

**California Walnut Board/  
California Walnut Commission**

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**CALIFORNIA WALNUT BOARD/  
CALIFORNIA WALNUT COMMISSION  
JOINT MEETING MINUTES**

**September 14, 2012  
Marriott Hotel  
Rancho Cordova, CA**

A joint meeting of the California Walnut Board and California Walnut Commission was called to order by Board Chairperson Dr. Jerome Siebert and Commission Chairperson Donald Norene at 10:05 a.m. on Friday, September 14, 2012 at the Marriott Hotel in Rancho Cordova, California. The roll was called by Dana Steindorf. Ms. Steindorf advised Chairperson Siebert and Chairperson Norene that a quorum was present for both the Board and Commission. The following members and alternates were present:

**CWB Members:**

Jerome Siebert, Ph.D.  
William Carriere  
David Keyawa  
Robert Driver

Donald Norene  
Steve Zaffarano  
Jack Mariani  
Jim Frazier  
Frank Guerra

**CWC Members:**

Donald Norene  
Todd Ramos  
David Keyawa  
  
Robert Driver

Ray Perez

Charles Crain  
Kevin Wagner  
Steve Zaffarano  
Martin Mariani  
Jerome Siebert, Ph.D.

**CWB Alternates:**

Lynn Morgan

Michael Petz  
Lisa Warner  
William Tos  
John Kuster  
Jack Gilbert  
Kevin Wagner  
Pete Turner  
Bruce Beard

**CWC Alternates:**

Vacant

Robert Lea  
Carl Gilker

William Tos  
William Crain  
William Carriere  
Jack Gilbert  
Jack Mariani  
Lynn Morgan

Board member Jerry Moore was absent, as was Board alternate Matthew Conant. Commission members Jeb Headrick, Jerry Moore and David Miller were absent, as were Commission alternates Patricia Mecklenberg, Nacho Martin, Bert Crane and Jonathan Graves. Also in attendance were Mr. Duane Lindsay, CWC Technical Advisor; Dr. David Ramos, CWB Research Director; Mr. Vic Tolomeo and Ms. Jennifer Van Court of CASS; Mr. Jeff Smutny of USDA/AMS; Ms. Kathy Diaz of CDFA; and CWB/CWC staff members Dennis Balint, Michelle McNeil, Jennifer Olmstead, Carl Eidsath, Jennifer Williams, Julie Krueger, Abhi Kulkarni, Heather Donoho and Dana Steindorf.

CWB Chairperson Siebert called for a motion to approve the minutes of the June 7, 2012, California Walnut Board meeting. Mr. Carriere made a motion to approve the minutes as mailed. Mr. Driver seconded the motion and it carried unanimously.

CWC Chairperson Norene called for a motion to approve the minutes of the June 7, 2012, California Walnut Commission meeting. Mr. Crain made a motion to approve the minutes as mailed, Mr. Cilker seconded the motion and it carried unanimously.

CWB Chairperson Siebert moved on to the next agenda item, Report of the Marketing Order Revision Committee. Mr. Balint explained that the MORC met in June to discuss options for making changes to reporting through informal rulemaking. Mr. Balint presented some language revisions to the marketing order Section 984.471 that the Committee and staff are proposing to require handlers to report inventories and stock held for people/organizations other than themselves. This change would give us a better position to accurately determine inventories, crop size and also tracking of product through the system.

Mr. Balint asked for a motion from the Board to approve the revised marketing order language and also to give latitude to staff to adjust the language if necessary while keeping the meaning and intent of the language intact. Mr. Frazier so moved; Mr. Driver seconded the motion and it carried unanimously.

Chairperson Siebert asked Mr. Jack Mariani to present the next agenda item, Report of the CWB Market Development Committee. Mr. Mariani stated that domestic shelled shipments for the year ending August 31 were down a little over 4.5 percent and inshell were down about 3.8 percent; however, the shipments for August were up 11 percent over the same time last year.

Mr. Mariani then proceeded to show a video clip of Giada De Laurentiis of the Food Network as she appeared on the Today show to talk about how she uses walnuts in her pesto. He also showed an article in *Health* magazine that included walnuts and a video clip about the recent health study from UCLA's Dr. Wendie Robbins on how walnuts in the diet affect sperm health. Mr. Mariani turned the presentation over to Ms. Olmstead to continue with a report on the domestic marketing activities for the coming year.

Ms. Olmstead continued with another clip from the Dr. Robbins study; the study published on August 15<sup>th</sup> in the *Biology of Reproduction*, one of the highest level journals in that particular field of research. The study has received a lot of media coverage in print, on-line and on television. She also showed the recent issue of *Health* magazine that featured walnuts in a story called "Your Way Happy." Ms. Olmstead also mentioned the Food for Your Whole Life symposium that was held in June in New York City. There were over 1,000 consumers and health professionals in attendance and over 91 million impressions to date.

Ms. Olmstead stated that in August, we held a Health Professional Think Tank with 15 dietitians and nurse practitioners. Some of the comments and suggestions from the group will be incorporated into our materials over the next year. Three to five members will be selected as a year-round resource for us, evaluating new materials, providing quotes to the media and writing for our website. Other recent marketing activities included: the Chef Menus at Home, a quarterly program where we work with chefs to develop menus that fit for the home kitchen; the harvest tour that generated several articles featuring walnuts; our attendance at the Institute of Food Technology conference which had over 18,000 attendees; and the launch of our redesigned website in September.

Ms. Olmstead stated that our ad agency, Evans Hardy & Young, has developed a solid strategy for our social media program. They have been working on building a quality database through our Natural Defenders ad campaign. Since May, we have more than doubled the number of fans on Facebook and increased Twitter followers by more than twenty percent.

Mr. Mariani thanked Ms. Olmstead for her presentation and asked Mr. Balint to comment on the next agenda item, Marketing Communication Oversight. Mr. Balint stated that we are waiting for a couple of meetings to take place before we have more information on the oversight issue which impacts our ability to communicate breaking news on research, peer review research and other marketing communications. He indicated that we continue to work with our state and federal government representatives to develop a plan that will work for both our industry and our consumers.

Chairperson Norene asked Ms. McNeil to give the report of the Export Marketing Activities. Ms. McNeil stated that health communications is a core element of the export program; she presented a graph from our consumer health awareness study. It shows that consumers in our export markets have a very high level of health awareness which can largely be attributed to our health coverage from recent published studies.

In Spain, we cooperated with the Spanish Heart Foundation to develop our Menus with Heart campaign. There will be five press conferences in the next few weeks which will culminate with World Heart Day, a national event in Madrid. In Germany, we will be conducting our mini-SAC meeting next month, bringing together leaders of our Scientific Advisory Council, including Elaine Hardman and David Jacobs, to talk about the research in our industry, to network and to develop future collaborations. In Korea we will be participating in the annual meeting of the Korean Nutrition Society in November. We will have a discussion on cardiovascular health which will include SAC participants Penny Kris-Etherton and Connie Diekmann.

One key element of our program in Europe is trade. A few weeks ago, we launched our first European-wide trade website, [californiawalnuts.eu](http://californiawalnuts.eu). Ms. McNeil encouraged everyone to visit the website which includes information about walnuts, our industry, upcoming events, as well as resources for food professionals. Also, we are working with E-Mart in Korea, one of the largest retailers, to develop a sales promotion which will award five store managers a trip to California. The goal of the promotion was to increase snacking consumption which it did; tonnage grew from 15 metric tons to 43 metric tons. In Canada, we also conducted a retail promotion with Bulk Barn; sales increased 40 percent as a result. In-store demonstrations were also held at Kim's Club and Hyundai Department Stores in Korea and in Daiei, Life Corp., Tobu, Summit and Ito Yokado in Japan.

Ms. McNeil also discussed the media programs that are on-going. In two weeks, we will be hosting media from several international markets for a harvest tour. They will tour the industry, observing harvest activities and processing, and sample the versatility of walnuts in menus that are being developed by Chef Michael Charello and the Culinary Institute of America.

Ms. McNeil stated that increasingly, digital and online activities are important elements of our export marketing programs. We worked with Gakkan SNS to develop a children's game in Japan that includes information on our industry as well as how walnuts are bought and sold. We have also extended our blogger outreach with a leading German food blogger, Zorra, and are conducting a crack and bake promotion through her blog. In China, we are working with the largest microblog community, Sina, to include a walnut industry page with photos, recipes and industry information for users.

In the industrial/food service element of our business, we conducted a Walnut Harvest Bread Fair in Japan which generated 42,000 consumer entries. In Korea, McDonald's launched a limited edition menu this summer to advertise the movie Ice Age 3; among the menu items was a walnut milk shake.

Chairperson Norene turned the presentation over to Mr. Balint to discuss the next agenda item, Health Research Update and Review. Mr. Balint stated that we have had ten publications since the spring meeting and we have 22 ongoing projects. Mr. Balint presented five new projects that the Commission will decide whether or not to fund. The first was from Dr. Lenore Arab of UCLA who is proposing a data mining project on cognitive function and walnuts; the total cost for two years is \$104,843. The second project comes from Dr. David Baer of USDA who will be looking at how the compounds within walnuts affect caloric absorption of walnuts; the total cost for two years is \$257,176. The next project is from Dr. Elaine Hardman at Marshall University and is a pilot study on humans and breast cancer to see if we can alter gene expression; the cost is \$99,022 for one year. The fourth project is from Dr. Christos Mantzoros at the Harvard Medical School. He is doing a follow-up for us looking at the mechanism that retards the growth of tumors; half the study will be paid for by the American Institute for Cancer Research and the amount requested from the CWC is \$54,000 for one year. The fifth project is from Dr. Wendie Robbins at UCLA and is a follow-up to her sperm mobility study. She will not only be looking at sperm quality and motility, but will expand her research into endothelial function; the two year cost is \$201,712.

Mr. Driver made a motion to approve the five projects as presented by Mr. Balint for a total two-year budget of \$716,753. The 2012/2013 total is \$441,039 and the 2013/2014 total is \$275,714. Mr. Tos seconded the motion and it carried unanimously.

Mr. Balint presented the next agenda item, Voluntary Organization for Communication. He suggested that the Board and Commission may want to delegate to the Marketing Order Revision Committee (MORC) the evaluation of whether or not a voluntary organization would make sense for the walnut industry. A voluntary organization would deal with communication issues of marketing activity and would be funded by the members of the organization. It would be a separate entity from the Board and Commission with responsibility and accountability to the industry, not to the Board or Commission.

Mr. Tos made a motion to charge MORC with studying the issue of a voluntary organization and making a preliminary report at the February meeting. Mr. Carriere seconded the motion and it carried unanimously.

Ms. Steindorf presented the next agenda item, Preliminary Schedule of CWB/CWC Elections for 2013. She indicated that the normal timeline for the election season begins in January of the election year (2013 in this case) with the collection of grower lists from handlers. This task is delegated to our third-party CPA firm, Gilbert Associates, who collects and maintains the grower lists for the purpose of election, referendum and industry newsletter mailings. The Board election process begins with the nomination period of March 1 through March 31 with the voting period starting approximately two weeks after that, mid-April to mid-May. The Commission nomination period is May 1 through May 31 with a voting period of July 1 through July 31.

Mr. Balint presented the next agenda item, CWC Referendum. He explained that the referendum conducted last spring to increase the assessment cap from one-cent to 1.5 cents per inshell pound failed to meet the majority "in favor" threshold. He introduced Ms. Ann Grottveit, CWC attorney from the firm Kahn, Soares and Conway. Ms. Grottveit oversaw a lot of the activity associated with the referendum. Ms. Grottveit explained that Mr. Balint had asked their firm to review the language in the CWC law to determine when a repeat referendum could be conducted. They determined that the way the referendum language is written in the Commission law, the CWC is free to hold a new referendum at any time. Mr. Balint stated that staff has discussed the timing of other Board and Commission activities, including upcoming elections, to try to determine the best time to hold another CWC referendum. Mr. Smutny also mentioned that the Board will have to conduct a continuance referendum sometime prior to March 2014.

The CWC members discussed the best time to conduct a referendum and determined that spring 2013 is too soon and would conflict with CWB/CWC election mailings. The CWC decided to table the discussion until the February meeting.

Chairperson Norene introduced Mr. Jack Gilbert, chairperson of the Issues Management Committee to give the committee report. Mr. Gilbert stated that the committee has not met since his report in June and asked Mr. Balint to give the update of the Korean Free Trade Agreement. Mr. Balint stated that the KFTA went into effect this past March. Chile is a growing threat with some of our export markets; Chile has no duty in Korea. We have had discussions with our representatives in Korea and at USDA regarding the issue and are currently looking for an economist to conduct an econometric analysis of the market place and determine what effect zeroing out the duty would have on Korean business.

Mr. Balint continued with the next agenda item, Farm Bill. Mr. Balint introduced Mr. Steven Beasley of USDA/FAS, the CWC's marketing specialist in Washington who reviews our MAP applications and other foreign programs. Mr. Beasley gave a brief overview of the Farm Bill and the budget issues on-going in Washington. He indicated that all the CWC programs for 2012 are still in place and the MAP program allocation for fiscal year 2013 is currently being reviewed and determined. It is his understanding that the Senate has passed a bipartisan farm bill but the House is still debating it. It is a very political issue and there is no clear path to a resolution yet. More troubling is the long-term debt situation and the proposed \$1.2 trillion in cuts in government expenditure over ten years. Mr. Beasley stated that it is not known which programs will be hit by this sequestration, but it is likely that it will affect discretionary programs such as MAP and other farm programs. He indicated that the coming months will be critical for U.S. agriculture and that constituents need to hear from the industry about their concerns and needs for programs in the coming years.

Chairperson Norene thanked Mr. Beasley for his comments. Chairperson Siebert continued with the next agenda item, Report of the CWB Production Research Committee. Mr. Balint stated that committee chairperson Jerry Moore was absent and asked Ms. Carolyn Pickel to present her report on Sustainability.

Ms. Pickel explained that sustainability is a very broad definition and her goal is to make it pertinent to walnuts. The walnut industry has done many things that we can showcase as sustainable: pesticide reduction, fungicide reduction, and growing varieties that use less pesticide. The main areas of focus on sustainable practices that will be highlighted on the walnut industry website are integrated pest management, energy efficiency, water quality and food safety. Ms. Pickel will continue to work with the staff of the CWB and David Ramos to put together the information to include on the website and hopes to have it started by December 1.

The next item on the agenda was Report on French Industry as presented by Dr. David Ramos. Dr. Ramos gave a brief overview of the walnut growing regions in France as well as a review of the varieties of walnuts grown. He indicated that France has about 4,500 growers that produce about 35,000 tons per year, 80 to 90 percent of which are the Franquette variety. The yield per acre in France is about three-quarters of a ton per acre. The French industry developed a breeding program in 1985, but the program has been abandoned. They do have two applied research and extension centers with specialists similar to our farm advisors. Dr. Ramos stated that due to the climate in France, certain varieties, such as Chandler, will not thrive there and he does not think that the average ton per acre that we see here in California can be attained in France.

Chairperson Siebert thanked Dr. Ramos for his report and asked Mr. Bill Carriere, Chairperson of the Grades & Standards Committee to give his report. Mr. Carriere stated that the Grades & Standards Committee met on June 7<sup>th</sup> and approved new projects. He asked Mr. Carl Eidsath to report on the new and on-going projects. Mr. Eidsath stated that in June the Committee approved three new food safety research projects. The first is a follow-up to the antimicrobial study conducted in Parlier last year; the purpose of this study is to see what microbe reduction can be achieved on inshell product and processing equipment with an antimicrobial wash.

The next study approved was the third year of the salmonella prevalence project being conducted by Dr. Linda Harris at UC Davis. Also in June, the Committee approved a series of GMP workshops for handlers to be conducted by DFA. The Committee also approved funding for the hullers to have a voluntary DFA inspection and grade them on their status for a food safety score.

Mr. Eidsath then gave an update of the post harvest fumigation activity. As he reported in June, the federal government had a second open comment period for sulfuryl fluoride (Profume) which closed in July. We had good support from the walnut industry and many submitted comment letters to EPA. Also on-going is the second year of a three-year project on vapor phosphines as a drop in for sulfuryl fluoride or for methyl bromide. This study is being conducted at the USDA facility in Parlier and in conjunction with DFA's lab in Fresno. Also in its second year of a two-year study is the SF/PPO mixture. It is showing a lot of promise; however, if EPA makes a ban on SF, that will take the SF/PPO mix off the table.

Mr. Eidsath continued with his report on Direct Sale Prevention. He stated that the CWB is making a presence in the field with a consultant who is visiting roadside stands, hullers and handler operations. We have also learned that Tulare County has passed an ordinance against walnut theft.

Mr. Eidsath also mentioned the upcoming food safety workshop that will be offered to all handlers on February 14 at Silverado in Napa. This workshop will take place the day prior the annual winter meeting of the CWB/CWC. Mr. Eidsath introduced the newest member of the CWB staff, Mr. Abhi Kulkarni, Assistant Director Technical Support.

Chairperson Siebert thanked Mr. Carriere and Mr. Eidsath for their report and asked Mr. Martin Mariani to present the next agenda item, Report of the CWB & CWC Audit Committees. Mr. Mariani stated that the committees met in August to review the charter, the upcoming audit schedule and administrative/housekeeping issues. As a result of that meeting, the Committees are asking the Board and Commission to delegate authority to them for housekeeping and legal changes to policies and procedures and the employee handbook.

On behalf of the CWC, Mr. Perez made a motion to delegate authority to the CWC Audit Committee for housekeeping and legal changes to policies and procedures and the employee handbook. Mr. Wagner seconded the motion and it carried unanimously.

On behalf of the CWB, Mr. Frazier made a motion to delegate authority to the CWB Audit Committee for housekeeping and legal changes to policies and procedures and the employee handbook. Mr. Guerra seconded the motion and it passed unanimously.

Chairperson Siebert thanked Mr. Mariani for the report and introduced Mr. Vic Tolomeo of CASS to present the Objective Crop Forecast and Nursery Survey. Mr. Tolomeo presented the 2012 Walnut Objective Measurement Survey Results. He stated that the objective measurement forecast for 2012 is 470,000 tons inshell. This is up about 2% from the 2011 production of 461,000 tons. The survey work was conducted in August on 738 orchard blocks, two trees per sample. Mr. Tolomeo presented a graph of the historical September objective forecast versus the final production.

The 2012 walnut growing season was good with only a few areas reporting frost during pollination, some reports of abnormal nut drop in June and July due to blight, and above average heat in August. Mr. Tolomeo showed a graph of the data collection during the August heat; he explained that during the weeks of August 5th, 12th and 19th, the departures from normal were two to eight degrees above the normal temperatures. About 600 of the walnut samples were collected during the weeks of August 5th and August 12th. About 120 of the samples were collected during the week of August 19th.

The nut set is down statewide with the lowest nut set since 2007. All measurements (weight, width, cross-width and length) are down over the previous year's measurements and are lower than the 5-year average. The percent distribution of walnut shell suture sizes shows that size large and above is 79%, medium is 14%, and baby is 7%.

Moving on to acreage, Mr. Tolomeo stated that CASS only completes an acreage survey every other year. He stated that there has been some question why the acreage has been reported as 245,000 two years in a row. CASS looked at the non-bearing acres that were coming into bearing for 2012 and those totaled 4,901. The average pull-out for the past four years has been between 3,000 to 4,000 acres which leaves a difference of about 1,000 acres. Since the difference is relatively small and not based on confirmed data, CASS reported 245,000 acres for 2012 rather than making an adjustment.

Mr. Tolomeo stated that CASS conducted a walnut nursery sales survey earlier in the year, asking for two years of data - 2011 and 2012. They asked for number of trees sold and from this CASS was able to determine what percentage of those trees were for new acres and the variety for trees per acre. He presented a chart outlining the number of acres of new plantings by variety: Chandler over 74% with Tulare second at almost 13%. This survey, going forward, will allow CASS to be able to track new plantings and adjust the acreage accordingly.

Chairperson Siebert thanked Mr. Tolomeo for his presentation and asked for a motion to accept the CASS Objective Crop Forecast report. Mr. Norene made a motion to accept the CASS objective measurement for the 2012 crop as presented by Mr. Tolomeo. Mr. Driver seconded the motion and it carried unanimously.

Chairperson Siebert introduced Mr. Balint to present the next agenda item, CWB/CWC Approval of Revenue Restating. Mr. Balint indicated that for budgeting purposes, the CWB and CWC use a two year rolling average of the crop number. This is the first time since instituting that practice that the rolling average used is higher than the CASS estimate which will result in a shortfall in revenue for both the Board and the Commission – just over \$150,000 for the Board and \$200,000 for the Commission. Mr. Balint asked that, rather than raising the assessment rates for the 2012/2013 marketing year, the additional funds come from reserves.

On behalf of the CWB, Mr. Tos made a motion to authorize staff to take the revenue shortfall from reserves. Mr. Frazier seconded the motion and it carried unanimously.

On behalf of the CWC, Mr. Ramos made a motion to authorize staff to take the revenue shortfall from reserves. Mr. Perez seconded the motion and it carried unanimously.

Chairperson Siebert asked Mr. Balint to present the next agenda items, Production of Competing Tree Nuts, Walnut Production Estimates of Foreign Suppliers & Walnut Import Analysis, and Review of the 2011/2012 Supply & Demand and Projections for 2012/13. Mr. Balint presented a series of slides: The first compared the forecast production verses the USDA final crop number for the past five years; next was inshell exports in 2011/12 to the top six countries of Hong Kong, Turkey, China, Italy, Spain and the United Arab Emirates ; also, the top six shelled export countries in 2011/12 were Korea, Germany, Japan, Canada, Spain and Australia. The schedule of competing tree nuts shows that almonds, hazelnuts, pecans and pistachios are all projecting production up slightly from 2011. Foreign walnut production forecast shows that Chile, China and Turkey project up slightly in 2012.

Mr. Balint presented a slide on exchange rates which showed that most countries have currency down against the dollar; the only countries where we have a favorable exchange right now are Japan and China. The supply and utilization table indicates that we have an estimated total availability of 1,043,610,000 pounds of walnuts for 2012/13. We are projecting a slight decrease of inshell exports for 2012/13, with inshell domestic, shelled domestic and shelled exports remaining relatively steady. With a projected utilization in 2012/13 of 919,682,000, that will leave us with a projected ending inventory of just under 62,000 inshell equivalent tons.

Chairperson Siebert asked Mr. Jack Gilbert, Chair of the CWB Export Committee, to present the Committee report. Mr. Gilbert stated that the Committee met the prior day and voted to recommend no reserves and no minimum prices for the 2012/13 marketing year. Mr. Frazier made a motion to accept the Export Committee's recommendation; Mr. Carriere seconded the motion and it carried unanimously.

Chairperson Siebert asked for a motion from the Board to adopt the Marketing Computation Policy as presented by Mr. Balint. Mr. Frazier so moved, Mr. Tos seconded and the motion carried unanimously.

Mr. Frazier made motion that prices will not exceed parity for the 2012/2013 crop year. Mr. Tos seconded the motion and it carried unanimously.

Ms. Donoho presented the next agenda item, CWB and CWC Approval of Revised Policies and Procedures. She explained that AMS did not approve the compliance plan for the 2012/2013 year as presented to AMS after the Board approved it in June. AMS requested a couple of clarifications to the policies and procedures documents in regard to two signatures on all checks and language that states the treasurer receives copies of both the bank statements and reconciliations each month.

Mr. Jack Mariani made a motion from the Board to approve the changes to the policies and procedures as presented by Ms. Donoho. Mr. Frazier seconded the motion and it carried unanimously.

Mr. Wagner made a motion from the Commission to approve the changes to the policies and procedures as presented by Ms. Donoho. Mr. Cilker seconded the motion and it carried unanimously.

In addition to the policies and procedures changes that were requested by AMS, there were two items in the Board Compliance plan that need clarification – in two sections, staff

provided too much information when the boxes should have been marked NA. The Board has received copies of the revised compliance plan with those changes.

Chairperson Siebert asked for Board approval of the revised compliance plan and the Resolution recommending for the approval of the Secretary a Compliance Plan for the 2012/13 marketing year and authorizing the Executive Director to make controlled buys and other field activity. Mr. Norene made a motion to accept the revisions to the compliance plan and the corresponding resolution, Mr. Tos seconded and the motion carried unanimously.

There was no Executive/Closed Session necessary. Chairperson Siebert stated that the time and the place of the next meeting of the Board and Commission will be on February 15, 2013, at Silverado Resort in Napa, CA. Hearing no further business, Chairperson Siebert and Chairperson Norene adjourned the joint meeting at 12:45 p.m.

I HEREBY CERTIFY that the above is a full, true and correct copy of the minutes of the meeting held on September 14, 2012 in Rancho Cordova, California, by the Boards of the California Walnut Board and the California Walnut Commission



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Date

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Dennis Balint, Executive Director/CEO