than
face-to-face, but when -- and so this kind of addresses
that, because I think when we look at that, we have to have
that latitude because it just makes sense the first, first
thing would be talk to your neighbor, right? If you had a
mandate that you're going to send a letter, you would
probably have a negative effect right off the bat with one
of your neighbors. So that's kind of the crux of the NCGA
policy proposal. Thanks.

MR. SCHECHTMAN: I want to add just two things --
one, I did provide, just for people's information, the two
drafts that were submitted from Angela and from Lynn. Thank
you both, by the way.

And then the other thing, just to respond to the topic about reaching out to Dr. Kalaitzandonakes -- I've had to do that a lot of times; he used to be on this committee -- and I spoke with him about a month ago at a meeting in Europe, and then I had a lengthy conversation with him a couple of weeks ago at which he promised to send the document immediately and some other stuff later, and I haven't received it yet. So as soon as I get information that he's able to share, I will share it with the committee.

MR. JAFFE: Thank you.

MR. REDDING: Yeah, thanks. Lynn.

UNIDENTIFIED MALE: Good luck.

MR. CLARKSON: First of all, a little history on the reason we request people to -- we suggest to farmers that they send a letter, letting neighbors know what they plant. First of all, you're not quite sure who to talk to anymore with lots of acreage in the Midwest; who owns the farm, who farms the farm, that changes with some frequency on cash rental deals; and, because an organic farmer needs to show his certifier that he's done a good job trying to work with his neighbors, it's good to have a letter on file, showing he let them know. And in some cases you'll find out there's no conflict whatsoever; all issues can be adjusted by a crop rotation, but unless you communicate, well, you
won't know what the neighbor is planting. Secondly, if there is a problem, then you'll find out whether you're going to have some cooperation toward coexistence; and, thirdly, if you find out there's no cooperation, then you'll have to decide what you're going to do within your own farm to make it work well.

So I think Angela asked American Farm Bureau, and when you said the committee, is that the Illinois Farm Bureau or the National Farm Bureau or the Corn Growers?

MR. CORZINE: National Corn Growers Association.

MR. CLARKSON: Okay. I contacted Tamara Nelsen, who's, I think, the marketing manager for --

MR. CORZINE: Tamara? You said Tamara?

MR. SCHECHTMAN: Would you --

MR. CLARKSON: Yeah, Tamara, for the Illinois Farm Bureau, and she was traveling, but that -- so she got back to me about a week ago but has not provided anything yet. And we leave it up to -- we make suggestions what people put in their contact letters, but we don't write the letter for them and we don't have a form for them to use, and to date, we haven't had anybody respond negatively to getting a letter who says: Listen, this is what I'm doing. I'm trying to do a nice job. I wanted to know what you were doing. Here's the chemicals I plan on using or not using, and would you be willing to share with me your crop plan for
next year? So it works out pretty well.

    MR. REDDING: Yeah, just a reminder, we'll have
some time right after lunch for further discussion on each
of the subgroup reports here, but any other clarifying
questions or comments for Greg? Laura, did you have a
question? I'm sorry, Angela.

    MS. OLSEN: I had a clarifying remark.

    MR. REDDING: Yeah, please.

    MS. OLSEN: So, Lynn, I
did reach out to Farm
Bureau, and they, they don't -- they're not aware of letters
being sent, but also, they didn't have sort of the
discussion topics, and so that's why the NCGA document was
circulated among our group. So Farm Bureau didn't have
anything when I had reached out.

     And then, Michael, thank you for circulating the
drafts that Lynn did and that I did. And just for
everybody's visibility, we did, as Greg said, have a lively
discussion about the drafts, and so what you're not seeing
are the redlines that we sent in as well. So -- and I know
it would be difficult for everybody to see all the redlines
-- but those aren't, it's not a simple merging of the two
documents. There's a lot of discussion on each of those
points. Thank you.

    MR. REDDING: Thank you.

    MS. BATCHA: My question was just --
MR. SCHECHTMAN: Microphone, please, Laura.

MS. BATCHA: -- just clarifying for me, because as I was preparing for the meeting, going through my in-box, I found the notes from the two sessions of the subgroup, but I didn't find the documents from Lynn and Angela. So did you e-mail those to us? Are they available here or --

MR. SCHECHTMAN: They, I --

UNIDENTIFIED MALE: They're here.

MS. BATCHA: They are here? So I'll just grab them out on the table. That's fine. I just want to have a chance to familiarize myself. Thank you.

MR. REDDING: Okay. Greg, thank you, and the work group, thanks for your good work. Models and Incentives subgroup, Commissioner Goehring.

MR. GOEHRING: Good morning. The Models and Incentives -- and maybe I should ask Michael right away -- oh, okay. I thought you were going to pull up a presentation I knew nothing about. So --

All right. The Models and Incentives group had two meetings, two conference calls. One was January 25th. The other one was February 8th. Unfortunately, something slipped through the cracks and I was not aware of the January 25th meeting, but I did have a chance to go through the material and try to glean some information from it. So what I would do is ask my colleagues, if there's any place
that I misrepresent or miss, certainly speak up and let me
know.

Also, I will tell you, for the most part, when
looking through it, it looks like our second meeting was
probably more of an extension of that first meeting and
really got into it, because what I could identify in here
was discussions started concerning incentives and the
discussion about mandatory versus voluntary. I think there
was a great deal of talk about how voluntary would probably
work much better, and the fact that there probably isn't a
law to support that, unless you have a state law, you'd
probably run into some issues. There was also some
discussion about maybe looking at NRCS to see if there's
approved practices in mitigation efforts.

Also, a discussion ensued concerning mediation
programs and state departments of agriculture. Many of
those mediation programs are set up right now to resolve
disputes. For the most part, they work between creditors
and -- or, I should say, farmers and financial institutions,
but creditors can also be included.

There is some farmer-to-farmer work that's defined
and outlined by USDA. Beyond that, I know that states have
modified some of their programs. You have to get approval
and authority in the state law; then you can do things like
farmer to consumer, farmer to supplier on products or
services. You can also look at landowner issues, maybe with things such as transmission lines, with electric companies, pipeline companies, royalties on mining of minerals, timber, and oil and gas. I know that some have done that. So I just throw that out just as a side note, that if any of those discussions carry on any further, that's certainly a place we can go with that.

Also looking at assistance from extension and land-grant universities and discussion about joint coexistence plans and possible seed testing.

The second meeting -- which did seem like that extension of that first meeting, for the most part -- I will say that we started out with a great deal of discussion about the pollinator plan that states are utilizing and have put into effect very well. In principle, instead of the who, what, when and why, they start with why, who and what and look at a lot of best management practices. I'll tell you that when that particular document was created, it was general in nature when you look at best management practices so that any one state could just pick up the document, change the title, change the state's name, and most of those things would certainly apply.

Also, mapping, we talked a great deal about mapping systems. I only know of two mapping systems in the country to date that are pretty complex, extensive in
nature. We happen to have one in our state, and so does Purdue. That's not to say that others may exist, but I'm aware of those. Those are mapping systems that give you the ability to put in geographical coordinates, and you can then identify if there are beehives in that spot, is there vineyards there, or is there organic production. That's how we utilize ours. It works, works very good, and we can talk about that later if you want to go into more detail.

Also it was talked about, concerning models, grower opportunity zones. Right now there are some, a model out there that looks at alfalfa coexistence, and in those particular regions or areas, you have to have 80 percent of the farmers in the area sign on and vote for it. There has to be that, that high of approval, which -- then it's also duly noted that even though 80 percent would have to have that approval rating and it has to be required, 20 percent don't have a choice after that when it comes to crops or production practices.

The other question that came up was about the Brassica -- rapeseed/canola -- issue, and Barry probably can expand on this more. I did have a conversation with Director Coba out of Oregon, because what was requested by our group was to get information on the agreement. I did send an e-mail after my conversation. I couldn't find it yesterday in my e-mails, but virtually once it got started,
it got shut down based off from litigation; looks like a
moratorium, lawsuits were in place. To date, no agreement
exists. There's nothing to grab. They said they have
something, but they're not sharing it.

They did talk about a private entity out there,
and that was the reason I wanted to grab the, grab the
e-mail. It talked about a nonprofit organization that does
some mapping and does an agreement plan, but you have to pay
to belong, to get into the system and -- although I didn't
think that seemed very viable, to go and pay just to get
some information, because from what I understand about the
actual nonprofit organization's model, it already exists in
some other ways and some other forms, and maybe even Barry
can, can elaborate on that a little bit.

Director Coba also indicated, I believe it's 2018
before all the studies are done. They go through this
process before they would even be moving forward with
something. So she did encourage us to do something. They
really want what we have so that they can put it on the
table and say, please, we already had a group that has given
this a lot of thought and they believe that this may be a
good way to move forward.

We also talked about incentives with respect to,
it's a wolf-livestock coexistent efforts that are taking
place in Arizona and I believe it's -- Nevada? New Mexico?
MR. JOHNSON: New Mexico.

MR. GOEHRING: New Mexico, and that is a public-private partnership, so to speak, but there are funds that are used to then incentivize farmers, livestock owners who are being affected, impacted, and then they would receive money from this, this group to house, let wolves reside on their property. So, interesting, that's where the compensation comes from.

We also talked about the EPA watershed model, and I know we had some conversation about it. I am familiar with the EPA's watershed models, and as long as we're not talking about the models themselves and just the format, I would be fine with that, but their models are flat. It's all about data, how much data you put into the system, how you're going to use that data, how that data is going to kick information out, but the nine-point plan was certainly something on the table, and I believe David might have actually sent something. I thought I saw something when I was printing off some materials. I didn't get a chance to get through that, but I'm sure we can talk about it at the next meeting if we don't talk about it now.

With that, I would conclude but I would invite my colleagues to fill in any gaps or anything that's been misrepresented. Thank you.

MR. REDDING: Questions or comments for
I will just make one comment, and that was just one thing that I thought I heard as a conclusion in the last meeting, which was that the subgroup members felt that none of the existing models that they looked at was going to precisely fit what we needed here but that they probably each offered something that might be worthwhile in figuring out what the model for this kind of cooperation would be.

MR. GOEHRING: You are so correct, Michael, and I apologize. We are probably going to have to build something from scratch, because just like every model that exists out there has a singular purpose, this one is broad in nature and there's a lot of issues and -- great point. We're probably going to have to build best management practices around the concept in which we're trying to address, so thank you.

MR. REDDING: Great, thank you. Thank you. Again, we'll have time for discussion, more detailed discussion. So our third group, Venues and Conveners subgroup, Leon.

MR. CORZINE: Thank you, Russell. I'm not real sure why I volunteered to do this. Maybe it was so I was
sure I'd have a chance to maybe say something. We had our
-- our first meeting was delayed. We had a bit of an
attendance problem and didn't have enough, everybody
represented. So we basically scuttled the first meeting and
then had a second. Latresia and Michael and I, I think,
were the, and maybe Diane, were the only ones on all the
calls we had. So, Latresia, if I miss something, why --
fill me in, or go ahead and fill in.

    MS. WILSON: Okay.

    MR. CORZINE: Our group, it was kind of like, what
do we do? It was almost like we served at the pleasure of
the other committees because, since ours were just to come
up with venues and conveners -- I'll read the two points
that were our charge: What potential state or local bodies,
organizations, or structures might be utilized in different
localities to bring together growers for a development of
joint coexistent plans for the resolution of local
coexistence issues? And then, how might it be decided which
organization is most appropriate in each locality?

    Our discussion was around how diverse we are in
our individual states but especially across the country and
what crops we might be trying to grow; so, and then the --
then what you get into is what organizations do you have in
each area, and it's different. You know, some state
departments of agriculture are appropriate. Some state
departments of agriculture, like mine, there's no budget to do anything, and so they don't want to step in. They might have a little bit of guidance, but -- but anyway, so that gives you an idea of the breadth of what we had to do.

So what we ended up doing was going through on different scenarios what might be the group or an organization that we could -- that could be utilized. So we kind of came up with what became, really, almost a laundry list on everything from the state departments of agriculture, crop improvement associations, because they have, already have some things in regards to buffer distances and those kind of things, to community-supported agriculture, to chamber of commerce.

And we haven't talked about chambers of commerce, but you know, in our discussions and, I think, the discussions of our committee, what's appropriate is, I mean, we kind of, we talk more about organics, but it's, as I've always mentioned, it's any identity-preserved product, okay, whether it be something that is brand-new, for example, that might be -- maybe a Frito-Lay wants something new; they're in our area -- with food-grade stuff that might want to come into my county. So they would want, since it would be, could be a community development-type thing, that a chamber of commerce maybe should be one that, that would coordinate the first meeting of whatever that product would be. Now,
they don't have any expertise probably in what we're doing, but you needed an independent convener, if you will, and it would be a high degree of interest because you could create jobs or create economic opportunity for the area.

So the chamber would definitely be one that you would want to include and all the way to who your -- the other end of that spectrum might be, like I mentioned, the crop improvement associations that know more of the detail. Then you have people that would, or organizations that might be on each side of an issue. So you had -- we decided we needed to recognize that. So I don't want to read through all these because I think that would be a waste of time, but you can go -- so that's where we got to on our first meeting.

Our second meeting -- and Michael, as he does, always is helpful to go ahead and coordinate or organize the list, if you will -- our second meeting, it's like, all right, what do we do here with, now we've got this list? So you had to make -- we decided to categorize those into classifications. For example, we had five categories -- and if you get a copy, at the bottom actually tells you what each of those numbers means -- and the five categories are the initiator that might call the meeting, gets everyone there, like my chamber example, or maybe it would be a corn growers association or soybeans or Organic Trade Association
or someone that, that is exploring. Okay?

And then you have -- next, you have a neutral or trusted host/convener, and the neutral part was important, to bring different perspectives together, because in our discussion we talked about there would be certain things that if just one group that we called Category 3, subgroup host/convener to gather information and perspective among like-minded stakeholders, if you wanted to bring everybody together in a community, it had to be somebody neutral. If it was, if it was a corn growers association, maybe there'd be an element would not want to attend, and the other end of that spectrum, Organic Trade Association, it's like, you know, there would be certain farmers would not want or feel a need to attend, right? So you've got those -- we broke those into two different groups: ones that would not be neutral and those that would be.

And then next, No. 4, the technical experts, because you've got to bring them together and then to get down to the technical part as far as answering questions as to what it's going to take to grow whatever IP product it is.

And then five was the facilitation and process specialists. So there are those organizations that can specialize that are in agriculture, and you know, that could be your state Department of Agriculture; it could be your
land-grant university.

So those things are listed, and we went through, then, our list of possible organizations and went to what their roles could be, and we felt like that was about as far as we could go. We all agreed that, you know, it really depended on the other two reports and as you look through those, because we thought ours was, our charge was to kind of get that list together and where they might be appropriate, and that's where we stopped. Latresia?

MS. WILSON: I agree.

MR. CORZINE: Okay.

MR. REDDING: Okay. Leon, thank you. Laura.

MS. BATCHA: I think this is just -- Laura Batcha -- primarily a comment back to my subgroup, which is Models and Incentives, in hearing Leon present. We might add, to our hit list of things to sort of work through, potential incentives and ask some questions to USDA about programs that fund convening, and I don't think we really have that sort of identified as a, as a unique thing to think about.

In terms of incentives, I mean, there are all kinds of grant programs that provide funds for people, to pull people together for conferences and meetings, et cetera. We might just do a little scour to see if there aren't some existing programs that can push some money out to states and local/regional groups if they, you know, sort
of met requirements for this type of convening. I don't think we have that on our incentives list.

MR. GOEHRING: Yeah, we didn't. Well, it would be very -- be very easy to find some of those groups. I know that there's even some you can be a bit creative and send in a request and they'll be really good about doing extension and outreach type of work.

MR. REDDING: Leon.

MR. CORZINE: I would just add -- and, Laura, maybe it helps, maybe not -- that we kind of left the funding part out of it. We did have a short discussion probably with -- for example, if you, you went to somebody like a chamber of commerce or if you went to a Walmart, that those people would do it without fundings, the initial phase, because there's going to be an incentive or that's kind of why a chamber of commerce exists. A Walmart might have an interest in some specialty product, right, or a Frito-Lay, so they would initiate with their own funds. So -- but other than that, Latresia, I don't think we really had any financial discussion.

MS. BATCHA: So we should pick that up and put that in our discussions, regarding incentives.

MR. REDDING: If you would put what in? What would you add to your subgroup?

MS. WILSON: Well, I think, Laura, we left it out
intentionally because we didn't feel that -- we felt that there would be so many different mechanisms of achieving that, and we kind of left it out, like Leon said, but --

MS. BATCHA:  Well, as we look at models and incentives, I think, you know, we've -- the work area of incentives has been a little bit allusive for us, but it really has focused on incentives for the growers to enter into the plans, correct, and we haven't looked really at incentives for people to engage in the convening activity, and I just think we could move that over to the subgroup, pick up some of the stuff you guys have started on.

MR. SCHECHTMAN:  I will just make one response. There had been a particular suggestion that was made in subgroup about the possibility of some market improvement program funds, and I did investigate that particular possibility, and I'm told that that is really restricted much more towards research activity. So it's not appropriate for that, but we can certainly look, look further. There are a zillion USDA programs that I know nothing about still.

MR. REDDING:  Lynn.

MR. CLARKSON:  I would like to provide some information and ask for input from others that might be certainly more familiar than I am with this, but there's an association called the AOSCA, the American Association of
Seed Certifying Agencies, and I think there are state agencies in roughly 45 of the U.S. states, I can be somewhat wrong, and several foreign countries.

As the number of seed companies has dwindled, AOSCA has been, all their agencies, their state agencies have been looking for more things to do, and in the State of Illinois, they're really associated with helping people do testing for seed purity, product purity. They have the right kind of staff in terms of researchers, market-focused people, folks who go to farms and make tests. And, in general, Leon and Alan might sort of think of the Illinois Crop Improvement Association as part public, part private, part university, which is also public.

So you have a broad reach, and I think they're regarded as neutral parties, at least I regard the ones that I know certainly as neutral parties, and I think they would have an incentive to find something else to do, and this sort of falls in the field of purity, identity preservation. So that would be an organization, I think, would be worthy of a close look.

Now, how do you gentlemen view the local agencies? I really don't have much familiarity with Indiana or Oregon or other states.

MR. CORZINE: We talked about that a little bit, Lynn, in our committee, and that's why we included -- we had
a couple other terms and then put everything together as we tried to shorten our list -- crop improvement associations. I think I maybe even mentioned the Illinois Crop Improvement Association because I think they're held in pretty high regard across the board and yet their amount of work has probably dwindled over the years, some of it around how much need there is on most farms for that purity that needs to be checked, but I used to utilize them myself. So, yeah, we're including those, especially in this category when you get to the technical part of what it takes.

MR. REDDING: Just for clarification, though, I mean, there's a difference between the crop improvement associations and the seed, seed trade associations, and I know how, our Department of Ag and what we're being tasked to do, and it's very different than what a crop improvement association would do. So are we talking about two different things?

MR. CLARKSON: This is Lynn Clarkson. I suspect we are --

MR. REDDING: Okay.

MR. CLARKSON: -- but in Illinois I tend to identify the two, the crop improvement association and the seed certifying. In my mind, it's one and the same. Leon, am I misperceiving it?

MR. CORZINE: The only thing, Lynn, was, you know,
as far as in people's mind, you talk about the American Seed Trade Association are the companies that belong, are tech providers, are seed companies. Illinois Crop Insurance, or Crop Improvement Association, as Lynn described, is different, and it's, it's kind of a mix of public-private with some extension connection, more land-grant university connection, and they do some -- I'm not sure what they do in, on the research arm, but I think they do a little bit of that, too, but a lot of testing and verifying. So that'd be different than the American Seed Trade Association.

MR. SCHECHTMAN: And, and different from AOSCA -- and different from AOSCA as well.

MR. CORZINE: I'm not sure. They might be part of AOSCA.

MR. CLARKSON: Michael, let me add a little history here -- and I don't know this is definitive, by any means -- but back in 1993 and before, genetically modified crops were really a flaming issue. We had Japanese clients come to the United States and ask us what organization they could work with to develop a standard, and we led them over to the University of Illinois and to Champaign and introduced them to the Illinois Crop Improvement Association. They hammered out a standard. They hired the crop improvement association to do testing on farms. The Illinois Crop Improvement Association took the standard,
went to the AOSCA national meeting, and that standard became a national standard. So anybody that wanted verifications, certifications could get the same standard applied in any state where there was active, in my mind, crop improvement association.

So I really don't understand the mesh between crop improvements and seed certifying agencies, but in Illinois I just go to the same place for both.

MR. REDDING: Okay. Good. Mary-Howell, Chuck, and then Doug.

MS. MARTENS: The problem is going to be available staff. In New York we have the New York State Seed Lab that's under Ag and Markets, and they have three employees that do germ and purity. Ag and Markets has some seed inspectors, but they're spread extremely thin because now they're charged with doing greenhouse, vetting plants, and forestry of some sort, so not much staff there that's available.

Our seed improvement association is at Cornell, and they have two full-time staff and some student interns, and the only farmers that really have any contact with them are those of us who grow blue-tag certified seed. So it's -- as their tasks have declined, their staff has declined, and I think that there's going to be not a whole lot of available people power to do this kind of thing there.
MR. REDDING: Chuck.

MR. BENBROOK: Yes. First, a point of information, the Non-GMO Project, which, as we all know, play a pretty substantial role in all of this, have struggled for several years in their standards document about how to deal with seed and seed purity, and they have recently decided to establish a seed purity working group to come back with recommendations on what role a seed purity standard might play in meeting the overall non-GMO standard. And the push behind this is organic livestock farmers don't want to pay for testing every batch of corn silage and every batch of soybeans that get fed to organic livestock, and they really want to see that if a producer buys clean seed, that that, that satisfies the requirement.

And if you think -- if you sort of extrapolate from this, this dynamic going on within the non-GMO world and organic world, the cost of living with a coexistence system and standards is going to go up substantially if it depends on testing end-product foods. The farther back the value chain we can go in putting in place a system to confirm adherence to some standard, potentially the costs of that system could go down, and Lynn and Dave and I have had this conversation on and off since AC21 started.

Given that we know that whatever percent GM presence is in a seed, it's not, probably not going to go
down in the harvest from a crop from that seed, and there's, you know, if .9 percent is the operational international market standard -- which I think it's fair to assume that we've moved a long way towards that just since AC21 was reestablished; not all countries use .9, but it's certainly a de facto global standard -- perhaps we, you know, in terms of models of how to deal with this, if we could develop some thresholds for adventitious presence in seed that would under most circumstances not be exceeded in the harvest from that, we might be able to build a system where most of the burden of complying with standards would fall at the seed level, where I would, I would guess it would, the overall cost of the system would be much, much lower.

But in order for that to happen, two things, two pieces of information would need to be routinely available to farmers that are planting for Lynn Clarkson's grain company. They would need to know, what is the level of adventitious presence in this non-GE corn seed that I purchased and, secondly -- I don't know this, but perhaps around the table some people do -- at what level of seed production do the seed companies actually know what the level of adventitious presence is in a given lot of seed?

And so the bottom-line question is, is the seed industry producing enough low-level presence non-GE seed to meet the market demand, because if it is -- and I suspect it
is -- if there was a way to get that seed to the people growing for IP markets and have that, that satisfy requirements, it would really provide the most efficient and lowest cost -- you know, it wouldn't solve all the problems, but it would certainly solve a lot of them.

So I would, I would urge all, you know, the various working groups to ask at, you know, to what extent can we solve much of this problem by assuring that, that clean or, at least, very low-level seed is available to producers selling into IP markets.

MR. REDDING: Yeah, comments, Doug?

MR. GOEHRING: Thank you, Mr. Chairman. Doug Goehring. This is just a follow-up to the conversation about the crop improvement associations and some of the inner workings out there. When you look at some of the structure that exists in some of the states, you could have something like the seed commission -- in some states they exist -- you have the land-grant universities, and you have the agriculture departments.

Most of the crop improvement association are the farmers themselves that -- to your point, Lynn, there was the standards that were developed -- these are the guys that make sure they're implemented because they're working with the foundation seed, they're working to register it, and they're working to certify it, and they have to make sure
that those purity standards are met.

And to that end, I know on the Northern Plains, a lot of their work is going to be surrounded and dealing with the cereals, the pulses, the oilseeds, and the Brassicas. Beyond that, when it comes to, like, corn, that generally ends up being because you have the land-grant universities or the private industry that's doing it. They just fall under the authority of the ag departments or the seed commissions to make sure that they're meeting those standards.

So I was just going to add a little bit just to show that there is some difference, because you have two different groups of people -- one that's actually doing the boots on the ground; the other one is doing the testing and making sure that they're fulfilling that end of it. Thank you.

MR. REDDING: Doug, if I could ask, when you reported out on the Models and Incentives subgroup, you mentioned seed testing, right, had been a point of discussion within your group? Right? Was that in line with what Chuck is laying out in terms of the seed purity and the adventitious presence, or was that something different?

MR. GOEHRING: My apologies, Mr. Chairman, but that was in the first meeting that I ended up missing --

MR. REDDING: Okay.
MR. GOEHRING: -- and I just pulled that from the, gleaned that from the notes. So --
MR. REDDING: Okay.
MR. GOEHRING: -- I would have to defer to my colleagues.

MR. REDDING: Oh, okay.
MR. SLOCUM: Russell, that was a discussion.
MR. REDDING: That was a discussion. Okay. All right. So that gives us some context then for --
MR. SLOCUM: Right.
MR. REDDING: -- coming back to that point, Chuck.

Thanks. Isaura and then Angela.

MS. ANDALUZ: I sit on the board of the Organic Seed Growers Trade Association, and Chuck, there is not enough seed. And part of the problem is the same problem we're having here, is that where do we plant -- where do we grow out the foundation seed in order to increase quantity of seed available, and also, breeding the new varieties that the organic growers want, and the problem is finding a plant where we're not at risk of being contaminated.

So it's a huge issue, and our members, they test, they do go out and they test seed because, if they were to sell contaminated seed, they'd lose their business, and it's, it's a challenge.

MR. REDDING: Angela and then Mary-Howell.
MS. OLSEN: So I wanted to respond to a few of the comments that, and questions, that have been raised. So seed companies, by law, we're required to put the seed purity on the bag, and that's under the Federal Seed Act. And so, of course, we all, we all do that, and that's a contract. If we say a certain purity is on the bag and you buy that bag, that's what's in the bag, and again, it's a contract when you buy the bag.

With regards to seed, it doesn't inform the rest of our conversation, which is, well, what happens on the farm afterwards? In our first round of AC21 meetings, we heard from several speakers that talked about different mitigation measures on farm, and that's part of what we talked about in our working group as well, cleaning out the combines, knowing what your neighbor is planting. There's a lot of very good and proactive steps that farmers can take and do take for IP -- in IP practices. So I wouldn't want to, to ignore those conversations because, again, there is a lot that happens after the bag of seed leaves the seed company.

And we saw losses this morning, and the economic losses in the report, I believe, were about .67 percent, and there's a lot we don't know about it. There's points Laura brought up. There's points, we don't know what contracts folks have entered into because it's not just organic; as
Lynn said, it's organic plus. So, you know, again, we're looking at these small losses, which doesn't mean we don't look at them, but we're looking at a very, very small number, and I wouldn't, again, wouldn't want to ignore what happens on farm as well.

The last point about available seed, ASTA has convened some meetings on this. I know Andy LaVigne has spoken to us about this in Raleigh, in other meetings, and according to the work that ASTA's done, there is enough available seed; it's the planning. So if somebody wants untreated conventional seed, for example, they need to work with seed producers, yeah, at least a year in advance, because seed producers aren't going to have conventional untreated seed and keep that on the shelf if there isn't going to be a market or if they don't know that there's a market for it. You know, they're going to use their business models. So, again, I think ASTA's done a lot of good work in this area, and as we heard from Andy, according to ASTA, there is enough seed; it's more of a planning exercise that needs to happen.

So, again, these are just some points that I wanted to point out and interested in others' reactions as well.

MR. REDDING: Mary-Howell, Alan, and then Laura.

MS. MARTENS: As far as I understand seed law --
and I am, I do spend a fair amount of time on this -- the purity data that's required on a seed tag is the percent inert material, the percent other crop material, and the percent weed seeds. It is not required to have percent GE presence. So you're right, Angela, in that there's purity information on the seed tag, but the particular data that a farmer growing non-GE crops is not required by law on a seed tag, and therefore it may not be there; in fact, in all likelihood, it's not.

I think, as a committee, what we need is more information about what information is on a seed tag and how accurate it is, whether it has ever been tested on a third-party basis, whether it's something that a seed company can actually just choose to put on or not choose to put on, and then if it is ever verified to be accurate, because I don't think we know that. I don't think any of us knows that for organic seed or for non-GE seed; that that is information that is really critical, because yes, contamination can come from several sources -- pollen drift being one, contamination of equipment being another.

But the, the -- what Chuck said was really important, and that is, the farther back in the pipeline we get and put some filters back farther in the pipeline, the more accurate and more less expensive control is going to be. Seed companies need to be able to tell farmers buying
their seed routinely what the percent GE presence is in non-GE seed and have some, and farmers have some guarantee that the information on the seed tag has been tested in some authentic, credible way to be, to be accurate.

MR. REDDING: Thank you. Angela.

MS. OLSEN: We spent some time talking about this in our committee as well, and my recommendation, then, is to, you know, work with reputable seed companies. We have to stand behind our products.

But in terms of the GE presence, Lynn brought up, I thought, a very helpful point on our, within our subgroup, which is that there are seed companies out there that do provide that information. I think it's a business model, and if somebody feels strongly that they want seed and they want to know not only the purity standards but they also want to then know what GE content is in there, there are companies that do that and they put that on their bags. I'm not, I don't know which companies those are, but Lynn brought that up, and I think that's an interesting business model for the seed companies. I think that's a great niche market for seed companies that want to enter into that kind of market.

So apparently, that model is out there. You know, not all seed companies are going to follow that model, but you know, that is out there if one wants to purchase seed
and they want that additional information. You know, folks can also test their seed after they buy it.

MS. MARTENS: Does your company sell non-GE seed?

MR. SCHECHTMAN: Mary-Howell, would you use the mic so we get it on tape?

MS. MARTENS: Just follow-up, does your seed company sell non-GE seed?

MS. OLSEN: We sell conventional untreated seed.

MS. MARTENS: Is it non-GE?

MS. OLSEN: It depends on how one defines non-GE.

So --

MS. MARTENS: Okay. Okay.

MS. OLSEN: -- again, it depends on the definition: What is non-GE?

MS. BATCHA: And does it have -- sorry.

MR. REDDING: Wait. So Alan and then --

MS. OLSEN: I don't want to get off topic for our charge, but --

MR. KEMPER: Just to help Mary, at least Beck's Hybrids, Beck's Seed Company, fifth largest in the U.S., sells GE, conventional, and organic. So they have protocols, or should have protocols on that. So we need maybe to reach out to some of those companies, Mary, and see how they can keep it.

MS. MARTENS: How they test --
MR. KEMPER: Yeah. Thank you.

MR. REDDING: Yeah, thanks.

MS. MARTENS: -- and how they label.

MS. BATCHA: Who is this?

UNIDENTIFIED MALE: Beck's.

UNIDENTIFIED MALE: Beck's.

MR. CORZINE: Beck's Seed.

MR. REDDING: Lynn.

MR. CLARKSON: Are you finished?

MR. KEMPER: Yeah. I'm sorry.

MR. CLARKSON: Thanks. Lynn Clarkson. Going back to the very first meeting that this AC21 committee had a few years ago, Leon and I had different perceptions where GMO -- excuse me, I fall back into the contamination world -- adventitious presence came from, and at that time I was of the fairly firm impression that most of the, most of the adventitious presence in corn came from cross-pollination because we have lots of contracts scattered over the Midwest buying for GMO-sensitive markets and we could watch the harvests and, since every load is tested, we would see the test results showing a diminution as you moved into the field. And, if a farmer were doing a 160-acre field, his end rows and his, his areas impacted by adventitious presence would blend down to where we had less than a rejection level, and so we were seeing levels at maybe .4 or
.5 percent, certainly acceptable with a .9 threshold.

Since then things have changed out in the field so that I am now agreeing with Leon that most of the adventitious presence is coming from seed, because we monitor what we see from our scale test results and we no longer see ourselves dropping to acceptable levels at many times.

Okay. Another point that Angela and I -- we may actually agree on this; we just come at it from different directions. The largest supply of non-GMO seed in the United States comes from a company that tries to meet the standards that are active in the non-GMO world, but when you ask what do you mean when you sell me something you represent is non-GMO, the normal response is, oh, please don't ask, and you say, well, I have to ask. They say, well, we think our average is .4 -- and, by the way, I think the industry could live at .4 or .5 -- to which the next question is, what's the range of GMO presence in seed that you are selling to farmers who are asking for non-GMO, and that runs from non-detectable, which is wonderful, to five percent. And the third question is, how do I know which bag I got, and the answer to that is, I'm really sorry to tell you, we can't tell you, we don't have tight enough inventory control for a really huge market.

And what those of us who are wanting to know by
either a label on the bag or a guarantee, we are asking for a tighter degree of purity than the industry has ever supported, and this is difficult. Most people assume that we can go out and get a representative sample or a seed company can get a representative sample. That, in itself, is a huge undertaking, a huge challenge: How do I get a representative sample? And my company samples lots of things, and I will never look you in the eye and tell you any one test we do is really accurate. If you, if you let us do 100 tests, I'll tell you our average is probably right on the money, but it's really difficult to get the representative sample to test.

So there are some companies now starting to sell, guaranteed on the bag, tolerance numbers for seed. I think there's one, who I'll leave unnamed, but coming from an area that's close to Alan that is providing .5 percent, I can guarantee, I believe -- could be .4, but I think it's .5 -- and they charge something extra for that. I don't know whether the extra is for the production of the seed or for the testing, and they're getting the representative sample, so you can do that.

So while I would like to see seed companies put it on the label, the real point is I want the farmer to know. So where do you transfer the testing burden? If the you transfer the testing burden to the farmer, it is very
awkward to do, and it would be much more comfortable if the
farmers can find seed companies who will.

    So part of a guidance document, I think, for
coeexistence would be to tell the farmer it's pretty darn
important to have some guarantee of the purity of seed,
because if you're starting out with .6, .7, it's probably
going to go way beyond the contract standards. So --

    MR. KEMPER: Just a quick comment, I think at our
last AC21 group, we recognized that. I mean, that was one
of the planks in the first three or four paragraphs because
somehow that's still implanted in my memory.

    MR. REDDING: Alan, for having it as part of a
guidance document that --

    MR. KEMPER: It was even in our last, the report
to the Secretary.

    MR. REDDING: Yeah, the previous report, right,
but was the point that producers should ask the question
of --

    MR. KEMPER: That point was not made.

    MR. REDDING: No. No. But just aware of or --

    MR. KEMPER: Seed purity problem.

    MR. REDDING: Seed purity problem, right. Okay.

    Leon.

    MR. CORZINE: Well, I'll admit, I think Lynn and
Alan's memories are probably both better than mine to go
back that far, but what I, what I think we have to be
careful of here -- I agree with the comment that if a
producer is going to, to get into an IP contract, that you
need to know things that maybe a commodity producer does
not, and what we have to really be careful of is we -- it
would be, it would be a disservice to agriculture if you
required everybody to tighten up their standards, because
you're going to raise your cost. So we've got the Seed Act,
we've got, we've got things in place, and there's a range,
and you know, that range may be, you know, I have both in
the same bag, the whole refuge-in-the-bag thing, right?

So you don't want to raise the cost for me just
because something Mary-Howell is growing, she needs a
tighter purity, and then I think, then, economics drive it.
If you need more seed, there will be a company, step up to
the plate. And should the seed be more expensive? Yeah, it
should be, and if a company -- whatever company chooses to
meet the standard or to meet that market, that's fine,
that's what they do, but I don't think USDA or anybody else
should force all companies to reach a standard that is not
needed in the commercial world. So -- and I, and I feel
very strongly about that point, and it doesn't matter if it
-- name your company -- who it is, but don't force all
companies, because it's a, it's economics, folks.

If there is demand, you'll be able to find the
demand, and maybe, you know, it's, yeah, it's going to ebb and flow, and Angela touched on it: you can't produce something and have it on the shelf and not knowing whether you're going to be able to sell it, because you put a lot of extra cost into that. Now, if Lynn's market changes and he needs this more, maybe, you know -- those things work out. It is the same on whether I'm going to grow corn or soybeans or if I'm going to do seed production or not seed production. You know, all of those things you have to sort out, and actually, you do need to plan about a year ahead on, in general, what you're going to do with that.

Mr. Redding: But I think for, you know, the committee, I mean, it's helpful, you know, to go back to the report that we authored and look at the context, right, because we touched on these themes and the responsibility, and for coexistence to work, there's not a single entity within the, within the system, if you will, that is responsible. It really is a shared responsibility from, you know, the technology firms, you know, the supply chain, farmers, et cetera, right, and I don't want to miss that point, because I think you get into it with this seed purity question, of -- no one's sort of exempt from this responsibility. We all have a responsibility to make that work, and putting that in proper context, as we enter this next set of guidance document discussions and -- just be
thinking about that, right, because I find, you know, our work, what we struggled with, and we went in and out of these conversations with the adventitious presence and how to present that, represent it, the issue of thresholds, right, and had a very spirited debate, but I think it's all, it sort of helps to enrich the context by which we want to provide some guidance in our next, for our next report.

So I just mention that to say, as I look at and hear the discussion, I can find points of reference here in our document that would legitimize, I mean, some inclusion of some of these points for, for our report here. We talked about --

MR. CORZINE: Can I clarify --

MR. REDDING: Sure.

MR. CORZINE: -- Mr. Chairman? It's Leon again. In saying what I said, I don't want folks to think that purity isn't important to the, in the commodity world, because -- but what is important to me is more genetic purity and what's coming there, because we can tell a difference and I pay more for seed from a company that I, that I believe has better genetic purity. There are some companies that will sell basically a Walmart-style, very low cost, but you know what? You see a difference in the field, and a lot of it is the genetic purity and the research and the work that has gone into.
So I think we can take a look at that as an example, too, where a farmer will pay more where it's -- for whatever is more important with that bag of seed, depending on what type of market you're reaching.

MR. REDDING: Yeah. Good. Thank you.

Mary-Howell and then Laura and Alan, and then we'll break for lunch.

MR. SCHECHTMAN: Isaura.

MR. REDDING: Isaura, are you, are you back up?

MS. ANDALUZ: I'm back up.

UNIDENTIFIED MALE: Dave's been up forever.

MR. REDDING: Oh, Dave's been up. So --

MS. MARTENS: You know, Dave's ahead of me, really. So --

MR. REDDING: Okay. So, Dave, and then we'll work back. Dave, please. Here.

MR. JOHNSON: Thank you.

MR. REDDING: Sorry.

MR. JOHNSON: So we've been struggling with AOSCA and seed certification and crop improvement. So one way to kind of look at AOSCA is, for example, in the alfalfa world, we submit review board applications to a variety of review board typically in December. They're reviewed in January, and essentially, before anything is even considered for certification at the state level, a review board has looked
at the variety, a description of the variety, the
performance of that variety, the genetic background of that
variety, and so one of the things that's also on the tag is
what Leon is just hitting at, which is the variety, the
genetics behind it. And so, you know, the variety is
stated, and if, and if it's the Walmart version that Leon
mentions, it would say: Variety not stated.

So other things that also can be included on the
tag, just for clarification, is percent hard seed. For
example, in alfalfa, you know, the legume seed, they can
have a very hard seed coat, and so we may report what the
hard seed is. It doesn't mean that it won't germinate once
it's exposed to soil but that it's included, and also, very
important is percent germination, you know, and when that
germination date was conducted. So there's some different
things in it.

So I think it's really important, when we think
about seed certification, certified, you know, foundation,
registered, commercial, is the genetics that are in that
bag. That's, that's most important, and the companies are
standing behind what that variety is, and that's, in a corn
hybrid, that's very important; in a soybean variety, that's
very important; in all, in all the crops, it's very
important. So I just wanted to add that clarification.

MR. REDDING: Good. Thank you. Mary-Howell.
MS. MARTENS: Through our business, I buy and resell organic seed that comes from two, three major companies that sell both organic and non-GE seed. I'm going to send out e-mails to them at lunchtime and ask them if they can provide data on the number of samples they take per lot and also the percent GE presence, on average, for each variety of non-GE and organic seed they sell and whether they have it tested in-house or whether they have it, they send it out, send the samples out, which I think is also critical.

So hopefully by tomorrow I'll have some of that data so that we can actually start getting a picture, a visual of what is being sold in this country as non-GE seed, as far as percent. I think that we need that information in order to craft a guidance document. We need to know where we're starting from before we can start adding on different layers of protection.

The other thing, Dave -- and this goes back to the Walmart brand -- is that seed also can be -- the germ is sort of an alive or dead rating, but vigor is also seriously critical as far as things grow, and I think an awful lot of the second- and third-string seed companies, there's so much horse trading behind the scenes of the seed companies selling to each other that then sell to each other and get relabeled and get renumbered, but a lot of that has to do
with vigor, where you see lesser things. It's not necessarily genetic purity.

But hopefully I can get information about what the actual numbers are in GE, non-GE, and organic seed lots being sold in 2016 to farmers in the United States, and then from there, you know, anything -- any other thing that happens in the course of the 2016 season that adds additional levels of adventitious presence is going to be on top of wherever we start at.

So where we start at is really, you know, our base point as far as can we meet a certain standard. The guidance documents are going to be only useful, especially when we're talking farmer to farmer, if we can start at a level that is below Lynn's threshold. If we can't start there with where we are in 2016, then we really have got -- the rest of it is irrelevant because then, then we're already above the threshold where we have to be.

MR. REDDING: As to a final comment and then we'll reconvene this topic, okay, but it clearly --

MR. KEMPER: But it pertains to -- yeah, okay.

MR. REDDING: Pardon me?

MR. SCHECHTMAN: Yeah. Yeah.

MR. KEMPER: Go ahead, you're the chair, if you want.

MR. SCHECHTMAN: Final round.
MR. SCHECHTMAN: Just the comments that are up now.

MR. REDDING: Yeah, final comments for what's up; then we'll, we'll keep moving. So, Laura.

MS. BATCHA: Yeah, thanks. This is Laura Batcha. So as I'm following the conversation, I'm really, I'm thinking about this idea that I think Leon brought up about, you know, sort of the market taking care of it and there being supply and demand. I think in order for us to have confidence that the free market can take care of it, there has to be access to information on all sides. That's, like, a foundation of, of free markets working, is that there's information available in order for those choices to be made and for the market to direct itself in an orderly way.

So I think that's sort of at the, at the basis of this idea of access to the information, and I think one of the things that we were discussing in our subgroup is what other ways to incentivize -- and I say that in quotes because I mean it in its most liberal sense -- access to this information so that going into the best management practices, there's starting knowledge.

So I think, you know, maybe there's, there's a time when you can get there where there could be agreed-upon thresholds and confidence that the marketplace could meet
them and everything, but I think the first real step is to try to find some way to incentivize or loosen up access to this information so that people know what they're going in with. And otherwise, you know, as I hear Mary-Howell talk about it, all those efforts on the farm become potentially futile if you don't have transparency in the beginning, and I also don't think that it fosters good relationships between the neighbors, if that's what we're talking about, because you could end up in a situation where you have friction between farmers that has nothing to do with anything anybody's doing on either side of the fence.

MR. REDDING: Okay. Thank you. Alan, and then Jerry will have the last word.

MR. KEMPER: Thank you, Mr. Chairman. It seems like we circle and circle and circle and circle. I don't want to, I don't want to say it's us against them or them against us. I think what Mary is saying on the seed purity relates to GE, conventional, and organic seed, and if there's a need for that purity there, a higher stance, then so be it. It's a caveat, it's a sentence, it's a paragraph in our final document because coexistence is not about that. Economic contracts are about that. Premiums are about that.

So my takeaway this morning, Mr. Chair, my one takeaway is what Betsy's done with Farm Service and AMS on some of the enhancements there. I think that can be one of
the good tangible items for a coexistence document. Thank you, Mr. Chair.

MR. REDDING: Thank you. Jerry.

MR. SLOCUM: And, Mr. Chairman, I agree entirely with Alan. I think we've spent enough time on seed purity. We recognized it in our first document. I think we recognized it the first time AC21 met how many years ago, Michael, and it's enough to say that, as ASTA says, first the seed, and I think while it has everything to do with coexistence, quite frankly it has almost nothing to do with the coexistence document we're trying to write now. It just -- in the preamble it should say that the producer should plant seed that will allow them to participate in a non-GE market, if that's what they choose to do, and then leave that burden to some other advisory committee as to how we get to that point. Thank you, sir.

MR. REDDING: Okay. Thank you. Good discussion this morning. Thank you. You'll see the agenda. We did not get to the 12:00-12:30 discussion around the two types of potential interactions. We're just going to shift that to later in the day. So we'll have, we'll take time for lunch here through 1:45 and then reconvene with the two presentations we've got this afternoon.

MR. SCHECHTMAN: And then after public comment, we'll --
MR. REDDING: Yeah, and then I think right after
the public comments this afternoon, we've got some
additional time there to pick up with our 12:00-12:30
planned discussion. Okay? Any final comment? Otherwise --
I'm assuming folks are eating here. Is that an option?

MR. SCHECHTMAN: I don't know that we should eat
in this room, but I will take people across to the
cafeteria, across the way, or else you can go to the
cafeteria immediately below here. There's many more choices
if you go across the way, but you need to have someone with
a USDA badge who will escort you in and out.

UNIDENTIFIED FEMALE: Are you leading us?

MR. SCHECHTMAN: I will lead you astray, but I
won't buy for you.

MR. REDDING: Okay. Thank you.

(Whereupon, at 12:36 p.m., a luncheon recess was
taken.)

MR. REDDING: Okay. Good afternoon, everybody.
Let's reconvene. We have two presentations here in the
heart of the afternoon, and then we'll pick up with our
discussion of the morning as well as the presentation about
the one that we had deferred from 12:00 to 12:30, but
pleased to welcome Roger Noonan, the National Association of
Conservation Districts, with us this afternoon to present
the districts' sort of role on the cooperative local
processes in conservation management, and then we'll have
some discussion with you as well. Okay? Roger, welcome.

MR. NOONAN: Thank you, Mr. Chairman. Thank you,
Mr. Chairman. Good morning, or good afternoon, rather. I
flew in this morning from New Hampshire, where I am a
district supervisor at my local conservation board and a
certified organic vegetable farmer. NACD is having their
legislative fly-in this week, so I was tapped as it.

So, first, thank you very much, first, for the job
you're doing. I also participate in a federal advisory
committee with EPA, Mr. Ron Carleton over here, so I
understand the sacrifice you're all making.

So just a little bit -- in this context of
coexistence, as a farmer, the first -- and as an organic
farmer in a state that, when I started organic farming, I
was the odd man out -- and going to the conservation
district meetings, meeting with other farmers, working with
other farmers helped them understand my practices and my
resource concerns and needs and vice versa, and I think we
have a much healthier agricultural community because of it.

So a little bit about the districts, as I figure
out my -- the national association is the, a nonprofit of
all the conservation districts, the state associations and
the individual districts across the country. So for our
commissioners of agriculture here, I would urge you to
support your districts because they are subdivisions of
government and funding is always a challenge for our
districts, as I'm sure many of you know.

The concept is that conservation decisions should
be made at the local level. Those working the land, using
that land, the stakeholders in and around the community
understand best what the resource concerns are, and that's
why we say locally led conservation. We work hand in hand
with NRCS and EPA, as well, through 319 and other programs.

NACD's mission is to serve the conservation
districts. We have a board structure, executive committee.
I'm also the Northeast Region vice chair as well as a county
district supervisor on a board of five. So there's a fairly
large footprint of stakeholders involved in the districts --
3,000 districts, 17,000 public officials; plus, when you
hold a local work group meeting, you may pull in anywhere
from another 10 to 40 farmers in the community.

We've already covered that. I'm not quite sure
I'm getting this high-tech stuff here. Conservation
assistance is our primary job -- helping farmers find the
resources they need, providing some technical assistance.
Some of our states that have more robust districts, they may
actually do conservation planning, they may have technical
service providers, but what I really -- and, of course, then
there's this whole suite of NRCS programs. And NCRS -- no
offense to our agencies of USDA -- but, as a farmer, is my
favorite agency. They help me address my natural resource
concerns. They're helping me mitigate water quality issues
I've got to deal with because of the Food Safety
Modernization Act or the Clean Water Act or keeping
pollinator habitat, improving pollinator habitat. I don't
live in an area where, for me personally, coexistence issues
with biotech is a problem for me, but I certainly get around
the country quite a bit in my various roles.

There we go. I'll get that figured out. Here's
the key, I think, to what I'm here to talk about, is the
local work group process. They're establishing the Farm
Bill, and basically, the core takeaway from our local work
group is we developed the ranking questions for EQIP,
Environmental Quality Incentives Program, and the
Conservation Stewardship Program to inform the state
technical committee which then creates, you know, those --
you got your national ranking questions, state, and local.

But within that local work group, we also in the
district, we developed a natural resource plan for our
district: What are the resource concerns? And they exceed,
oftentimes, agricultural issues. Our urban districts that
don't see a lot of ag may be talking about stormwater
erosion. Up my way, in the northeast, we increasingly talk
about how do we even keep these farms in business, these
small farms that are working in the periphery of the urban areas.

So things that may not be germane in North Dakota or Oklahoma, like farm, you know, protecting farmland from development, are vitally issue, and part of that, of course, is keeping the farms economically viable, so a lot of work on local foods, helping create food hubs, and stuff like -- issues like that.

So here's where you bring a diverse group to the table to talk about the issues. So I'll pick on North Dakota because I can see the Secretary right there. Where you've got the most, second-most certified organic acres in the country, in one of the largest ag-producing states or regions in the world is a great opportunity to bring those farmers together, and I don't want to just single out organic because we're seeing an increasing amount of non-GMO, identity-preserved, whatever you want to call it. And I think when you start seeing more of your neighbor that's been farming the same way as you suddenly shift to another market, that's probably what's going to advance the issues of coexistence more than the organic, you know, that sort of divide there, when you've got the same people around the table, because when I started out as organic farming, I was not the most popular guy at the extension meetings simply because it was different and nobody understood it.
Twenty years later, with the growth of the markets, they understand it. So --

I don't know if I have another slide here. Of course, soil health is another thing that we are striving to promote with National Association of Conservation Districts. What are the mechanisms in the soil health that can address some of these coexistence issues? Well, cover crop rotation is a big part of soil health, and I don't want to presuppose that we can put a bunch of farmers around a room of all different kinds of production practices and say, okay, well, you're going to grow Roundup Ready corn and I'm going to do non-GMO corn, you put your cover crop rotation here. I'm not going to go that far, but at least if we get people in the room talking and we start having that conversation farmer to farmer, facilitate a conversation, maybe we can see where some of those practices can serve.

And I know that there was a -- I'll just go back to the programs, back. You know, there's a whole host of programs -- EQIP, CSP, I think Betsy Rakola already talked about the Conservation Reserve Program -- that we can use to put in pollinator buffers, wooded buffers, riparian habitat, wild land, multiple benefits from given practices.

I was talking to a farmer in Iowa because, I said, look, I'm going to talk to this committee, I wouldn't recognize a bag of GMO corn if it hit me upside the head, so
what are your concerns? And so we talked about buffers. He says, well, look, corn can, puts me five miles, you're going to have to put a wooded buffer in, and I said, well, why don't you guys put more wooded buffers in? Well, then we've lost, you know, 100 feet of shade on either side of that wooded buffer and, if I'm in area that doesn't have a lot of water, it's sucking up a lot of the water. So then Betsy showed me something on switchgrass.

So there are things that are happening out there, corn sorghum, or sorghum is another potential one. I'm not an expert. I'm a farmer and we look for solutions that work, that are affordable, make our life easy, and I probably learn more from other farmers than I do from anybody else, and that's why I would really say that bolstering our local work group process, supporting our districts to start facilitating these conversations at the grassroots level is probably a really good place to start, and that's, that's all I know.

MR. REDDING: Yeah, Roger, thank you. Questions? Comments? Yeah, Isaura and then Ron.

MS. ANDALUZ: Thank you for saying that. It is five miles' buffer you need --

MR. SCHECHTMAN: Would you --

MR. REDDING: You have to use the microphone,
MS. ANDALUZ: It is five miles' buffer you need to keep the corn pure. Thank you.

MR. NOONAN: I didn't, I didn't say I was an expert. That was anecdotal. I want to just be clear, I'm not an expert on this issue.

MS. ANDALUZ: But the other farmer said that.

MR. NOONAN: He did.

MR. REDDING: Ron.

MR. CARLETON: Thank you, Mr. Chairman, and Roger, thank you, and you mentioned the Section 319 money from EPA, which is -- about 50 percent of all that money makes it to the conservation districts. So it gets, gets to the ground, helps with the adoption and implementation of conservation measures, and we'll look forward to continue working with NACD on these issues.

MR. NOONAN: Thank you, Ron.

MR. REDDING: Laura and Lynn.

MS. BATCHA: Do you want me to go before Lynn?

MR. REDDING: Sure.

MS. BATCHA: Hey, Roger, thanks for coming, good to see you.

MR. NOONAN: Nice to see you.

MS. BATCHA: I don't have questions about gene flow. I have questions about how the conservation districts work --
MR. NOONAN: Thank you.

MS. BATCHA: -- because I'm not that familiar with it. So do you have a sense nationally sort of, you know, how much acreage are you capturing in terms of regular participation in the types of things that the Conservation District -- you know, the reach in terms of engagement?

MR. NOONAN: That's a great question because, I mean, every county has, across the country -- there are over 3,000 districts. So the percentage, are you saying, of the total agricultural acres, aggregate acres in the states, how many --

MS. BATCHA: Yeah.

MR. NOONAN: -- representative farmers are showing up? That's a great question. I don't know the answer to that, but I can tell you in New Hampshire -- which we have a, a very, there's probably corners of a county in North Dakota or any other big square state that exceed our total state -- we have very high participation.

MS. BATCHA: Okay. And then I have a follow-on question, because one of the things in our charge, we're looking at state- and local-organized ways that we can promote and create some incentives for farmers to enter into these joint coexistence plans, as we have a group working on what those best management practices look like, but one of the things Betsy walked us through this morning was the
program on buffers for organic farms and adjacent lands for perpetual buffers. So we think that's interesting. I think the group agreed. And then the other area we're looking at is convening and how to maybe incentivize convening.

So help me understand -- I'm not familiar with Section 319 money -- and what kind of, what kind of funding does NACDS get to pull together these local work groups and how does that all work?

MR. NOONAN: Well, NACD gets a fair amount of its funding -- I should say, the districts themselves -- through cooperative agreements with NRCS. Those cooperative agreements are either to promote Farm Bill programs or to address natural resource concerns. I don't think this issue is elevated to the natural resource concern level. That's not to say the districts, you know -- if the USDA said, well, we're going to present a cooperative agreement to an entity to add this element in to working with the agricultural community, that's possible, but I don't know that, unless you've already determined that this is a natural resource concern, that it rises to that level. So that's a question for folks at NRCS.

And the 319 money -- and, Ron, feel free to correct me if I'm wrong -- that's to basically address issues in a nonpoint source plan within the state. So it's very important additional funding for our districts. And to
the point just in general of NRCS, as we increase the need
for services of NRCS or its partners, we need to increase
the appropriation, and I know very well -- and, again, I'm
picking on North Dakota again because I work with so many
people from North Dakota -- there's a backlog of even
wetland, basic wetland delineations because NRCS doesn't
have the conservation technical assistance allocation to get
out there and deploy enough people. Small state like mine,
we do okay. Big ag-producing state -- North Dakota, South
Dakota, Iowa -- it can be challenging.

MR. REDDING: Doug.

MR. GOEHRING: Roger, as a former district
supervisor myself, thank you for your work, because I know
what our supervisors do across the nation is almost a
thankless job most of the time --

MR. NOONAN: Uh-huh.

MR. GOEHRING: -- so I appreciate that. The one
thing I would share with you is please don't dismiss or
discount yourself. You guys really are the experts. All
these farmers are the experts. They're one of our greatest
resources to tap. They know agriculture intimately. They
know their operations, their land, their soil, their region,
their area, and they bring so much to the table, and I
appreciate that because we have a lot of people out there
trying to tell us how to farm.
MR. NOONAN: Thank you, Doug.

MR. SCHECHTMAN: Roger, thank you again for coming. I wonder if you could just speak a little bit more about what the meetings are like -- who runs them, who sets the agenda, how groups are notified that meetings are going to happen and encouraged to attend, any of those sorts of things?

MR. NOONAN: Yeah. Well, the local work groups are, since the districts are, they're subject to public meeting law, public, you know, due notice, typically -- I'll speak to how we do it. We have our board of supervisors, which is an appointed body politic, puts together an agenda. We have -- statutorily we are required to invite certain things. We try to get an FSA person there. We try, we get Extension there. And then we generally reach out to, you know, the local farm bureau, the local organic group, whatever other, the New Hampshire Fruit and Vegetable/Berry, somebody from Department of Ag. We'll reach out to all the interested parties as well as the full mailing list that we have, and that mailing list is, you know, it can be someone that brought trees or spring bulbs. We generally -- and, of course, public postings and newspapers. Probably working through your farm groups is the best way to get, or your grower associations, is the best way to get to the farmer, and Extension is also a great partner because typically most
farmers, that's their go-to place for information. It's facilitated -- I facilitate ours because I'm comfortable getting the microphone and standing up in front of people, where a lot of other farmers aren't, but I've had a lot of practice. But some bigger states, I think Oklahoma or Texas, you know, where these seats are actually competitively run for, it's a much bigger process. No one's running for district supervisor in any of the states I work in.

MR. REDDING: Leon.

MR. CORZINE: Leon Corzine. Roger, thanks for being here, answering these questions. I farm in central Illinois. Question is -- you talk about your local work group meetings -- what precipitates a meeting or what triggers? Are they on a calendar basis, you meet just every so often because, or are there different, different events come up or different situations that you tend to -- that then you will convene a meeting to address the issues?

MR. NOONAN: That's a great question. We are usually triggered by the Farm Bill programs getting deployed. So we need to establish ranking criteria for EQIP for the upcoming season. Now NRCS has to shift towards sort of a rolling application process. We used to do two meetings a year, right? We'd do a, sort of late winter/pre-spring meeting, and then we'd follow up in the
fall with another one, and we had, quite frankly, low
attendance on either end. So now, because of the rolling
application process, we only need to establish that ranking
criteria once or just doing one meeting. And it varies
across the country. I'm speaking from my personal
experience. There's 3,000 districts. There's probably
3,000 different ways of doing it, but that's the beauty of
the locally led process.

We do have, if you look at the NRCS Field Office
Technical Guide that sort of spells out the roles and
responsibilities of the districts and the local work group
and the NCRS, that does provide some of that boilerplate of
who you should invite and how you should run the meeting.

MR. CORZINE: Okay. Thanks.

MR. REDDING: Other thoughts?

(No audible response.)

MR. REDDING: Roger, if I could ask you -- and
this is both in your capacity as a conservation district
leader as well as a producer -- you know, we've had this
question raised by our previous work and recommendations,
and our charge specifically now is looking at what we can do
to encourage development of joint coexistence plans.

So as a person who sort of sees both roles, right,
the services out but also the need for at the producer,
producer level, the question is, would you see the district
sort of being a good model, model to use to help facilitate those planned development, that planned development? And Part 2 is, what would you want to see in terms of content around some type of joint plan if you were developing one?

MR. NOONAN: Well, that's a great question. I wouldn't put too much more on our plate at NACD right now, but I think the, the framework is there to assist in developing that. Any time you get a -- I mean, the world we live in now is, if I'm an organic farmer, I'm going to hang out with organic farmers and I'm going to be in organic groups; and, if I'm a conventional farmer, I'm going to hang out with the conventional guys and I'm not going to talk to you. You know, we just don't. That's just the way -- our society is so polarized. When you get into some of these big ag-producing states, I mean, I would, I would hope that people will just be able to get in that room and tough it out, because when you're in the minority, it's going to be tough, and I found that.

So on a personal note, that's -- even in the standard conservation district world, just trying to get people with different ideas to the table, and we had a guy talk about permaculture once, and everybody in the room was just like, what on earth is he talking about, but he kept coming back. And, you know, God bless him for sticking it out, because there was just a lot of eye-rolling. That's
just the world we live in.

And farmers, you know, we don't -- we tell it like it is. So if we don't agree with you, we're going to let you know. And when you get to this issue, which has so much economic impact, potentially, to the various types of agriculture we do, I think you can get into some really heated arguments, debates. I bet you've had a few here.

So how you navigate the path through our local work group process, it would certainly put some fresh blood into our organization. I think it would be a good thing. I would, I would be willing to bet that it is probably the existing framework for that you just bring into those conversations. No sense in reinventing the wheel.

MR. REDDING: Alan.

MR. KEMPER: Well, I appreciate you being here, and yes, we've had some nice discussions, debates in this room, and I think your conservation -- you know, I'm from Indiana, the smallest state west of the Appalachians in geographic size, but we have a lot of farmers there with a lot of various opinions too. So, you know, I think there is a lot on the plate of NACD --

MR. NOONAN: Yeah.

MR. KEMPER: -- you're doing a great job. I, Mr. Chairman, I'd like to say they can facilitate that and all the district superintendents are equally trained in
arbitration, but I don't think they are, but it's a good starting point. Maybe some places are working up, because here's the deal: 20 percent of today's farmers next year will not be there --

MR. NOONAN: Right.

MR. KEMPER: -- due to the economic climate. One out of seven, going down my road, will not be there.

MR. NOONAN: Uh-huh.

MR. KEMPER: So to put them into a discussion on how, frankly, coexistence will work could be a little bit troublesome at times. And so I think it's one nice tool we can use in our tool chest for guidance, some guidelines, but you know, there'll be others also. Thank you.

MR. REDDING: Yeah. Yeah, the, just for Roger, the part -- what we're working through right now is sort of what entities are out there. So we've got this inventory, right, and start looking at the skills that they have in the intersection of the work each of those entities has to do, is doing, and where can we borrow that, right, for this task of these joint plans.

And we heard this morning, you know, about the, the buffers and the Conservation Reserve, and I think for all of us here, what's interesting with this, with this charge is that there's not a single component to the guidance document, right? It's partly a conservation
discussion. It's partly a technology one. There's certainly some interface issues just on general foreign policy locally and some governance pieces. So trying to figure out what is out there and where can we borrow that expertise to address this issue of, one, encouraging -- and it may be simply encouraging or raising the awareness of the need for, in some cases, joint coexistence plans -- and then, secondly, the actual facilitation, and we've had a work group sort of look at different tasks within the, within that sort of assignment, but just trying to figure out where the district fit in it. Long term, I think if you went around the room here, you would find that folks see the conservation role in maybe a different, number of different ways that could help facilitate that coexistence. So that was sort of the basis of the --

MR. NOONAN: Yeah, and I hope I, I didn't give the impression that we, that the districts should facilitate this debate at the grassroots level, but address the concerns. So if I gave that impression, I apologize. That is a pretty heavy lift. But what we can do is, when we get the guy that's doing the IP corn, they can get in the same room and they can start learning about, okay, what are the tools available to me. And maybe, maybe it's the first time they're having the conversation over the, you know, over the fence, so to speak, about what they're doing, because, you
know, we have so many guys now in our big areas that, you
know, aren't even living, you know, they're not on the
homestead, you know, farming the section. They're, you
know, maybe 100 miles away in some cases. I've been to some
pretty big farms out west.

MR. REDDING: Good. Yes, Doug.

MR. GOEHRING: Thank you, Mr. Chairman. Roger, if
there was some type of format that was developed, I could
envision, though, NACD, all those local districts where
they're active, where they're knowledgeable enough, where
they want to get engaged, as being that third party. I
mean, in all of our discussions -- and I know there was, one
of the subcommittees on venues and conveners certainly
identified a lot of those, and you know, and some ag
departments across the nation could certainly step up; some,
probably not. Same way with soil conservation districts and
probably Extension -- in some states, in some counties would
work; others, not.

So you guys wouldn't be opposed to being one of
those entities out there, where it fits, to be a
facilitator?

MR. NOONAN: I'm sure our board and leadership
would take a real close look at that and certainly be
willing to also disseminate information. You know, I think
this is something that anyone that's having a -- well,
again, I don't want to frame it as a resource concern, but if you're a farmer and this is a concern, you're going to -- you may go to the conservation district, you know, which is often collocated within NRCS: I need to put in a buffer, my neighbor's got an issue with this, or I've got an issue with my neighbor, what are the tools available?

So the more information the districts can disseminate to other farmers, producers, or other interested parties in the community, the better off we're all going to be.

MR. GOEHRING: And I think we're to the -- you know, we're coming around or trying to meet that goal and that mission of developing a format, an outline in which those questions could be asked, and actually, in many respects, between your land-grant universities and between what Soil Conservation District and NRCS can bring to the table, you can bring the science behind it, just say, you know what, if you're on the prevailing wind side, you're going to have to take in these precautions, you're going to have to do this, you're going to have to be careful on some of these types of tillage methods and --

MR. NOONAN: Yeah.

MR. GOEHRING: -- what system you're going to put in place. So --

MR. NOONAN: And I think if you --
MR. GOEHRING: -- I think it works good.

MR. NOONAN: -- when you look at these buffers or whatever, or these practices we use, having these multifunctional benefits, whether it's pollinator or riparian, you know, it, it -- then it becomes a win-win for everybody involved, as long as they can harvest the cover crop. So there's a lot of work to do, you know, with FSA requirements and other things like that as well, but thank you.

MR. REDDING: Alan.

MR. KEMPER: This is why I love to run around with Commissioner Doug -- he always comes up with some good ideas. And this could be a real weird day because I think Laura and I might be agreeing on another subject --

MS. BATCHA: Twice. This could be twice.

MR. KEMPER: -- because NACD has a definite place in this, and trying, Mr. Chairman, to -- Mr. Chairman, even though you're smirking a lot, trying to work towards a solution for our task forces was for farmers out on Rural Route 2.

In conjunction with NACD, if you include the extension and a couple others, I still think there's a great format for a private applicator's license to have time blocks in that. When you have to have a private applicator spraying permit, you have to have so much continuing head,
and in that format you can have definitely time blocks on coexistence.

You know, I think I beat that drum a little bit on the last one, but this is definitely a place where, if you had NACD, Extension, and a couple others in that same room, it's not farmers just versus soil. So it's actually working as a team, working as a coexistence, because my 150 neighbors that I farm around that my farm actually touches will always be on the opposite side -- they might be on the opposite side of the table, but they won't be in the plan with me, so to speak. So we need to have some type of a vehicle to learn how to have a dialogue. Thank you.

MR. REDDING: Thank you. Good thoughts. Any others?

(No audible response.)

MR. REDDING: Okay. If not, Roger, thank you.

MR. NOONAN: Thank you.

MR. REDDING: Thanks for being here and informing the discussion, very helpful.

MR. NOONAN: Appreciate it.

MR. REDDING: Great. Thank you. Let's give him a round of applause. Thank you.

MS. BATCHA: Michael, can you share the presentation with us, just so the subgroups have it to --

MR. SCHECHTMAN: Yes. I will share all the
presentations.

MS. BATCH: Okay. Thank you.

MR. REDDING: Okay. Thank you. Pleased to welcome Dr. Barbara Glenn, CEO of NASDA, with us today to have a similar conversation about the state departments of agriculture and engagement on the coexistence.

Barbara, I had shared from the midwinter policy meeting the discussion around biotechnology and the discussion --

MS. GLENN: Right.

MR. REDDING: -- that ensued thereafter the presentation that Michael and I made about the AC21, and the perspective from one of -- several members, but one particularly, who's not at this table, but she was encouraging us in that biotechnology policy to include the coexistence discussion, which was very nice that it was sort of precipitated by one of our state departments of agriculture secretaries or commissioners. So, so --

MS. GLENN: Yeah, that was --

MR. REDDING: Yeah.

MS. GLENN: -- that was a strong time, wasn't it?

MR. SCHECHTMAN: Hold on. Hold on.

MR. REDDING: Yeah.

MS. GLENN: It's always great when everybody comes together on the, the most important point. So this is a
real pleasure to speak to AC21. I've worked with this committee for many years, and we won't go, get into all that, but it's also particularly professionally rewarding because I have two of my members here, experts on what I'm about to talk about. So it'll be good, Doug, to have you chime in, and Russell as well. So I look forward to that.

We provided public comments, as NASDA, the last time you met, and we urged USDA to consider a unique project that we're working on that might be a good model for you. So it's this, the concept of the State Managed Pollinator Protection Plans, and with that, I'll just talk for a little bit our mission and policies, how that sort of dovetails with the things you're challenged with as the committee, talk about the plans a little bit, and then just end on the concept of, is this a model for you to consider?

So we'll move right, right into -- I wanted to share our mission statement with you. We're really excited because we have a new strategic plan, we have a new mission, we have new momentum, and we're, we're moving forward as the National Association of State Departments of Agriculture. I think the key here is we're talking about forging partnerships, we're going to continue to create consensus, and we're going to have sound policy outcomes. And the commissioners, secretaries, and directors work between the state government and the federal government, and it's a very
unique place to be, and there's plenty to do.

Our members are, all 50 of them, and then in the four territories, obviously chief ag official, but I think a real powerful place is that we're co-regulators with the federal government, and they also promote agriculture. So it's a really good, I think, blend of responsibilities for modern agriculture. And this -- in regards to what you talk about, these are areas of responsibility that they, they have, and I know you're all familiar with those, but take food safety, or FSMA, biotech, organic certification, seed control, a lot around pesticide approvals, certification and training, and then even apiary inspections.

And, as NASDA, we focus on the concept of federalism, that it's a responsibility of the federal government to consult with the states and to bring us in before we regulate. So the concept is educate before you regulate, and we talk about this a lot with the White House and with our colleagues in the agencies and then as a main leader in that area with regards to EPA. We also talk about, at the end of the day, not only your rules need to be right, but we need resources. So this is the world, I think, that our members live in.

These are the policies that indeed we do have on record. I won't go into them, but I just wanted you to know that as NASDA, we deal with, and the members approve,
policies on, on many issues. So we have formalized policies on these areas that I -- and these are the same ones I just mentioned to you, and then ending in this one: domestic bee health. At our last meeting, our annual meeting, we had an action item for the need for additional resources to develop State Managed Pollinator Protection Plans. So it's very much top of mind.

I did want to share with you that last Thursday and Friday there was a very successful symposium, and it was all about MP3s -- again, State Managed Pollinator Protection Plans, so the three Ps. We had over 100 stakeholders there. We were very pleased to co-host this with the Honey Bee Health Coalition, USDA, and EPA, and this was just a great convening of over, well over 100 folks. It was opened by Director McKinney of Indiana and Jim Jones of EPA and a leader in the tribal space, and then we talked about MP3 101 in a series of breakouts and then we had MP3-Evaluation for Success. So it was a very, very good convening. You'll probably hear more about that in the future.

I did want to mention to you, then, around all that our members do and are responsible for, NASDA actually has 22 active affiliate groups, and these are the state -- the technical leaders within their departments who do this regulatory step. So one that's very active in pollinator health is the AAPCO, the American Association of Pesticide
Control Officials. I mentioned the Apiary Inspectors. We have Seed Control Officials; this one, Structural Pest Control Regulatory Official. So that's just a few of the 22 that is part of the NASDA family.

So in May of 2015, based on a pollinator task force appointed by the President, there was a strategy released: the National Strategy to Promote the Health of Honey Bees and Other Pollinators. And, indeed, a major part of this was the importance of mitigating the effects of pesticides on bees as being a high priority for the federal government, as both bee pollination and insect control are essential to the success of ag.

So this particular document is very robust. There's a lot of -- there are three major goals. There's a lot of information, and in the appendices are plans from every Cabinet-level department on how they're going to improve and enhance pollinator health. So, you know, this expands to the Department of Energy, Department of Transportation, ones that we don't -- we do think about but maybe not every day.

So the bottom line is that apiculture is agriculture. We're synergistic. We got this symbiotic relationship. We know it's important, dollar-wise. We also know that honeybee health is very complex, and it's been shown by many that it's -- there are many factors affecting
honeybee health. So when we talk about trying to improve health, there's, there's lots of opportunity to do so, and it includes pesticide exposure but also parasites and disease -- one called the Varroa mite is one of the major parasites; I'm sure you've all, maybe you've heard about it -- but genetic diversity in bees, just like in cattle, we need to improve their nutrition and share information. So that's a little bit of the background for this.

So what is an MP3? I think you've been informed about this, but I thought I would just summarize a little bit for you. This, indeed, is a set of recommendations and practices. It's for the protection of managed pollinators, and it's meant to allow crop production to thrive as well as beekeeping to thrive.

So the definition of managed pollinators in this rubric is any species managed by humans for different services -- pollination service, production of honey, beeswax, and other products or, it's vague, for some other purpose. So there are a lot of purposes, and therefore there are a lot of different bees that fall, fall into these plans.

The purpose is to mitigate the risk of pesticides to bees and other managed pollinators while supporting the use of crop protection tools that are important to modern ag. It's a systematic and comprehensive method to cooperate
and communicate in a timely manner, and then they are
developed through open communication among a diverse set of
stakeholders, and this is what's happening in many states.
So we're talking from farm to table, basically -- the
beekeepers, the growers, landowners, pesticide applicators,
pest control operators, and it might even include other
neighbors and participants in the community as well.

The expectations are that, you know, first we're
going to try to mitigate risk of pesticides to pollinators;
it establishes clear expectations among those stakeholders
when those applications are made near managed pollinators;
and by defining these, it opens communication, builds
relationships, increases mutual understanding, I boldly say
ensures peaceful coexistence, but I think it does, I think
agriculture is working there, allows parties to operate
successfully.

The elements -- I should share with you, I'll stop
for one minute, there are guidance documents. This has
become -- a lot of work has occurred through AAPCO, the
Pesticide Control Official group, and so there are guidance
documents on what is an MP3, what are the elements, and then
there's one that just came out last week on the metrics for
success.

But anyway, first and foremost is a public
stakeholder participation process, where you're engaging
people in conversation; increasing awareness of where
managed pollinators are. It's a method for growers and
applicators to identify and contact beekeepers prior to
application. That's a component of it, including BMPs,
public outreach, a mechanism for measuring that
effectiveness, as I just mentioned.

And it also includes all of these things —
communication with crop advisors, ag extension service,
things that Roger referenced. Crop-specific or
site-specific plans are being developed. It teaches you how
to formalize an agreement between the beekeeper, crop
producer, and property owners. There's the ability to deal
with the unknown hives or ones that aren't invited or even
to have a registry for the ones that you do know where they
are. Different states are doing that. And then I again
mention publicizing the state plan to increase all that
communication and encourage participation and then the
process to periodically review.

So this is just some of the inside baseball of
what's happening with respect to states. Seven have
completed plans, and I have to call out Doug because North
Dakota, I think, was first, set the pace, kind of the gold
standard. I know you have a PowerPoint in your materials
about that. Indeed, that's all true. He's not just telling
you that to win you over, but --
So we have the -- the five in the middle were the first ones, North Dakota, Mississippi, Georgia, Florida, and Colorado, and then nine are now in final review, and it keeps, keeps going. We've got a lot of activity, 20 states in development, including, Russell, your state, and to be developed, I think there's about 12 in that list, and then these states for now have decided they won't, won't develop a plan because they have corollary activity in that area.

So, so there is indeed a lot of attention being paid to this. I will reiterate that based on the White House plan and strategy that came out, both USDA and EPA in that plan, as well as the White House, asserted support for State Managed Pollinator Protection Plans. So we started at the very top, and then there's support for that. In addition, EPA is calling out, in addition to their support -- this is a voluntary process -- they're calling out for, okay, what's the metric for success, because we're trying to, you know, alleviate the race to regulation, certainly with respect to mitigating pesticide exposure.

So the kinds of groups that are invited early on to maybe a stakeholder summit or on the governor's task force, every state has sort of a different way that they enter into this, but it does include all of the folks involved in production agriculture but also includes the general public, homeowners, and gardeners. This is a, you
know, a complex system here under beekeepers. The commercial and hobbyist beekeepers are different, and so -- but they've been invited. I do know from last week, I saw that many of the state regulatory agencies are involved. They reached out to utilities, highways, transportation groups. Anyone involved in understanding the native pollinators and trying to enhance forage and nutrition, they come as well.

The purpose -- again, minimize risk of pesticides. So the kinds of BMPs in this space that we've looked at, or I'll just note, are -- the notifications and communication guidelines are outlined; where are the hives; a lot with respect to crop protection, adopting IPM; there's in some states a bee-incident reporting mechanism, and so forth. It ends with, always with communication. These plans are focused on improving and enhancing communication.

And, again, in some of the states, they pull in forage and habitat, which is the -- where they might be able to address some native pollinator concerns. And so some of those states include this in their MP3, and these include all kinds of partnerships and collaborative projects, and they bring the stakeholders to the table to talk about those. You notice they even go to, you know, home gardens and native wildflower spaces and things like that. So -- not every state has this.
But in terms of measuring success, last week the first view of this draft guidance on metrics was presented to the group. There was a robust discussion. There were a lot of people in the room. We think that early metrics include change in behavior, making sure there's knowledge, change in behavior, and then making sure there's communication, and those are, those are the, really, the low-hanging fruit.

If you move on to mitigating pesticide exposure, there's discussion about, for example, measuring residues and pollen, but we don't want to go, necessarily go there because that becomes a larger changed step where you have to know, okay, what's the baseline, what are the practices each, each beekeeper is using and each grower is using; so it gets more complicated, but I think these are the main ones.

So these states have done surveys, and Hawaii and Wisconsin are even doing a survey before their MP3 development -- so a lot more work to be done on metrics, but a lot has been done. You can spend a lot of time reading about what we're doing around pollinator health.

So I think the bottom line is this is a voluntary program, and the strength of it is it's flexible. It's about state and local needs. It's state-driven. It's stakeholder-driven. Every state is pulling together a very
diverse group, and therefore communication is critical and key. Several people said last week it's communicate, communicate, communicate until you're blue in the face. That's a direct quote. So --

Every state plan is different. The states actually have to decide on their plan. We don't think this could work from a mandate at the top, and it allows us to address the diversity of ag. In many of the states, the state Department of Ag is a key leader and partner, and again, it avoids the race to regulate by the federal government.

In summary, I think it can be a model for many challenges in agriculture. We started to think about this a little bit, but I want to thank AC21 for pulling us out here to think about it a little bit more. The foundation of this model really is what's good about agriculture and apiculture. When we have an issue, if we get neighbors together and we're honest brokers and we talk it through, agriculture works, and so we find those solutions. I think that's really the foundation, and it is about consensus, communication, collaboration, and we hope we're moving toward peaceful coexistence.

I think I've got a few, couple resources here, in addition. I think Michael knows where all of those things are. So, so that really concludes my remarks. I'd love to
hear what Doug and Russell can add to what I forgot and what you think really makes it work.

MR. REDDING: Doug, please.

MR. GOEHRING: Thanks, Barbara. You did a great job kind of pulling it all together and laying it out there for us. The only comment I'd make, going back, when we held the very first stakeholder meetings, the one thing that I was really surprised about and afterwards wanted to see more of it, because I think it just, it was a lightbulb going on, was the public part of it. We put all of those stakeholders in the meeting, but the home gardeners, the moms showed up, the other vast amounts of public interest, and I think they were blown away.

They had a preconceived notion of what they thought should happen, but when you put everybody in the room, even with all the tension -- and eventually, after about three and half hours, it settled down -- a lot of them said, I had no idea that it was this complex but yet this simple. But it needed to have all the stakeholders involved to get it to kind of put in a format that could then develop some best management practices and work through it.

So that would be my biggest comment out of that whole entire process, is I love the fact that the public was exposed to something and all of a sudden they found out it was a little bit different than what they thought.
MS. GLENN: Yeah. So knowledge base goes up and then awarenesses change somewhat, yeah. That's good.

MR. REDDING: Yeah, Ron.

MR. CARLETON: Thank you, Mr. Chair. It was a great presentation, Barbara, and having been a deputy commissioner of ag in a state, in Colorado, that developed one of these early on, I think it's extremely important and it is a good model, but could you, for those states that are in the process, talk a little bit about what you're hearing with regard to some of the challenges that they, they see, some of the issues that they're having to deal with? I think that would be very useful.

MS. GLENN: So I think one challenge is getting all the stakeholders to come; however, when the secretary, commissioner, director of ag invites, they do come. They're also publicly announced. I saw a lot of -- I didn't see that as a major challenge.

Some of the states were challenged around, I would -- I guess I'll bunch it as political aspects with respect to the topic. One state had a large contingent of legislators present in the afternoon part of a meeting, and that was not necessarily productive. It had a different level of type of productivity, let me just say it that way to be fair. So that was one thing that was raised up.

I think that, in general, what I heard last week I
was really amazed at, that there's a high level of
certainty in what they're doing. I will share with you
that different states do different things. I mentioned the
concept of starting with a task force or just an
invitational summit meeting. Some of them have kind of
drafted -- from that, they draft a plan and then they put it
out for public comment. Some of them draft a plan and they
put it to an advisory committee that's representing a
diversity of voices, and then they put it out for public
comment. So each state is unique in how they feel they need
to roll this out.

One state, my state, Maryland, they used the
Keystone Center to facilitate their effort, and those of you
that work with that group, you know that that was a good
step. So I saw that. So, in general, there was a lot of
optimism last week. It was really quite amazing, yes.

MR. REDDING: Mary-Howell.

MS. MARTENS: As a farmer, I really appreciate
knowing about this because I didn't know it was so
coordinated, and it's such an important topic, and I'm glad
that it's being addressed like this. However, as with
pollen, one farmer cannot necessarily know where his bees go
or her bees go. You cannot guarantee that what you do on
your farm stays on your farm.

What do your members do if there are bad players
in the neighborhood, if people do things they should not do, if people do things that are not respectful of their neighbors? Is there any kind of enforcement? Is there any kind of structure to deal with those who are uncooperative?

MS. GLENN: Okay. That's a great question because that flies in the face that we want to coexist, doesn't it? So I think, first of all, many states -- I'm going to ask Doug to address this -- but we have bee-incident reporting mechanisms that the state departments are involved in. So that's, like, Step 1. Any comment on that, Doug?

MR. GOEHRING: Yeah. Through our process -- and I'd say probably quite a few states have this, at least any of those that have, have the pesticide programs -- so you would, you would then levy a complaint, and it would be investigated. Now, generally speaking, most everybody thinks that it might have to do with pesticides. So you're going to go out there and look for pesticide residues, you're going to collect the bees, and you're going to have them tested --

MS. GLENN: Uh-huh.

MR. GOEHRING: -- and you're also -- and this has been the tricky area because there was, how do I say this nicely, but what happened is there was a faction of society that glommed on to this issue and the beekeepers loved it because they had somebody champion their cause. The problem
was, as you get deeper into it, all of a sudden, and because they were anti-pesticide, all of a sudden they realized that the beekeepers might be subject to this, too, because they also use a pesticide to control Varroa mites, other fungi, bacteria, and diseases, and the brakes went on, but you know, it was already out of the shoot.

So that became an issue of trying to sit down with the beekeepers and talk about the fact, when we do an investigation, we have to look at everything, because there, in some cases, some products that were being used that may not be labeled for those hives in that state or that region and that was a problem. So it was trying to work through and manage that part.

Now, to that end, bees are probably a little bit different than maybe what you're referring to because, if you have something moving, as you're talking about, you have pollen moving. Bees move also. So if you're within a certain area, the label is the law when you use a pesticide, and if it says do not apply when bees are foraging, well, there's also opportunities to address that on the other side, which is, if you know that bees don't generally fly or are very active below a certain temperature, such as 50 degrees or 55 degrees, you can then apply that pesticide to that area where bees will forage. Most often you're not going to have an issue with any bee harm.
But it is, it's a lot of things you have to work through with the producer, and you also try to communicate after you find what those results are. Well, in most cases, unless they call back, you don't go and report to the person that filed the complaint. Your job is to enforce law, and that's state law and it's also federal law, through a cooperator's agreement.

MS. GLENN: Yes. So, Mary, I might just also comment that at the conference there was a big call for even beekeepers to report incidents. So it goes -- you know, it's a, it's a robust conversation, because the concept was the state departments have a process to, to oversee that, to provide fact-based information, and if we don't have that data, we don't know, you know, we're not learning any type of concept.

So that was a big callout that -- because beekeepers don't. I mean, beekeeping is hard, and they lose bees for different reasons, and some of those losses aren't due to pesticide exposure, they're due to something else, and it's so complex, I think it becomes difficult, but that's the responsibility of the state department. So that's a foundation there that can quantify, you know, at least from sampling, what might be happening, yeah.

MR. REDDING: Doug, do you have a follow-up to that, and then Angela, please.
MR. GOEHRING: Yeah, I do. I was going to also say that, Barb, you're exactly right. One of the biggest things that we found was the probably number one problem was foraging. It's nutrition. A strong healthy bee, just like a strong healthy child, can endure quite a bit, but it really has to do more with more habitat being provided, making sure that we're doing some things that are just commonsense ways of -- putting hive placement out there next to forage, next to water but out of certain activities in an area, even residential activities.

MS. GLENN: Yeah. I think everybody wants to do good, you know. That was the sentiment last week as well. The farmers want to do the right thing. The beekeepers want to do the right thing. So this, this is a movement here. We're providing these plans. It's, it's exciting to watch.

MR. REDDING: Angela and then Isaura.

MS. OLSEN: Barb, thank you so much for this presentation. I think this is a really interesting model to learn more about, really enjoyed it, and was wondering whether you could comment to Michael's question, of our last speaker as well, more on the process? How does this happen? How do you decide -- we heard there's diverse stakeholders that come in, even the public -- how do you decide who gets invited? How do you bring them together? How do you set up that conversation to have these, these good coexistence
conversations? Could you just talk a little bit on a high level about the process?

MS. GLENN: Yeah, and I'm going to rely on Doug and Russell again on this, but the -- when there are publicly announced meetings of this kind, that if -- that's the first thing you do, a kickoff meeting, and state departments of ag that are in the lead, they're very keen on developing that robust list of folks. Again, it goes to other state agencies. You know, the utilities people are thrilled. The highway people are thrilled. So you -- and then you have the local honeybee keepers, the hobbyists, and everybody in between.

It's, it's a convening, and I think it's -- what I see, I think the invitation coming from one of the leaders in the state that's respected is the, is the first start, and they want to be there. And you should know that in some states the Farm Bureau has been the convener, and so -- not in, not in as many states as the commissioner, secretary, or director of agriculture, but that has worked, that model has worked as well. So it could be any flavor in between. You could have co-conveners. You could have it hosted at the Department of Ag. It's just a situation where they, they want to participate.

The first thing I've seen on most agendas in an event of that kind is to provide knowledge. So there's,
there's an update on the status of the, you know, what is an MP3, there's maybe an update on the factors affecting bee health, something that's robust with respect to the status, and then they go into breakout groups and talk about different issues that they think need to be a part of the plan. So --

I will also share with you that there is a massive amount of information, lessons learned in this model already, and we've only been, you know, we've been -- Doug's been doing it for years -- but I think the big aggregate of states have been doing it for just maybe 18 months or something like that. So I think you could find the issue of coexistence between methods of agricultural production, you can see yourself in some of these documents. It might be interesting to you.

MR. REDDING: Laura.

MR. SCHECHTMAN: Isaura.

MR. REDDING: Oh, I'm sorry. Isaura and then Laura.

MS. ANDALUZ: This is a very complex issue. I've been a beekeeper for about 25 years, and there are different levels of things that are happening. One of the things I would like to know is what about the other pollinators in these areas that can't be moved, the ones that are there or that used to be there -- I mean, for example, I've seen,
just where I live, like, in the rural areas and also, like, semi-rural areas, that, like, the bumblebees, the mason bees, leaf-cutters, I mean, they're all, like, disappearing, and last year was the first time, since I've been doing, keeping bees, that I had no bees at all. I mean, they've -- the last five years they've been killed off systematically. Actually, one year, the first year I lost them I happened to go out there, and I actually filmed them as they died in my hands. You know, there's tons of bees just dead.

I went to the local Lowe's. They had a huge end-aisle display with Bayer, Bayer products, you know, that -- for household use, and that's what's also happening here, that the other target audience should be the pesticide manufacturer, because, you know, I ask the people, what are you using these things for? Oh, to kill spiders, to kill aphids. There's a little, little bird that comes to the rosebushes to eat the aphids. So, I mean, those products should not be sold to, to the, to the general public like that because they're being used for other things that they're not supposed to be used for and you're increasing the problem for the pollinators.

The other thing, there are a lot of -- I mean, commercial beekeepers do a lot of things that are really wrong. I mean, you know, the model of the beehive, the Langstroth beehive, after they harvest the honey, they want
to keep the wax for the next year, right? So it brings wax moth, which is part of the normal system, but because they want to keep these wax moths, you know, preserved for the next year, they put paradichlorobenzene in there. That's carcinogenic. So right there it starts to weaken the bees.

Then we do have genetic-resistant Varroa -- bees that are resistant to Varroa mites. It's taken time. When New Mexico developed them, like, 15 years ago, and we crossed them with the Russian bees, and they've been doing great. But what happens is, when you put, when the people put those miticide strips into the beehives, you know, for the ones that aren't resistant to it, they leave those in there and you end up with a box that has, like, you know, I don't know how many, you know, miticide things in there and it poisons the bees and the honey, and this has actually happened, like, in California a lot. Or they also have the hives where they're not -- they're cracked and they're broken.

So, I mean, the, the beekeepers that are keeping bees really are more like bee pimps. You know, they really don't care about the bees, and they're just taking them from field to field. So there are many problems where they're compromising the health of the bees, and then when they are exposed to these, you know, neonicotinoids or even to Roundup -- that was another thing. We had a beekeeper that
took bees to an organic almond production farm in California, and the bees started dying. He saw the guys were spraying Roundup at the perimeter of the farm because they're transitioning to organic, and all the bees died.

So --

We also have a major beekeeper in New Mexico who basically, they're leaving the farm this year because they, all the bees have been dying every year. I had enough hives except they've all been dying, and what's happened is that a guy moved in next door, put in GE alfalfa, and he sprays when he's supposed to be spraying, when the alfalfa is not in bloom, but there's a lot of wild mustard and other things all around there, and the bees are dying. And so, I mean, these are things that have to be looked at.

I don't know how to control it, because I don't think coexistence would work at this level because you basically cannot spray any time there's something in bloom. The thing is that we still have what you don't want, what you said you don't want to speak about, is the residual impact of this. Since these are systemic pesticides, the bees are constantly exposed to that. Thank you.

MS. GLENN: Well, thank you for your comment. I think she just justified the complexity of what we're trying to do here in our coexistence planning. I would say that I'm impressed by the fact that both growers, applicators,
and beekeepers are all looking at new ways to -- new BMPs. They're open to talking about a lot of different things.

A couple of the states last week said, there's no way we're going to just relegate ourselves to spraying at night, but there were others that were considering adjusting practices that are even outside the label on the crop protection product. And why are they doing that? They're doing that because they're part of a conversation here and they're trying to, they're trying to work together and they're listening to the beekeepers. So it's a two-way street. I think, similarly, the beekeepers are, you know, interested in adjusting any practices that they have: instead of dropping bees here, you know, can you drop them over here?

So it's an educated conversation, but yes, everybody has a lot of passion, and I think each state is, in their own way, just tries to bring everybody up at the same sort of knowledge base. I mean, they agree to disagree. We find new ways of working together. Like I mentioned, some have adopted drift watch for their -- like a bee registry, location of bees. Others have not and will not. So it's -- every state puts the flexibility into it that they need, and they definitely want to keep communicating.

So even every challenge you threw up against the
wall there, we have to communicate on these things, and
that's what we're trying to do here, and I -- so far, so
good. So --

MR. REDDING: Laura and --

MS. GLENN: -- thank you, though, good comment,
yeah.

MR. REDDING: Yeah. Laura, Doug, and then Chuck.

MS. BATCHA: Thanks. This is a question, I think,
for Barbara and maybe Doug, since you've completed your
plan, and Russell, you're in the plan; you might want to
chime in as well. I'm on the subgroup where we're looking
at models and incentives, and what you've walked us through
is really helpful in terms of the model. We're challenged
by the, you know, loosely defined incentives, you know, what
motivates the sort of buy-in on this. And so -- and I'm
hearing this. I'm hearing two things, and so let me know if
I'm off track and then what else might have incentivized the
program.

So at the state level, state departments of
agriculture incentivize because you want to avoid
regulation; you want to get ahead of it before there's an
imposed federal regulation, which is a legitimate incentive,
right? That's motivating. And at the participant level,
the stakeholders, is it primarily just the motivation,
awareness, and education and getting involved? Is there
more to it than that? So I just -- that's sort of what I'm
gleaning. I'd love to hear your thoughts.

MR. GOEHRING: Actually, you, you hit it on it,
Laura, a little bit. What motivates people to show up? And
-- or incentivizes -- and I'll tell you one of the biggest
things where you'll get the ag community's attention is a
threat, but it cannot be well unfounded or misrepresented.
So in this situation, when you start talking about what the
threat is, it is the threat of looming regulations or the
loss of certain crop protection products.

Now, the rest of your stakeholders, some are
applying crop protection products. It's going to affect
their livelihood. You have crop protection companies, I
know -- Isaura brought that up, you know: did they show up,
or they should show up. They were actually there. I think
almost every major company came to North Dakota and had that
conversation. They listened to all the conversation. They
never once said one thing, which was good. They needed to
sit in the background and listen to all of the conversation.
That helped immensely.

I believe the other thing that happens in all this
is you have to have -- whoever's going to be involved in
facilitating this meeting, they have to be intimate with the
industry and, I believe, they have to be unbiased. Even as
a farmer, I know what my role is serving the public. I will
protect agriculture, but I'll also just let people talk and then let's talk through it.

So when you come back to issues like, like you had mentioned about genetic diversity or seeing problems that exist out there or bees dying in your hand, you can say those things and they're anecdotal but you can't take them as gospel until somebody, somebody picks up those bees and then tests them and find out exactly what's going on, because that adds credibility.

MS. ANDALUZ: I tried to do that, Doug --

MR. GOEHRING: Yeah.

MS. ANDALUZ: -- because our state said bring them --

MR. SCHECHTMAN: Isaura, please use the mic.

MS. ANDALUZ: I tried that, because, because we had been meeting with the people in the state and they said, okay, you know, bring the bees whenever there's a bee die-off, because we'd had all these bee die-offs.

So I called the extension like I was supposed to, and they said, well, we can't help you, we can just give you a list of people to call. So I took this list; I called all the people on the list. Two places told me, well, you have to tell me exactly what it is that you want us to test for and it has to be whichever neonicotinoid you think it is and it's $250 for each test.
Then, actually, when AC21 was going on, in August I went back one day after our meeting here, and I had, like, 25 bumblebees, a very rare type of bumblebee I've never seen before there, all dead all along the back. I picked them all up, and I put them in the freezer. I probably threw them away last year -- I should have kept them -- because I couldn't find anyone that could test them for me and, if it was going to test them, it was going to be very, very expensive.

MR. GOEHRING: Because, generally, the --

MS. ANDALUZ: So, I mean, if you do that, you have to have some kind of a clinic or something that you, the state, would come in and do the testing, because, I mean, people can't afford it.

MR. GOEHRING: Well, most of them actually do, and generally, if you had call the departments or land-grant universities, they'd be interested. But I will tell you, you can't go touch them; you can't mess with them. You find them, you leave them lay, and they have to be collected.

MS. ANDALUZ: There are plenty of them laying on the ground.

MR. GOEHRING: Yeah. And I wasn't picking on you.

MS. ANDALUZ: I know it.

MR. GOEHRING: I was saying, in general, I dealt with this, and this is what comes up in the conversation.
So you have to, you have to create an atmosphere where people feel like they can vent, but you also have to be able to push back a bit and bring some logic and an approach and techniques and a system into, into being that people can relate to and that helps a lot.

So, to that degree, I think it's -- not all ag departments, as I said earlier, can probably do it because there's some where they are appointed, and that's a challenge because those governors may not want their commissioner, director, or secretary involved in this conversation because it's controversial and the last thing they want to do is wear that or have to answer to that during the next campaign. So it's best if they just stay out of it. There's others where they're given a lot more latitude and liberty. I know like -- like, Russell has a lot more liberty to do some things and step out and do some things. So he's in a better position, but not all of our colleagues are.

MR. REDDING: It's good to know that's the view -- good to know that's the view from North Dakota, yeah. Thank you. Looks different out there.

MR. GOEHRING: So -- I don't have to answer to the governor.

MR. REDDING: Yeah. Right.

MR. GOEHRING: But -- and it kind of went back to
answering two questions, and touching a little bit on what Barb was saying, yeah, you have to find a way that will entice people to the table.

I built this format, and it's kind of the outline of what we did when we started this whole process. So in the same way, it was a way to just frame the conversation, outline it. If you're going to move forward, you take this document into every community or into a state and you let them start working on it; you let them start filling in the blanks. And it's amazing when you get all the stakeholders around the table, those that are living, doing it, breathing it and will be affected by it, they will develop the solutions, and not everybody will always agree, but it will work fairly well.

MR. REDDING: Chuck and then Michael.

MR. BENBROOK: I am struck by the commonality and the challenges of reversing the steady and long-term decline in pollinator health and dealing with some of the unwelcomed consequences of planting genetically engineered crops. I think the solutions to the model -- if we can come up with a model to solve one, it'll really help us in solving the other. So I think this was a -- whoever had the idea of picking pollinator health and how we're dealing with it as a, as a case study or model for our AC21, I think, was wise in doing so.
Fortunately, science is really moving very fast in the area of bee health. There are pollinator problems worldwide. There are scientific teams all over the world that are working on this. Many of them are, in fact, quite far ahead of the U.S. in understanding what is going on with pollinator health in general. It's a very complicated picture, as many people have said. It's not one thing. It's not just pesticides. It not just the nicotinyls. It's not just poor nutrition. It's -- or habitat loss -- it's a combination of many things, but science is moving very fast.

And, Isaura, it's almost never going to be effective for you to pick up dead bees by your farm because the vast majority of what's impairing overall pollinator health, it's not measurable. It's subacute and very low-level effects from pesticides and other things on bee health that don't just kill them outright, where you can, like, measure something and correlate that with a bee kill, no. Sure, there's some instances where you're going to have sort of a point source bee kill, and you can correlate that and show cause and effect, but that's really rare in terms of the overall decline in pollinator species.

And so, you know, I think managing our way out of this generic decline in pollinators is going to force reconsideration of many aspects of agricultural systems, and if we continue to intensify our need and our major row crops
on different pesticide chemistries and more toxins and GE
crops, in general, we're not going to make progress. I
mean, there's just, there's a load of toxins out there in
many of our ag systems that are not compatible with bee
health.

But just as a point of information for folks and
you folks in NASDA, so I'm part of the IPM PRiME team. We
have been working for three years on our pollinator index.
It's now in the model and will be publicly available, and
it's really the first sort of modern pollinator risk index
that's very sophisticated. It's by active ingredient and
also takes into account when and how a pesticide is applied,
the crop, and a number of other factors, and it is going to
be very helpful because one of the problems is a lot of
farmers will stop using Pesticide X and, you know, stop
using a nicotinyl and spray spinosad without knowing that
spinosad is almost as toxic as the meta-corporate (phonetic
sp.).

So there are, there's this new tool coming out
and, I think, some really profound new insights; so -- and
I, you know, I think most of the important insights are
coming from Europe, where there is a much higher public
investment and much more openness to try to understand this
global problem with pollinators, whereas in the U.S. that's,
it's just not been a topic that there's been a lot of
investment and public research on. So I hope things, I hope things will start to get better quicker for our pollinators because, boy, it's really getting serious in a lot of parts of the world.

MR. REDDING: Thank you. Michael and then Leon.

MR. SCHECHTMAN: Do you want to respond first? Go ahead.

MR. CORZINE: Sure, Michael. Thank you. Just a quick comment, I think we're getting off target. I think for the record we need to note we're not talking about MP3s -- I mean, I don't want to discount the pollinator issue, but we aren't here to solve that. We're here -- and we aren't accepting or saying that genetically engineered products have anything to do with it -- we are discussing MP3 because that's a model that we might use in the mitigation and discussion around coexistence, and I think that, that's important to state that for the record. Thank you.

MR. REDDING: Yeah, thanks. Michael.

MR. SCHECHTMAN: Thank you, and Barb --

MS. GLENN: Yeah.

MR. SCHECHTMAN: -- thank you very much for the presentation. The question that I had was in fact partly touched on by what Commissioner Goehring said a minute or two ago, but I wouldn't want to let you leave without
talking a little bit about the possible role of state departments of agriculture in some of the processes we might be thinking about initiating at the local level. I think Doug certainly made the point that commissioners of agriculture are under different constraints in different states and may be more or less able to take this on, but I'd sort of like to hear from the, from the head organization what you think about all of that.

MS. GLENN: Well, that's a great question, Michael. I think that our commissioners, secretaries, and directors are there to facilitate agriculture, to advance agriculture. They do so through regulatory responsibilities and through promotional activities, but outreach and education is a key aspect of what they do. They are boots on the ground in the locale, in the state. They're trusted. They're respected.

So NASDA can play a role. I'm not sure which part of the recipe it is, but I'm certain NASDA supports all methods of agricultural production. We have policy on organics. We have policy on biotech. We -- that's the role that we play to advance agriculture for the farming families in the United States.

So let's continue to talk, but I think that NASDA's members would entertain being very active in this regard if there's a way forward, Russell. So thanks,
Michael.

MR. SCHECHTMAN: Thank you.

MR. REDDING: Final thoughts?

(No audible response.)

MR. REDDING: I mean, as I, as I look at the, the MP3, there's sort of two levels. One is the -- at the macro level, it is about engagement --

MS. GLENN: Uh-huh.

MR. REDDING: -- right? And so we look at the, this issue of the bee health as sort of the call to action, and we can transfer something around. This coexistence and the interface between different production systems is sort of that call to action, right?

At the micro level, the plans get down to the more formalized agreements, right? So I don't know what the North Dakota plan has in it, but I've looked at a few where you're talking about more of a formal agreement between parties, even if it's on notification, education, outreach, plan, sort of conservation practices that would improve the habitat or nutrition, but you end up with very specific sort of actions. So I see that as a piece here that can be transferred to our discussion, right?

Top line, engage. Bottom line, there's going to be some very specific actions that would be expected that maybe, that maybe take the form of the, some agreements
between parties, between -- at a minimum, between producers potentially, right, and as we've heard today, potentially between facilitated parties, where it's a conservation district, could be a Department of Ag, could be a cooperative extension, could be chambers, whatever.

So I see those two as sort of the bookends for what would be a benefit for us to look at this MP3 as a potential model, because I think it's got enough sort of variability in it to address sort of individual states or needs but it's also one that gives some definition to what, what is working and been tested but also allows for states or parties to sort of define the boundaries a little bit, which I think would be important here, right, and the, and the opportunity with the development of that plan to then sort of manage the plan, which is a piece we haven't spent a lot of time talking about, but once the plan is developed, the expectation is you manage the plan.

MS. GLENN: Uh-huh.

MR. REDDING: So there's going to be a continuance here that I think, again, would be borrowed for, could be borrowed for our work around coexistence, is there's not a -- it's not an once conversation or one plan. It now, it's there and you keep sort of modifying that and bringing folks to the table.

The piece that has impressed me with the MP3 in
Pennsylvania are the number of folks who want to be in the conversation, right? It's really been interesting to me to watch, and it's not, it's not always who you think it would be. You expect those who are at the farm level, production, the chemical side, but we've got township supervisors, I mean, who were in it. We've got master gardeners who were in the conversation, folks -- yeah, they're bringing in so many different sort of perspectives that it really is a really interesting conversation to manage, but there's a shared sort of vision for protecting that bee health. So, again, I would borrow that for, potentially borrowed that for our work here with coexistence.

So final comments?

(No audible response.)

MR. REDDING: Barbara, thank you. It's --

MS. GLENN: Thank you very much.

MR. REDDING: -- a pleasure to see you. Thanks for your leadership with NASDA. I know Doug and I very much appreciate your enthusiasm, energy, and the perspective you bring to NASDA. Great job.

MS. GLENN: Thanks very much.

MR. REDDING: Thank you, appreciate it. Let's take a 10-minute break, and then we'll pick up with public comments when we return. Okay? Thank you.

(Whereupon, at 3:12 p.m., a brief recess was
MR. REDDING: Let's reconvene. We're going to begin with our public comment period, but before I introduce that, I just would ask all of our committee members to please be thinking about the availability for -- your availability for October. We started the day, I believe, with a calendar for October. Please indicate the dates that you're not available for October and return that to -- yes, if you have a form, we'll send them up here to Michael. Okay?

All right. Now is the scheduled period for public comment, as provided for under the Federal Advisory Committee Act. Each person who has signed up will be given no more than five minutes to speak at the microphone, which Michael has. Please provide Dr. Schechtman with an electronic copy of your remarks, please. We intend to post the text of your remarks on the committee website.

I'd like to note the committee members, or to the committee members, that this is a time to receive comments from the public and this is an important and mandatory function of this committee. It is not, however, intended as a dialogue with the commenters. There was some discussion of this possibility at the previous plenary session, but USDA has decided that it is not -- that it's the dialogue between the range of members appointed by the Secretary that
is most essential to this effort, and time for the dialogue members is most critical. So there will not be a
back-and-forth with members of the public on these meetings.

We have one commenter, Patty Lovera, from Food & Water Watch. Patty, you're welcome to come here to the
table.

MS. LOVERA: Hi, everybody. My name is Patty Lovera. I'm the assistant director of Food & Water Watch
and, I guess, the only commenter, which is, in part, because it's quite a week here in Washington on these particular
issues, actually. So I think a lot of other advocacy groups are still incredibly interested in this but there is just a
lot going on, particularly in the Senate this week. So everyone's pretty tied up.

I just had a couple of thoughts. Food & Water Watch has been here before. We've submitted comments to
lots of, lots of the different meetings and comment periods and things like that. So I just had a few, few thoughts to offer, which I will later type up and send in electronically, because it's been that kind of day.

I do want to just reiterate from the conversations that we've had with lots of folks, especially in the organic sector, the continuing skepticism, at least in the organic community, about the potential for dialogue to solve this problem and worries about an overreliance on dialogue alone
to solve this problem.

So Food & Water Watch worked with OFARM a couple of years ago to do a survey of organic grain growers, and we asked about, you know, cost prevention, cost of contamination, and we also asked by nonmonetary cost, and this was what came up, this sense that it's -- these conversations are not happening and that there's tension, was not the word many folks used. They gave examples, and the examples were not pleasant. So I'm happy to re-share that file. We submitted it earlier in the process, but there is that real concern that if all that comes out of this process is a reliance on dialogue, that's not going to do it for a lot of the organic folks that we talked to.

And then specifically for the stuff you're talking about at this meeting today, checking out the guidance document, I was intrigued by the document -- I think it's the Lynn Clarkson document -- in particular, the Knowledge of the Seed portion that he had and that concept of disclosure of, you know, presence of a trait or any knowledge about distance the trait can travel, and that just seems like the bare minimum to give seed buyers in this situation who are experiencing testing on the back end when they're finished. To enter into that transaction without that information and then know that more and more and more of them are going to be tested when they sell, this seems
like the bare minimum information we can provide folks in
the IP or organic sector. So that just seems like something
that has to be done.

Similarly, I was intrigued by his, his mention of,
you know, the appropriateness of USDA requiring test kits to
be available when the seed is available, when a new trait is
available. We have this conversation in lots of other parts
of the food system about how you, you know -- and in other
parts of the economy as well -- when you have a new
substance and it's being put out there, if you can't look
for it, should you put it out there?

So that to us seems entirely appropriate that USDA
should require that, and it does seem an opportune time to
have this conversation. As USDA says, they're looking at
their 340 regulations and things like should they do a
conflict analysis. This all seems like part of what USDA
should be doing, at a minimum, when they allow new traits
onto the market.

So, you know, we've had a lot of conversations --
you-all have had a lot of conversations here through this
process about data, often about lack of data. And so
something that would start to provide a little more data to
people having to enter these transactions seems like an
obvious thing to do and it seems overdue, so we don't lose
more time having this conversation in an abstract fashion.
So we were really intrigued by that point and, and urge you to really consider it. I'll leave it at that.

MR. REDDING: Okay. Thank you.

MS. BATCHA: Thanks, Patty.

MR. REDDING: Any other public commenters that we didn't have registered? Just make sure we've got --

(No audible response.)

MR. REDDING: Okay. All right. So let's pick up with the discussion that we had deferred from 12:00 to 12:30. Michael, if you don't mind sort of framing that up. Okay.

MR. SCHECHTMAN: Okay. Thanks to our public commenter, and thanks to the committee for your perseverance in sticking it out this whole day. We'll be switching gears now and, you know, starting to talk about a number of different aspects of all of the overlapping discussions on the charge and trying to figure out how to put all of those things together and get a clearer understanding of what the committee's desires and recommendations are. So there are going to be, throughout the rest of the discussions today and tomorrow, a number of topics, trying to tease out some particular aspects from what is in fact a large, overlapping sort of thing.

So the first one is this: In the discussions in the previous plenary, as well as in the working groups,
there were, by my count, probably at least four different
types of coexistence discussions that were alluded to. One
was the type about discussing potential new
identity-preserved opportunities that may offer some
production challenges and how a local area might want to
address those things. One is general local education about
how to produce IP crops and/or talk with your neighbors.
One is perhaps a general discussion on resolution of issues
of concern in a particular region, and another one is
providing a specific venue for farmer-to-farmer discussions.

So there are all four of these things, and they're
not, they don't necessarily divide so evenly, but we need to
get some clarity as to whether the committee is in fact
thinking that all four of these are topics that you want to
provide guidance on -- is it all four or is it some subset
of these, what's the relationship between these four
different types of activities, is there advice that you
might want to give to localities that may be, that may be
considering one or the other of these different types of
conversations and, for all of these, is the guidance
document that we're talking about envisioned to be a general
feature of these discussions or some of them -- so just
wanting to kind of tease out these different types of
discussions and what people think about their relationship
and what localities might be doing with them.
MS. BATCHA: Could you go through the hit list of the four again?

MR. SCHECHTMAN: Sure.

MS. BATCHA: The coffee pot got taken away and I'm a little slow, my apologies.

MR. SCHECHTMAN: Okay. So the list of four are potential new, new product opportunities, perhaps new identity-preserved product opportunities that may offer some production challenges. The second one is general local education about how to produce IP crops, the importance of coexistence, how to talk with your neighbors.

MR. GOEHRING: I need you to slow down. You --

MR. SCHECHTMAN: Sorry.

MR. GOEHRING: -- had way too much coffee, Michael.

MS. BATCHA: The rest of us are slow.

MS. RAKOLA: I'm glad it's not just me.

MR. SCHECHTMAN: Okay. First one, new IP opportunities that may also offer production challenges; the second one, the general local education about the importance of coexistence, how to produce IP crops, how to talk with your neighbors; the third one -- sorry, I'll wait. I'll wait until heads come up. The third one, resolution of issues of concern in a particular area, and the fourth is providing a specific venue for farmer-to-farmer
conversations, recognizing that these things overlap and just trying to get the sense of the committee of what you think about all of these. Thank you.

MR. REDDING: Yeah, Alan.

MR. KEMPER: Mr. Chairman, just a question or a suggestion, either way you want to take it. I think those are four good points, Michael, first of all, but as the chair and as this group, do we actually put together a narrative report to the Secretary, listing some of the thoughts, processes, and things we go through, and then offer, Michael, maybe one or two guidance documents on one or two of these subjects? I mean, that way we have a kind of full report, and maybe I'm missing it. Maybe that's all, Michael, I assume, but, but put together how we reached all this and then offer up a couple of guidance documents on a couple of these? Thank you, Michael.

MR. SCHECHTMAN: Well, we have a part on the agenda tomorrow to talk about the one guidance document that we've talked about and the relationship of that guidance document to the report. Whether there are going to be more guidance documents, I would like to think that if there are going to be more, it would be as a result of splitting something and not trying to take on a whole new task, because we have a lot to do in a short period of time.

MR. REDDING: How about reaction to these four,
right, because I look at them and read them and, you know, they could go different directions, right, depending on what you want to do, and the question is the relationship back to, to the charge, right? So, Laura.

MS. BATCHA: Sure. This is Laura. This is my, my first reaction in trying to relate back to the charge and how the work of the guidance documents could either plug into each of them or be modified for different circumstances sort of at the, at the level of detail: I think -- my recollection of our conversation about the new IP products and the opportunities and challenges in production when they're brought to market was that we had some discussion that I recall at the last meeting about encouraging those best management practices to be brought to the table at the time those products are brought to the table and that kind of thing. So I'm a little bit fuzzy on actually what, what that whole piece is and how it relates to our charge of all the four things you laid out. So I would look for some reminders and clarifications from the group.

I think the second and fourth thing you identified are stuff that I think we're working on already in terms of the local education, and that's about bringing forward those guidance documents and the role that the state might play versus other local conveners. And I think my assumption is that we're working towards a template that then we could
encourage adoption, I like.

Outside of the pollinator model, I like the model of looking at NASDA as a partner there because, if we have a template and then we have some potential endorsement from the states to, you know, support that kind of thing and then sort of bring out general statements at the state level, supporting it, I think, might create a little bit of an opening for the conversation to happen without sort of an active role, the part of the state Department of Agriculture getting in the middle of resolution of issues, et cetera, at the state level.

And then providing the specific venue for these discussions -- I think, you know, we've looked at a few things, but certainly that's, that's part of what we're talking about and that's where you need sort of on-the-ground incentives to get people to, I think, participate in those discussions. So I think we have that all underway.

I have questions as to whether or not we have any work in process around the issue of resolution of issues when they come up through this process of joint coexistence plans. I don't think we've spent much time talking about what happens when they don't work and is there a role for the committee in any kind of suggestions around resolution, and that -- I'm not sure it's on the agenda of any of our
subgroups.

MR. REDDING: Thank you. Mary-Howell.

MS. MARTENS: I wasn't aware we were talking about No. 1, but I do think it's important to think about No. 1, and that goes back to my question to Mr. Gregoire this morning. There are these bills in front of Congress this week about labeling that, it sounds like from his answer to me, fairly narrowly define what GMO is and may allow some of the newer technologies or newer products to fall through the cracks and not get defined and therefore not fall under regulations in any way.

Whatever our guidance document we craft is and whatever it says, we need to do it in such a way that is suitable, adaptable, and practical for not just where we are today in products but also where we're likely to be in five years. So we need to think ahead to issues like the amylase gene that Lynn has talked about repeatedly or gene silencing techniques or editing techniques that might not be detectable in the same ways. We need to think about putting together a document that doesn't become archaic as soon as we write it so that it is useful for a longer period of time.

As far as resolution, that is a really good question that we have not talked a lot about, because the assumption around the table is, as soon as neighbors sit
down with each other and talk, everybody's going to be just great buddies and hunky-dory and all that -- ain't necessarily so, folks. It is really important to realize that especially with low commodity grain prices right now, there may be some resentment of the non-GE growers, and the fact that they're getting more money for their crops might make for less cooperation.

So it isn't something that we, or it's within our realm of ability to deal with here. That, that is not something that, I think, any of us want to get into, but it is important to recognize that just getting farmers to sit down side by side does not necessarily spell cooperation.

MR. REDDING: Thank you. Doug.

MR. GOEHRING: Thank you, Mr. Chairman. Doug Goehring. Interesting how these questions are posed. The first one actually might get answered if you develop the best management practices, because likely, whatever new identity-preserved crop would come online would probably fall into one of those best management practices. But with that being said, I think the other thing is to realize and understand that when you develop the format, it's kind of a living, breathing document. In other words, every community, every area is going to change it, modify it because there's going to be parts to that that they need to address that maybe another community, another state, other
climates don't really need to.

I think 2 and 4, I believe, if I'm reading it right -- and I was trying to write this down -- probably are very similar, you know, whether you're talking about a venue for farmers to talk, neighbors to talk to each other. I think the, some of the toughest questions in there -- and I don't know if it's as much about a statement as who's going to do it, and I think that's left up to every community, every state to identify who is the likely candidate that's going to have the credibility, probably approach it and, as I was stating earlier, to be a bit unbiased but intimate with the, with the industry to address some of those concerns when they come up.

In some cases, understanding that if there is an outlandish claim made by whoever it is, if it goes unanswered, sometimes that's perceived as agreeable, simply based on the fact that it went unchallenged, and you just need someone to say, well, maybe we need to take a look at it this way, let's consider this, this, and this, depends on the question, depends on the situation.

And then, I think, overall, the tough question is, why are we doing this, and I think it comes down to not just addressing the issue about because we're trying to create coexistence, because there's tension out there. I can give you one that I believe would bring a lot of farmers to the
table that aren't even involved in identity production, and maybe let's talk about ways of putting mitigation strategies in place to prevent soil-borne pathogens from moving, plant pathogens from moving, noxious weeds. Now, I'm not trying to offend anybody in the organic community. What I'm saying is a lot of them believe this is an issue that they have to deal with, too, but it gets them to the table and it gets everybody thinking in the same manner and the same way, same form, and then they want to step up and be a part of something or at least have a conversation; it opens the door.

So it's going to be a little bit about messaging, but while you have them all captured, you have this captive audience, it's the ability, also, to talk about, here are some of the concerns that we need to consider, you're concerned about this, they're concerned about that, and it's a good way to get more engagement and more people to the table.

And then I think that the resolution of concerns, much of what you pointed out, I think that's where you develop that format of best management practices, what are things to consider and why, because it'll, it'll start to mitigate some issues, it'll provide some resolution in some areas, not all cases, not all times, still takes some commonsense application too. If the wind is blowing 100
miles an hour, you don't go out and spray. Now, I exaggerated, but prevailing winds, you know where they're going 87 percent of the time in our state. So think about what you're doing upwind and think about how you're going to manage and what type of system you have in place.

So I just made those comments based on the questions you threw out.

MR. SCHECHTMAN: Thank you.

MR. REDDING: Yeah, Michael.

MR. SCHECHTMAN: I'll just add this quickly, Chuck, just for one quick clarification, because the topic of the -- the first item about the new IP opportunities, and I just wanted to provide a little context for where that was coming from.

So in the guidance document discussions, I believe it was Leon who raised this, that, you know, in these days of -- particularly in these days of lower commodity prices, farmers may be looking for value-added opportunities and it may be that a large company will want, for example, to be able to grow a new variety, identity-preserved -- I'm paraphrasing you here, Leon; tell me if I do anything wrong.

MR. CORZINE: So far, so good.

MR. SCHECHTMAN: And they may want to come to a particular area and say, we might be interested in contracting with a bunch of farmers here to do this, but in
order for us to do this, we need to be able to have all of
this, all of these practices in place to ensure that we get
what we want. So this is a new economic opportunity,
perhaps, for a bunch of growers, but we would need to
discuss it in this context, and again, it's same principle
as any other bit of coexistence. It might be initiated in a
different, in a different place. So that's where that was
coming from. Did I get that right, Leon?

MR. CORZINE: Very good.

MR. SCHECHTMAN: Thank you.

MR. REDDING: Chuck.

MR. BENBROOK: Well, a couple, couple
observations. This report that we do later this year will
sort of end our opportunity to give advice to the Secretary
and to USDA and, for all practical purposes, will bring this
current AC21 to an end. It's certainly possible a new
administration may keep it going and refresh the membership,
but if history be a judge, it would probably be a new
committee and a new charge. So if we have something to say
about coexistence, you know, this is our last, last
opportunity.

I'm, I'm struck by how the important coexistent
issues have changed just since we were originally brought to
the table. I think the, the issues and tensions and
struggles over agriculture biotechnology are really defining
how large segments of the public think about American agriculture now, and I don't think all of those thoughts are good and healthy and positive, and I also don't think they reflect what's going on in the totality of American agriculture, by any means.

And, you know, I think the economic ramifications of that are growing and will continue to grow, and you know, we're, we're one, we're one episode of something, you know, that -- you know, none of us can imagine what is going to happen that could rapidly turn public attitudes about GE agriculture, but if you look at, if you look at how rapidly global attitudes about glyphosate have changed in the last six months since the IARC decision, I mean, it is -- just kind of takes your breath away.

So I think this -- I would hope that in our final report we have the courage to talk about how much bigger the coexistent challenge has become in, you know, the end of 2016 and compared to when we were first brought together and how the economic consequences of how the country deals with this moving forward are already significant and may get bigger. And, you know, I'm quite certain we're not going to come up with any magic formula, but I do think a clear statement of the heightened stakes around our deliberations would be a useful thing to share with people.

In terms of these four areas, you know, No. 2 and
No. 4, new venues for farmers to interact and general education, there's, you know, there's a lot going on in that arena. And, you know, I think that when people want to get together, there are opportunities to do that, and frankly, I can't imagine us saying anything that's going to substantially change the status quo in those two areas, but I do think 1 and 3 offer some chance for us to say some things that could be really constructive.

I mean, for example, with No. 1 there's two or three biotechnologies that are, have just been approved or are about to be approved that, like the amylase corn, are going to raise wholly new issues about segregation and impacts if the traits get into the product channels. So perhaps we could take a case study of one of these new technologies and really say, here's how it -- given what we've learned from trying to do this in the past and it not always working, here's how, here's how we think it could work to bring one of these new technologies on -- so kind of trying to draw from lessons of the past and lay out a framework for introducing one of these new technologies.

And then in terms of the resolution of issues of concern, you know, I think we have talked a lot about the importance of seed purity, but you know, I continue to think it's a very important issue. And in the long run, it may be -- putting some investment into seed purity may reduce the
overall cost of dealing with coexistent issues, internationally and otherwise.

So, I'd, you know, I'd like to see some more discussion about that and also about the threshold. It seems to me that it would be time for the USDA to say, well, by gosh, there's a .9 percent international standard out there and we're going to run our business in this country to make sure all farmers who want to ship into those markets can meet it. I mean, I don't, I don't -- I wouldn't regard that as a particularly radical statement at this point, but I think it would be helpful because it would give, it would give everybody something to shoot for, and without that standard, I think it's, it's difficult.

The last point I'd make is I see more and more of agriculture going away from general commodity markets and more to contracts, and that's going to open up new possibilities for building things like coexistence, best management practices into contracts. And I think we had -- we had some talk in our earlier meeting about coming out with some suggested, you know, sort of standard contract provisions if you wanted to do that. I know you talked about that before, Doug, about how, you know, it could be valuable to, for the Department to put out some standard language for dealing with -- the typical kind of contract provisions about segregation and testing and thresholds and
seed and on down the line. So I'd hope we could return to that in our final report when it comes down the line.

    MR. REDDING: Thank you. Latresia.

    MS. WILSON: I agree on a lot of the comments that were made earlier, and in reference to these four examples here, I, I think for Question 1, like Doug said, that once we've developed a framework, we can probably put in examples, maybe go through one of the new IPs that have come on board and run it through what we've developed and put that in as an example.

        Also, in terms of 3, as Laura put forth, that -- and Mary -- in terms of that, not all will be happy with just discussion; we should give good alternatives: if it doesn't work, what are the other options and what things -- I think that would be very helpful in the document also. So pretty much concur what everyone said but maybe we need to expand on 1 and 3.

    MR. REDDING: Yeah, thank you. Angela and then Alan.

    MS. OLSEN: In reflecting on these four that, that Michael read off to us, we've had so much discussion about 2 and 4. I think that's something that we really can all get around. I wouldn't want to dismiss 2 and 4. I think there is so much good work. I'm really energized by these models, by the two speakers today and on the pollinator model. It
just seems that there are some interesting models that we could look at and write a good framework. It would have to be addressed on a local level. Every geography is different. Every crop is different. Local challenges, even within the same state, even within the same farm, can be different.

So I think that we could produce something really nice and nice framework that then could be executed at the local level, and I want to make sure that we don't do away with that thinking and that opportunity, because I do see that as a nice opportunity. And I was inspired. Like, I don't know a lot about the MP3 model in terms of the process that they used. I want to read more about it. Of course I'm aware of it, but I'm really interested in knowing more about the process they used. It sounds as if it's been a great forum to bring people together, and again, I just, I think we -- I don't want to do away with 2 and 4 because I think that could be a very nice deliverable for the Secretary as well.

MR. REDDING: Thank you. Alan.

MR. KEMPER: I'm in the sense of agreement with everybody today. This is really a rare day. Take it when you can get it, Mr. Chair.

MR. REDDING: I think we're going to stop -- I think we're going to stop for the day right here.
MR. KEMPER: But I would agree with Latresia that the -- I think, really, we can put our hands around the general discussion, how we get there, through NASDA or through Soil Conservation or the National Association of Conservation Districts.

I look, though, a little differently than Chuck because I really think you got to go then to the farmer-to-farmer discussion, particularly with today's economic climate, economic climate. You're going to have difficulty there regardless. So we need to get there if you're going to go there. And it's not only farmer to farmer. As your charge says, it farmer to neighbor. So we need to keep that in there.

And then 3 is to come back, new opportunities for IP; fourth, resolution of the issue will either be done by arbitration or litigation. So we can footnote that, but very seldom will you work it out yourself without having some type of mediator in the process with that.

We can mention then, too, seed purity, and we have statistics, Lynn, that we can put on the table for you, but I think we need to just put that in the preface or somewhere else. Thank you.

MR. SCHECHTMAN: Would you repeat that last comment again?

MR. KEMPER: On the seed purity, as well as a
couple other issues, we can either put it in the opening statements or something, recognizing that --

MR. SCHECHTMAN: Thank you.

MR. KEMPER: -- and the environmental issues.

Thank you.

MR. REDDING: Okay. Chuck.

MR. BENBROOK: I want to stipulate a little discussion, a little discussion with my, my neighbor and friend Barry Bushue from Oregon. I'm a proud member of the Farm Bureau, Barry, and we read the Capital Press and followed all the things that have been going on in Oregon in the last few years, and I'd really be interested, Barry, in your sense, you know, representing and being much more in touch with sort of the broader ag community in Oregon, how you feel about the coexistent challenges and sort of the state of dealing with them in Oregon in coming into the summer of 2016 compared to when we started. And, you know, do you feel that, that things have calmed down and Oregon is dealing with the issues and the tensions that exist in the state about GE crops and all of these coexistence issues more effectively and more capably now than a few years ago, or how do you feel about that?

I'm just, I'm just curious because, I mean, I have my observations but, you know, I live way, way over on the other side of the state, down, and I'm not in the middle of
the, you know, where all the action is on the west side.

    MR. REDDING: Yeah, Barry, please.

    MR. BUSHUE: I've been holding my piece for --
    I've been holding my piece most of the day because I find
    some of this absolutely fascinating and I find some of it
    particularly frustrating for many of the reasons Chuck
    brought up.

    The -- Oregon, unfortunately, is oftentimes,
    because of the Californians that moved up there -- I always
    blame California -- has found itself in, in a, kind of a
    public, public fishbowl around this very issue. I would say
    just, just very frankly, as I always am, that it's driven by
    three things. Some of the challenges are driven totally by
    ideology, some of them are driven by market, and some of
    them are driven by, by lack of communication sometimes
    between farmers.

    And before I go there, Mary-Howell, I just wanted
    to mention that while -- I guess you're not always going to
    get resolution. I mean, we have to recognize that there are
    people that are not -- we are not going to get resolution to
    all the problems we're trying to face here. It's just not
    going to happen. I don't care if you mandate it. I don't
    care if you make it legal. I don't care if you force people
    into a corner to do the kind of things that some, some folks
    want them to do. You're not always going to get resolution.
And I'm kind of like Alan -- I absolutely believe it has to start with farmer to farmer.

And with all due respect, Lynn, the way to do it is not to send somebody a letter, demanding that you tell them what you're going to do on your farm in the next year. I don't, I just, I don't see that going anywhere. As a grower, if somebody sent me a letter and didn't have the courtesy to come visit me face-to-face, I would have a real challenge with that.

I think that you, that the situation is such that you owe it to your neighbors -- and I was a little -- I thought it was interesting. I don't know about Illinois, I don't farm there, but every one of my neighbors knows exactly who owns what, who's farming what, what they're growing, where they're growing it, why they're growing it, but that doesn't mean they're necessarily going to share that in some kind of a legal document. And to assume that most growers don't know who their neighbors are and who's farming what, I think, is -- I think that may be particularly -- maybe, maybe Illinois that doesn't happen, but I think in the rest of the nation it does.

But getting back to Chuck, I think one of the challenges that, that has happened in Oregon is, one, I think it's truly a lack of real appreciation for the value of the diversity of agriculture that Oregon has. I think
there's only two states with greater diversity, and that's California and Florida, because we can't do rice and citrus, and it's one of the things that we have been so incredibly proud of. On the board of directors of Oregon Farm Bureau, we have organic growers, we have GE growers, we have growers that do both, we have IP growers, we have seed producers. We have the gamut of almost every kind of agriculture, and we embrace them all.

Maybe in terms of coexistence, one of the greatest challenges we face as an organization is the legalization of marijuana. We actually found ourselves in the hot-bird seat in trying to, Oregon Farm Bureau, trying to negotiate rules and parameters and structure around which marijuana could be grown legally in Oregon. We actually have gained quite a few new members, and they all pay in cash, God bless them. And, you know, so I mean -- so as an organization, we're used to the kind of challenge.

So I guess I would say at the outset I don't know that the challenges of coexistence are any greater now than they were five years ago or 10 years ago, but I don't think they've lessened any either, by any stretch. Somebody mentioned canola here earlier. Canola was -- the whole canola issue was purely market-driven. It was a group of folks that had had great economic success in producing seed. They chose not to come to the table to try and actually
negotiate coexistence. They made pretenses at it, but in the end they found a friendly legislator, and the legislator mandated what you will and what you will not grow, and I think that is a huge tragedy for a state in which a legislature, for which there are two farmers, actually mandate what you can and can't grow on your farm. What a, what a tremendously negative blow to a tremendous industry.

As to the GMO ban in Jackson County, it was an ideological thing. I was there. I spent probably two solid months of my life there trying to make sure that, once again -- and one group of farmers couldn't ban together to determine what their neighbors can and cannot do. The exact antithesis of coexistence happened in Jackson County. Most of it, most of it came as a result of they found out that Syngenta, a multinational horrible corporation, was growing seed stock there, and that's what drove it. It became almost an occupy-type thing, not based on agriculture, not based on anything other than pure ideology.

A lot of growers suffered as a result of it. A lot of them -- and this is a huge, huge county with a huge geographical area. It may have been one thing if there'd been discussions about coexistence in the area where most of the seed production and organic production was happening, but that wasn't the case. It was countywide, and there's people 30, 40, 50 miles away that were punished because of a
handful of people. Again, I'm just being brutally honest and brutally frank from my own perspective here.

We actually passed a seed preemption bill in the State of Oregon. I think one of our greatest challenges in agriculture is with a lot of, lot of discussion about local, but I fear tremendously local entities, local municipalities, local governments taking control of what happens in the agricultural industry in their local area. And one of the things that the legislature did do, as a result of the screwup they made earlier, was to pass a seed preemption bill, which stopped counties from determining what can and can't be grown at the county level because of the lack of resources, the lack of expertise, the lack of technical knowledge, which should be housed in the Department of Agriculture or with USDA. So that happened, but it's challenged. It was challenged this legislative session. It will be challenged in the next legislative session.

So we're no, we're no strangers to, to challenges in terms of coexistence. I think that coexistence is critical. There's a lot of challenges with it, but I really believe that if farmers, for the most part, are allowed to make those decisions, talking face-to-face with one another, that the majority of these issues will go away. Now, I'm not saying it's as simple as that, Mary-Howell. I'm really
not, but I do believe that, that the start is to be honest with your neighbor about what your needs are, and I'm not so sure that everybody is that honest, on either side of the coin, be it a GE grower, an IP grower, an organic grower, or whatever. So --

My farm is very diverse. My son is a lot more energetic and a whole lot smarter than I am. We're transitioning part of our, part of our farm to organic as I speak. We'll plant our first crop, maybe not this spring; we might wait until next spring, depending upon when he actually comes back to do the work. I'm too damn tired to do it, but -- so, I mean, my point is it benefits us all if people recognize that all forms of agriculture are important, and I'm not sure that everybody does that. So sorry for the lecture.

MR. REDDING: Good insights. Lynn.

MR. CLARKSON: My battery is out. Lynn Clarkson.

Barry, let me try to clarify something with you. When we suggest people send out letters, there's no mandatory anything hooked with that. We're trying to find out what people's plans are, and they may change their plans, ultimately.

Secondly, I believe Alan just said he had something like 150 neighbors. I'd be delighted for Alan to have a conversation with 150 neighbors at about two hours
each, which I don't see happening.

And my roots into Illinois agriculture go back an entire lifetime to a couple of generations, and I often don't know who the neighbor is because we're in one of the hotbeds of cash rental in the world, and that's flexible and it's normally done on an annual contract and that can change a lot. So we don't know those things. The point is that there should be communication, and we found that some neighbors like to have something in writing, saying, what, what did Alan tell me the other day, so they can go back and refer to that.

Second thing is, we regard this whole conversation as market-driven, and markets come from ideology, from all sorts of place. Alan is talking about the economic pressure on farmers scattered around the country this year. I think Alan is suggesting 20 percent. Alan, was that it, 20 percent of the farmers, you think, are not going to be there on your road?

MR. KEMPER: (No audible response.)

MR. CLARKSON: We can go down that road and we can find tremendously different results, not based on the quality of farmer, but based on the markets they're serving. So in some places you're going to have people losing 200 bucks an acre and their neighbor can be netting $1,000 an acre based on the market he chooses. And those of us who
are someplace in the middle, trying to serve markets, are
going to find what we need to satisfy that market, whether
it's in the Ukraine or India or domestically, and we -- some
of us would much rather find it here.

So the first of the points that you drew out,
Michael, about new IP products and the challenges, I think
everything else is subsumed in that. So I would just try
and lay that out, because organic, non-GMO, no pesticide
residue from Roundup, from glyphosate, all of those are
markets that are in play today and all I know that's going
to be available tomorrow is there'll be differences. I
don't know what they'll be, but they'll all be subsets of
what we're talking about, which I think Mary-Howell brought
up. We want something that'll last more than just this
particular topic or conversation, is how you make the
distinctions.

The Secretary talked about the future of U.S.
agriculture being diversity, and I think that's the case.
We often talk about how the United States feeds all the
world. Well, we don't -- we no longer have a pajority
(phonic sp.) position at feeding the world on soybeans,
and we're about to pass the, over 50 percent to other
countries on that too. So some of us see the future in
having a really good IP system.

One anecdote -- my company got a phone call from
one of the major soybean processors in India a few weeks ago, saying he wanted us to quote on delivering to him in India. Well, why? You got plenty of people right around you, New Delhi. He said, I do not trust the Indian regulatory system or the diversity being honest in the country of India. I think that's where the future attraction of U.S. ag lies, in a better respect for diversity, which comes right back to coexistence, but Barry, I didn't mean to suggest we were doing anything mandatory to the neighbors with a letter.

MR. BUSHUE: Thanks, Lynn.

MR. REDDING: Let's see. Did you have a comment to, Lynn, Al?

MR. KEMPER: Just one comment --

MR. REDDING: And then we'll go to Doug.

MR. KEMPER: -- for Lynn. Lynn -- is that okay if I --

MR. REDDING: Yes, please, yeah.

MR. KEMPER: I agree with you, communication is key. I do not ask my neighbors for their economic numbers or what products they're using because I think there's a comparative economic advantage for them or for me, but I do send out letters to a lot of my neighbors because I grow LibertyLink soybeans, which has a specialty herbicide that's got to be put on it, just to let them know, you know, where
kind of -- watch the property lines and such with that.

I want to come back just for one quick second to Doug's comments that, you know, it's time to get a document. I agree with Mary and others, it's time to get a document out of the USDA and from this group about coexistence, because I'll give you one example why it could be terrible in the next couple years if something happens.

Right after 9/11 came a lot of President's directives down, and PD-9, if you would remember Secretary of Ag's, you probably know him, but it was called Asian rust in soybeans, and with that, all you need is something catastrophic like that coming across the Midwest up from the Gulf of Mexico one time and you better have a lot of working documents on coexistence, because everybody's going to be talking to everybody on how we're going to work with that.

Thank you.

MR. REDDING: Thank you. Doug and then Barry.

MR. GOEHRING: Thank you, Mr. Chairman. Barry brought up something that I think is important to keep in mind, and I didn't think about it in the, in the way in which our conversations were developing when we talked about local, but I believe we need to make sure that when we outline this document, we frame it up so that we create the boundaries, so that the discussion stays within these boundaries and people don't venture off and try to do things
that would be harmful, because to the conversation that's
taken place around here, we are so blessed in the United
States. We have choices and we need to embrace that.

And, Lynn, you're right, in our state we, we trade
with 83 other countries in the world, and we try to stay in
touch with them, visit them, take companies over. And the
regulatory environment or the lack of is a concern, but
corruption is such a bigger deal, and when it comes to food
safety, food security, they trust U.S. products. They do at
that. We deliver quality, we have the respect, and we're
very honest. I mean, they really do perceive us that way,
and I believe we really are.

We have a lot to build off from. I believe if we
develop this outline, this format, we create the boundaries,
we deliver a product to the state that then can -- that they
can go out and have the farmer-to-farmer talks, they can
have those conversations, they can have those public
meetings, and I believe it'll be enlightening, it'll raise
awareness, and it'll bring us to a point where the majority
are going to be engaged in the process. But Barry's right,
not everybody's going to do it.

I got one county in my state that absolutely hates
bees. So guess what?

MR. BUSHUE: Hates what?

MR. GOEHRING: Bees.
UNIDENTIFIED MALE: Bees.

MR. GOEHRING: Despise them to the nth degree. I got county commissioners, township officers. They can't stand it. So we had to create out of that pollinator plan an addendum to it, which making it a living, breathing thing is, guys, you got to think about consequences and you have to think about the fact that you're a guest on the land, but when you have a drought, what do you do for your livestock? We provide water.

When they had a drought in that particular area, those bees started going to swimming pools, they started going to places where they'd never go before, and they became an issue and it irritated them to the nth degree, to the point that they tried to kick bees out of their county, and we had to remind them, state law does not give you the authority to do that; it's private property.

So it's -- yeah, that made me think about that. All the successes we had, that was one, and it's still a problem. Thank you.

MR. REDDING: Thank you. Barry and then Leon.

MR. BUSHUE: Yeah, I think I -- they opened up -- Chuck opened the box and now it's --

MR. BENBROOK: You've been awful quiet, Barry.

MR. BUSHUE: Well, I just -- and I've said this before, much to --
UNIDENTIFIED MALE: You got to turn it on.

MR. BUSHUE: Oh.

MR. REDDING: Just press the button.

MR. SCHECHTMAN: No, on the side.

UNIDENTIFIED MALE: I think it's on. I saw a red light.

MR. BUSHUE: I've said this before, much to the disdain of some of you, but I hope in this whole conversation that the concept that these -- that the choices we make as farmers are business and market choices, and sometimes we have to accept the responsibility of the outcome of those choices.

I've lost money on lots of crops. I've lost -- I've made money on lots of crops, but most of them were all made by my choice, and I've never expected my neighbor to offset those costs. I've never expected my neighbors to do things that would impact their ability to farm, to surmount or to support my business choices.

And many of the concepts were talked about here, and I hate to pile on Lynn, but he's talking about organic plus. He's right. Those are market choices that you make. If you decide that those are no longer profitable or that you can no longer meet the requirements of the market, then you have two choices: you either quit or you change, you change your market choices.
Now, folks like Lynn probably don't have the same ability that I do because of where I live and the market choices I have, because he doesn't have the population, but sometimes I just hope it's not lost in this document that as a committee, or at least some members of the committee recognize that some of these things are not always going to be accomplishable and that people can't expect other folks to, to, what's the word I'm looking for, to accept the responsibility for someone else's market choices and the way in which they want to farm.

I support all ways of farming. Like I say, we've, we've gone to bat for the organic community in the Oregon legislature; we've gone to bat for the GE community. We are, we're equal hell-raisers where it comes to, where it comes to all types of farming, but somewhere along the line people have to accept responsibility for the choices they make when they enter into this very, very frustrating, very challenging industry. So --

MR. REDDING: Leon and then Mary-Howell.

MR. CORZINE: Leon, that just lost his microphone too.

MR. REDDING: Yeah, I think they're all --

MR. CORZINE: They're all dying.

MR. REDDING: -- out of power. Can we pass the --

UNIDENTIFIED FEMALE: I think we have a good one
MR. SCHECHTMAN: Here.

MR. REDDING: You still have one?

MR. BUSHUE: I'm closer.

MR. REDDING: All right.

MR. BUSHUE: Did you play baseball?

MR. SCHECHTMAN: That will be definitely a reason to stop the meeting --

MR. CORZINE: We'll try this.

MR. SCHECHTMAN: -- when our mics --

MR. CORZINE: Yeah, maybe it's telling us we need to close, Michael. A couple things, and I think I agree with most of what's been said around the table, and I think one thing that was stated, it's really, I think, a real positive for the USDA and for U.S. regulatory system that India trusts us and they don't trust themselves. And I've traveled around the world some and seen that even if -- there are a lot of European countries that I visited with their regulators and their governments, and the graft and the corruption in a lot of these countries is amazing.

I know I've got friends who tried to invest in other, other -- finished that one.

MR. BUSHUE: Actually, Michael's got a little switch underneath the table.

MR. CORZINE: I think that's it. We're going to
have all of these turned off in a minute. I'm going to keep trying.

So -- but my point is, we do have the best regulatory system, and we don't need to be reverting back to some of those that really are not very accurate, not very manageable. So -- but that being said doesn't mean we can't continue to improve it. It's kind of like coexistence. We have coexistence. We want to continue to enhance coexistence and make it better, because I do think what we're looking at -- and Alan has touched on it and others have -- that we're going to have new IP product opportunities and probably more people searching for them with where we are with the ag environment.

So what I see as what we're doing, we need to get to, to these points -- I mean, we can discuss ideology and not get anything done, or we can go ahead and make sure there's a pathway provided. And maybe a newer opportunity in parts of rural America is an organic opportunity, because organic is not grown everywhere; maybe it could be.

But I think part of that, too, is to help folks understand. I really get a little uneasy that we inside the Beltway are going to tell -- we're going to educate farmers on how to farm. I think we better get over that inside the Beltway but to offer suggestions and help on what it takes to do these IP products. I think that's the whole thing,
and some of the issues around organic plus is people don't know what they're really signing in many cases.

So I think those are things that we really need with our charge here, and the farmer-to-farmer discussions, that we need to figure out how we can do these farmer-to-farmer discussions. Now, Lynn, we can do an ILL, INI, or something like that, but in my part of Illinois, which isn't very far from yours, we don't pass letters, but I could see that as being a next step. We don't have -- I know all but one of my neighbors. Okay? So -- and I have some organic neighbors, and we make it work without letters. Now, there could be some things that, maybe a new technology, they want a letter, right? But I still think that where you can, you need the face-to-face or the call. I see the letter as being secondary.

So that's just a detail, but I do think that it's important that we consider what products might be coming and to help producers and communities, how do you deal with it and what -- still a thing to me is, what triggers it? What we come up with doesn't mean that I'm going to go talk to every one of my farmers unless there's a trigger, right, a new product or something that's going on, because I think -- where in this, if we think we're going to come up with something and every farmer in the country is going to use this and go talk to every other farmer -- because we talk
anyway. There's a coffee shop klatch that I try to stay out of, actually, but there are things, and we don't need to be telling farmers how to talk.

Now, can we provide some guidance on some of these specific things? Yes, but the general, we need to educate -- I mean, actually, some of these things I take offense to. I'm not a kid. I've got a business. I've got -- and my business happens to also be somewhat of a lifestyle, right? And I think we have to remember that, that we aren't smarter than those guys out on the tractors. Okay?

I mean, even things like, okay, maybe we need to put it down. Do you think I don't know how to clean out a combine? And if I'm growing -- I've grown some very specific IP products, and it's who I'm growing with, who I sign the contract with that helps -- we sit down with them and we decide, is it, can we do it, is it monetarily worth it, and if there's some specific things we aren't used to, they help us do it. And I think those simple things can't get lost as we, as we go through and try and come up with some of these, and I'll stop for now before this battery goes dead.

MR. REDDING: Mary-Howell. Last word on this and then we'll do a wrap.

MS. MARTENS: Last word on this, mostly to Barry, but it does refer back to what Leon's been saying. I think
it's important to remember that it's not as important if we think we're being a good neighbor. What's more important is if our neighbors think we're being good neighbors. And I'm hoping that some of this document will stimulate some self-searching to say, am I doing anything on my farm that negatively impacts my neighbors? You know, that, that really is an important shift in the conversation, not neighbors going to each other and saying, you are doing something negative, but me saying to myself, am I doing something on my farm that is going to possibly negatively impact my neighbor?

And I think that's an important shift in the conversation because, yes, organic farmers, it matters to us, but it would be really nice if our neighbors already thought it through and said, you know, is my pollen going to bother you, is it going to affect your crop in a way that isn't good for you, does it matter, would you want me to do something different, because again, it isn't what we think we're doing; it's our neighbors, if our neighbors think we are being good neighbors. That's the lens we need to be trying to put into place.

MR. REDDING: Jerry.

MR. SCHECHTMAN: Jerry, could you pass that mic since we're -- no, the other one.

UNIDENTIFIED FEMALE: The one in front.
MR. BUSHUE: The one that works?

MS. OLSEN: The only one that works.

MR. BUSHUE: Yeah, for a minute or two.

MR. REDDING: Barry, did you have another comment?

Your card is up. Did you want to --

MR. BUSHUE: Oh, I'm sorry --

MR. REDDING: Sorry.

MR. BUSHUE: -- no. No, I just --

MR. REDDING: Okay.

MR. BUSHUE: -- didn't put it down.


MR. BENBROOK: Are we wrapping up now?

MR. REDDING: Yeah, I think so. I mean, I think we're at a point where we've put a lot of information on the table today and, you know, planted some seeds here to think a little bit tonight about, both in terms of approach from conservation districts and NASDA, and then the exchange in the last couple of hours has actually been really helpful.

I think it's, you know, would be important for us to sort of pause, right, and really come back to the question of our charge, because I think it really -- there's a lot of things you can do, and Chuck, I think you're going to end up in this sort of report somehow of having some things that are unresolved but very critical and link back to the context for the document that we produced in 2012,
and we'll have to restate, I think, some of that to get at issues like the seed purity. I mean, I don't, I don't know of any sort of future that doesn't have an intelligent conversation attached to it about seed purity in agriculture. You've got to get at that point, right? You've got to have some discussions about, what is that? And if that takes you to a tolerance question, if that takes you places, then I think we sort of, we have to talk about that.

There's the issue of resolution embedded in this four-point document. We really haven't spent a lot of time about resolution. I'm not sure we can get that sort of identified for this report. Don't know that, maybe I'm prejudging that, but will have to be in the unresolved column something about resolution. How do you resolve a problem once you identify a problem, right, and we really haven't spent a lot of time; we make an assumption of what that looks like.

But I think if we get back to the charge of, you know, is there an approach by which farmers could be encouraged, I mean, if you look at the wording of our charge, I mean, there's some things in there that I think would speak to -- there's no substitute for communication, right? And maybe it takes a written form, maybe it doesn't, but I think, you know, what I heard this morning was that
was an option, it is an approach, it may not work everywhere, but the point was that it still is a form of communication, right?

So I guess I would just ask everybody overnight to think about the charge, keep that in front of you, look at the models that have been discussed today just by two examples, but also the ad hoc work groups' feedback, you know, the report out we had this morning and what would that look like, number one; and then, also, just if you were writing the report, what is it that you would want to see as an outcome of this, this charge; I mean, what would you see being the most helpful, content-wise. Make an outline, right, of the things that you would want to see in this document. That'll be very helpful, I think, to guide our conversations.

Are they -- you know, not always are they, barring the pollinator plan, are they, you know, some of the more specific relationship points that are embedded in that, in that model, but I would just ask you to, to do that because that'll be helpful for Michael and I when we get down to actually drafting what to do with all of this conversation.

MR. SCHECHTMAN: Right.

MR. REDDING: This is where I sweat a little bit just because you can go a lot of different ways with this, but I believe the work of the last -- in the last report, a
lot of great, you know, substance and context and, you know, had an approach there with the signing statements. It really helped get some resolution, but would ask you here to be thinking about that charge and then also think about the outline for the document. Okay?

MR. SCHECHTMAN: Great. I don't think I have anything to add to that at this point. We will -- I mean, I think -- actually, I will add one thing. We talked a lot about a couple of different models today -- we had two presentations -- and would be particularly interested in your thoughts of how the two different models, what we might adapt from them that might be useful in the sort of overall structure that we might offer states or localities to think about if they're going to be engaging in one or another of these different kinds of conversations or one that starts as one of them and turns into another one, but whatever it actually is.

So just sort of thinking how we can tease out what the most useful parts of the models we've heard are, and we'll have more discussion tomorrow on a number of very specific issues, very -- particularly, what, what the guidance document is going to look like, what its relationship is to the rest, to the report, is it an appendix, is it something else, what folks think about what kinds of incentives might exist if we don't have particular
monetary ones we can offer, again, how do we bring people to the table.

We've heard Commissioner Goehring talk about some of that but certainly want to hear other ideas about what's going to bring people to the table. Is it, is it merely having the state Department of Agriculture say, this is important, or are there other things we need to do and what's in our, the realm of our possibility to do it. So I think those are some of the things that'll be on the table for tomorrow.

MS. BATCHA: If you could shoot us those presentations tonight, Michael, it might help us do some work overnight, if we have to relook at them, if possible.

MR. SCHECHTMAN: Well, it's good thing that the meeting is here because I can go back to my office and actually do that.

MS. OLSEN: Michael, I had a -- no, I was going to make the same suggestion, and then I also was wondering, in terms of, there's the -- Lynn, if we're going to talk about --

MR. SCHECHTMAN: Can you hear her?

UNIDENTIFIED MALE: Uh-huh.

UNIDENTIFIED MALE: Yeah.

MR. SCHECHTMAN: I just want to check because there's no, no microphone.
MS. OLSEN: So we have the, the guidance -- we're going to have the guidance discussion tomorrow of the guidance document. If we're going to have a substantive discussion about it, there's Lynn's document, there's my document, and then there's the redline document that I sent in, and Paul also had produced a document.

So it may be helpful -- because, again, it's not just a merging of the two documents -- so if we're going to have a substantive discussion, I'm wondering whether that also may be helpful for everybody to have. I leave it to you, Michael. I just, I'm trying to think how we can, you know, continue to move the discussion.

MR. SCHECHTMAN: Yeah, I'll explain. The reason why I didn't do that is because the charge was, from the, from the work group, was to take into account all the comments that were heard and to combine them and edit them in a way that managed to deal with all that. I wanted to have gotten that accomplished before we went to some discussions that would probably take a whole lot of time, and I didn't want to send a revised version out before the subcommittee had had a chance to look at it. So that's why I didn't go through that process.

I'm not sure -- I mean, I think the issue that you're flagging is, is largely around the seed issue, and I want to -- I was hoping that rather than spend a lot of time
again revisiting that issue, you gave us a chance to sort of work on an appropriate way to address it before -- given that the committee's time is so, is so short.

    MS. OLSEN: Yeah. It was more of a --

    MR. KEMPER: But we really would, Mr. Chair, appreciate the redline. It has some philosophical differences, and as a member, I'm requesting it.

    MR. REDDING: So for my benefit, just where did the redline comments come from?

    MR. SCHECHTMAN: Okay. So the comments that we're talking about are comments that were provided by Angela, and also Paul, I believe, submitted a suggested reorganization. I can certainly -- I will go back to the office and copy those now and get them to folks for tomorrow.

    MS. OLSEN: And, Michael, it was more a process question, because I thought, if we're going to discuss them substantively tomorrow, I thought people could have that benefit. If we're not discussing them substantively, then -- and I agree, that's kind of where we landed with our subgroup. So I leave it to you. I just, again, if we're going to have the substantive discussion tomorrow, then I thought people might benefit from them.

    MR. SCHECHTMAN: I didn't think we were going to resolve the issue of what was going to be said about seed tomorrow before there was any general framework that went
out. I'm happy to distribute the documents, and I'll go back and copy them.

MS. OLSEN: Yeah. It's completely up to you, because it's more than seed. I think that there was more, yeah.

MR. SCHECHTMAN: It is more than seed, but --

MR. JAFFE: I think those documents aren't ready yet for prime time, and so getting more copies of more different drafts, I'm afraid that we're going to start discussing specific lines and specific wordings, and I think we're not at that stage yet in the subgroup, let alone in the plenary, to do it. So --

MS. OLSEN: And that's a valid point too. I just, based on what you were saying, I thought we were discussing the substance tomorrow, but if we're not, then I'm good.

MR. KEMPER: So if you're trying to hold the documents from the group, please tell us. Otherwise, I'm asking as a member, Mr. Chairman, disperse them.

MR. SCHECHTMAN: As I said, I'm happy, I'm happy to distribute them. I didn't necessarily want there to be discussion on documents that were not going to be the final pieces, but I'm happy to -- but I'm happy to make copies of the documents, and I will, I will do that tonight.

MS. MARTENS: I think there's an important process question here. Does the subcommittee have the
responsibility to bring the final document for discussion, or are we going to get a lot of input from the whole committee before we get to that point? How much is the subcommittee being trusted to take this to more or less completion before we get torn to pieces, threads?

MR. SCHECHTMAN: Okay. Well, we'll talk more about process tomorrow, but let me talk about subcommittees. Subcommittees, since they do not meet in public session, cannot make decisions. They can bring information to the full committee for its consideration. So --

MS. BATCHA: But they're not -- subcommittees are not, like, necessarily recommending something to the group?

MR. SCHECHTMAN: I mean, they can.

MS. BATCHA: They can, but they can't make a decision?

MR. SCHECHTMAN: They can't make decisions. It's the full committee that makes all decisions and does so in a public process.

As I said, I'm happy to make copies of those documents and bring them. I don't think we necessarily want to have a lengthy discussion around some of those points in the meeting tomorrow. We have a lot of other things on, but certainly, there's a placeholder that is reserved for that issue that will come up again, I have a sneaking feeling, when we move further down the, down the process.
MR. REDDING: Yeah, just a reminder, I'll try to be back tomorrow afternoon for the wrap-up. I plan to be, to reach out to Mike, Michael, and just check in before I leave Harrisburg, to come back after testifying, but hopefully, I'll be able to get here and hear the wrap-up.

So --

MR. KEMPER: Mr. Chair, just --

MR. REDDING: Yes, sir.

MR. KEMPER: -- a procedural question. With all due respect to our great staff Michael at USDA, will he be chairing or can we appoint an assistant chair or have you?

MR. REDDING: Yeah, Michael will chair tomorrow.

MR. KEMPER: Okay. Okay. It's hard to take notes and chair at the same time. I didn't know.

MR. REDDING: Yeah.

MR. KEMPER: Okay. That's fine.

MR. REDDING: Okay?

MR. KEMPER: Okay, as long as Betsy's here, I guess.

MR. REDDING: All right.

MR. SCHECHTMAN: Except for a short period tomorrow --

MR. KEMPER: Okay.

MR. SCHECHTMAN: -- I'll be frantically taking notes as well.
MR. KEMPER: Okay. Thank you.

MR. REDDING: Okay. Any reminder for dinner?

MR. SCHECHTMAN: As soon as we're off the record --

MR. REDDING: Okay.

MR. SCHECHTMAN: -- if there are no further remarks, dinner for those who can make it -- yes, sir.

(Whereupon, at 4:45 p.m., the meeting was adjourned.)
Digitally signed by Wendy Campos

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