

DRAFT MINUTES

Board of Agriculture and Consumer Services
Virginia State Capitol, Senate Room 3
Richmond, Virginia
March 24, 2016

The meeting of the Board of Agriculture and Consumer Services (Board) convened at approximately 9 a.m. on Thursday, March 24, 2016, in the Virginia State Capitol in Richmond, Virginia. President Sturgis called the meeting to order. At the President's request, Mr. Mills gave the invocation.

ROLL CALL

The Board Secretary called the roll:

PRESENT

Steve Sturgis
Clifton A. Slade
Shelley Barlow
Robert J. Mills, Jr.
Rosalea R. Potter
L. Wayne Kirby
Kay Johnson Smith
James S. Huffard, III
John R. Marker
L. Kirk Wiles, III
Elizabeth L. White
Kevin J. Kordek
Dr. Makola Abdullah
Lonnie Johnson

CONGRESSIONAL DISTRICT

2nd
3rd
4th
5th
6th
7th
8th
9th
10th
11th
Pesticides – Commercial Agricultural
Pesticides – Commercial Structural
President, Virginia State University
Representing Dr. Timothy D. Sands, President,
Virginia Tech

ABSENT

O. Bryan Taliaferro, Jr. 1st

STAFF PRESENT

Sandra J. Adams, Commissioner of Agriculture and Consumer Services
Kevin E. Schmidt, Board Secretary

APPROVAL OF MINUTES

Mr. Mills moved that the draft minutes of the meeting on December 10, 2015, be approved as distributed. Ms. Potter seconded the motion, and it was passed by a unanimous vote.

REPORT FROM BOARD MEMBERS

Dr. Makola Abdullah

Dr. Abdullah introduced himself and reported that his appointment as the 14th President of Virginia State University (VSU) became effective on February 1, 2016. He thanked Dr. Pamela Hammond for her service as the Interim President of VSU and as a member of the Board. Dr. Abdullah stated that before his appointment as President at VSU, he was the Provost and Senior Vice President for Academic Affairs at Bethune-Cookman University. He also previously served as the Dean and Interim Director of Land Grant Programs of the Agricultural School at Florida A&M University. He said that he understands the land-grant mission and the importance

Board of Agriculture and Consumer Services – Draft Minutes

March 24, 2016

Page 2

of agriculture at VSU and across the Commonwealth. He shared that the fourth part of his five-part plan for VSU is to make sure that the land-grant mission is incorporated into every part of VSU and that all students at VSU understand the value of the land-grant mission and of agriculture in the Commonwealth of Virginia. He closed by saying that he looks forward to working with the Board.

Lonnie Johnson

Mr. Johnson stated that Virginia Tech (VT) is pleased with the General Assembly's decision to fund upgrades to the livestock and poultry facilities at VT. He said that VT is appreciative of the support for this project received from the Virginia Agribusiness Council, the Virginia Farm Bureau Federation, VDACS, and other stakeholders. He noted that there are currently searches underway to fill two faculty positions. One is a Tree Fruit Specialist position at the Northern Virginia Agriculture Research and Extension Center (AREC). The other is an entomologist position at the Tidewater AREC to replace Dr. Ames Herbert, who will be retiring soon. He shared that VT will hold its spring commencement exercise on May 13, during which more than 700 students will receive degrees from the College of Agriculture and Life Sciences. He reported that the Virginia Cooperative Extension's (VCE) winter conference was held on February 2-4, 2016, and that it was a successful event with more than 400 attendees. He stated that the event featured professional development opportunities for VCE agents and specialists as well as an address from VT Provost, Dr. Thanassis Rikakis. He was pleased that Dr. Rikakis attended to show his interest in VCE and the College of Agriculture and Life Sciences. Mr. Johnson shared that the VCE Summer Intern Program will be in place again this year, with approximately 30 intern positions available for rising juniors and seniors at VT and other universities. He said that it has been a successful program for VCE that has ultimately resulted in hiring at least 12 summer interns as VCE agents and that it is nice that VCE was able to keep the program with the current budget situation. Mr. Johnson provided additional information to staff for inclusion in the minutes about VT President Sands' and Dr. Rikakis' new initiative for the university titled "Beyond Boundaries" that seeks to establish a long-range vision for VT as it looks ahead 30 years to its 175th anniversary. Further information can be found at: <http://www.beyondboundaries.vt.edu/challenge.html>. "Beyond Boundaries" identifies proposed "Destination Areas" that will explore ways to expand the university's curriculum to better prepare graduates to address complex challenges of the future. More information on Destination Areas can be found at: <http://www.beyondboundaries.vt.edu/destination-areas.html>.

Robert Mills

Mr. Mills reported that they are finally starting to dry out in Southside. He stated that most of the pasture and hay fertilizer is down and a lot of the wheat is top-dressed. He noted that farmers are trying to make some last minute decisions about what crops they will plant based on the current commodity prices, which are still pretty stable. He said that the cattle market has seen a slight rebound. He reported that he has seen some producers buying stockers and has seen some rebound in the market, but it is nowhere near what it was last summer. He stated that he is encouraged to see that the fall of cattle prices has stopped and made a little bit of a turn in the other direction. He reported that on the tobacco side, there has been a mix of emotions in Southside. He stated that one major contractor, AOI, pulled out of the region and left some growers without contracts. He noted that when growers moved from buyout to contracting, they knew that they were putting almost everything into the companies' hands. He said that over the last 10 years, the companies have begun to weed out growers who have not brought in quality crops or failed to meet their contract demands. He stated that a lot of those growers have lost contracts. He added that another challenge is with the U.S. Department of Agriculture's Risk

Board of Agriculture and Consumer Services – Draft Minutes

March 24, 2016

Page 3

Management Agency and federal crop insurance. He said that there will be some changes in 2017, which will involve the Farm Bureau, growers, and growers' associations taking an active role with stakeholders to clean up the federal crop programs so that they still have something with integrity to help protect tobacco. He stated that tobacco is a high cost crop to grow, so they need some protection. He reported that a positive recent development has been a major push in organic tobacco. He shared that he is growing his first crop of organic tobacco this year and that there are new contracts available for organic and limited chemical pesticide use tobacco. He stated that growers have seen some trend changes, but like with everything else, it is about quality, integrity, and delivering the product that you said you are going to deliver. He concluded that there has been a bit of a shake-up but that in the end the industry will be stronger.

John Marker

Mr. Marker reported that the 10th district had a fairly mild winter, which resulted in a productive season. He shared that his region received 40 inches of snow, which slowed things down for a week or so. He said that farmers had a pretty good supply of moisture during the winter. Some farmers are having problems planting in the last half of the planting season due to weather conditions. He added that the green wheat crop looks good and that he thinks other crops are going to be okay. He noted that a lot of fertilizer and chicken litter have been spread and they are getting ready for spring. Mr. Marker reported that most fruit crops are in full bloom, which is two or three weeks earlier than usual. Apples are also two to three weeks early. As a result, he is hoping for an early and sustained spring.

Kay Johnson-Smith

Ms. Johnson-Smith reported that urban agriculture in Arlington and Alexandria is in full swing with the openings of farmers' markets and community gardens. She stated that the newest trend she is seeing in her district is called "yard sharing." She explained that in the Arlington and Alexandria area there are some older homes with large lots that are not being utilized, so some younger people who are interested to learn about growing their own food are entering into yard sharing agreements with the owners of the large lots to grow gardens with flowers and vegetables. She added that her minister is currently pursuing a yard sharing agreement with her neighbor. Ms. Johnson-Smith added that her organization is holding its annual Animal Agriculture Alliance Stakeholders Summit on May 5-6, 2016, in Arlington. This year's theme is "Securing Animal Agriculture's Future: Action, Please!" and will focus on actions that attendees can implement in their community. Speakers are being asked to give three challenges or action pledges that participants can take back with them and implement. She invited the members of the Board to attend.

James "Jim" Huffard

Mr. Huffard introduced himself to the Board. He was recently appointed to succeed Dr. Mark McCann. He shared that he, together with his brother John and his son Trey, owns and operates a dairy farm in Wytheville. He indicated that spring has not arrived in Southwest Virginia and stated that it snowed the prior Sunday. He said that his area is much cooler and behind in the growing season compared to the Richmond area. Mr. Huffard stated that his dairy farm milks 400 Jerseys and produces all-Jersey milk. His farm and another nearby Jersey farm co-own Duchess Dairy. He said that the dairy bottles and sells all-Jersey milk and drinkable yogurt within a 100 miles radius, which keeps him quite busy. He indicated that they had a wet winter and said that he is happy to be on the Board.

Board of Agriculture and Consumer Services – Draft Minutes

March 24, 2016

Page 4

Rosalea Potter

Ms. Potter reported that it has been a short and mild winter in her area as well. She stated that there were a couple of good snowstorms and an adequate amount of rain. She said that since it has started to dry out, producers are gearing up to start planting, although it is still cooler in the valley. She noted that as far as cover crops, the rye looks better than the barley. She added that the cattle market has hopefully stabilized and that the sheep producers in the valley are gearing up to start shearing so they can get livestock out on spring pastures. She thanked VDACS for a great 2016 Food and Beverage Expo. She explained that her business exhibited at the event and hopes that their participation will drum up new business for them and all the other businesses that participated. She stated that it was a nice event and that she enjoyed exhibiting and getting her farm's name out there to use as a marketing tool.

Kevin Kordek

Mr. Kordek reported that they are anticipating a big bug year due to a mild, wet winter. He stated that carpenter bees are already out and can be recognized by their naked, shiny black abdomen. He shared that when the Bradford Pear trees are in bloom, it marks the beginning of the termite season for the pest control industry. He noticed that the further west he got on his trip from Virginia Beach, the fewer trees were in bloom. Trees are already in bloom in Virginia Beach. He added that lots of bugs flying and a bunch of little wings around is an indication of termites. He stated that country bugs and stink bugs are already out. He reported that bed bugs continue to be one of the more serious problems in the Commonwealth. From border to border, top to bottom, they are everywhere. He said that there are several new novel control techniques that revolve around some form of heat treatment. These treatments are expensive and do nothing from a preventive standpoint. He noted that bed bugs are no longer the lowliest creatures that we have because of the emergence of the Zika virus. He stated that there are two species of mosquito that are vectors of the virus, which is unusual. Seven cases have already been reported in Virginia, and it exists in 34 states throughout the country as far north as Ohio. He said that anything that can hold water for five days can breed the mosquitoes that carry the virus. The virus is spread after a mosquito bites an infected person. The virus then moves to the salivary glands of the mosquito. If that mosquito then bites another person, that person could be infected with Zika if their immune system is unable to fight the virus off. The seven cases in Virginia represent three percent of the total Zika cases in the U.S. so far. The federal government has pledged up \$1.8 billion to address the Zika virus worldwide because the virus is a vector of serious disease in unborn children. He added that prevention is still the best thing to do. He said there is some federal legislation in place that deals with pesticide application to waterways that is contrary to other mosquito control efforts. He stated that it is a battle to decide which method is the lesser of two evils right now. He thanked Katie Frazier and the Virginia Agribusiness Council on behalf of the Virginia Pest Management Association (VPMA) for hosting the Legislative Reception held in January. He said that the reception gave VPMA the opportunity to reaffirm old relationships and make new ones. He added that VPMA has been busy with training because this is the time of year when the industry hires a lot of springtime seasonal help. He said that VPMA is conducting Wood Destroying Insect inspector training, having certified over 800 inspectors in Virginia so far. VPMA is also conducting its master tech program and an associate certified entomology program. He stated that VPMA is also working very carefully on an outreach program to educate consumers about the Zika virus.

Elizabeth White

Ms. White reported on the activities of the Office of Pesticide Services (OPS). She shared that as of March 17, 2016, there are 23,215 certified pesticide applicators, 3,093 licensed pesticide

Board of Agriculture and Consumer Services – Draft Minutes

March 24, 2016

Page 5

businesses, and 14,731 pesticide products registered in Virginia. She noted that those numbers have increased every time she gives a report. She stated that OPS conducted 1,024 inspections, 42 investigations, and responded to eight citizen assistance requests. She announced that the dates for the 2016 Pesticide Disposal Program have been set and will include eight collection events during the weeks of September 12 and October 10 and will include the counties of Albemarle, Augusta, Bath, Clarke, Culpeper, Fauquier, Fluvanna, Frederick, Greene, Highland, Louisa, Madison, Nelson, Orange, Page, Rappahannock, Rockbridge, Rockingham, Shenandoah, and Warren and the cities of Buena Vista, Charlottesville, Harrisonburg, Lexington, Staunton, Waynesboro, and Winchester. She stated that local extension agents will have more information this summer. She also announced that the dates for the Plastic Pesticide Container Recycling Program collection have been set for July and November and the information on the counties served will be on the website.

Kirk Wiles

Mr. Wiles reported that with the early spring, the wine industry is in a waiting pattern right now. He said that everyone is getting ready to plant within the next 30 days. He noted that it is a sensitive time for the wine industry because it expects to see the bud break happen any day with the weather spikes it has experienced. He stated that each year between March and Mother's Day, vineyards and wineries are on edge because of the possibility a spring frost. He said if vineyards experience bud break and a subsequent spring frost, it will kill the crop for the entire year. He hopes for good weather from here on out. He shared that they are preparing to plant 17 more acres of vines in his area and that he has heard that new wineries across the state are expanding and new vineyards are coming on line. He stated that the industry continues to be healthy and continues to grow, which is a great thing because it is a very long-term process to grow grapevines. He noted that it will be three to four years before vines produce any fruit, seven to eight years before the fruit is of sufficient quality, and then many more years before the wines come to market. He indicated that it is a good sign that people are planting new vines. He added that wineries are gearing up for tasting and tourism to come back. He stated that people want to come out and visit the wineries this time of year and that wineries are making preparations to showcase their products.

Shelley Barlow

Ms. Barlow reported that it is spring in Southeast Virginia and that it was a mild winter in her area. She stated that a lot of field work is being done and there is a lot of equipment in the fields, although no planters are rolling yet. She said that farmers are anxious to start planting corn but hopes that everyone is being sensible. She reported that all of their small grains are looking good and that small grain acreage is down this year. She echoed what others Board members reported regarding concerns about commodity prices. She said that although there is some market fluctuation, prices always go back down to where they started. She stated that farmers are making their decisions on what to plant based on what they can lose the least on, which is a very difficult position to be in. She said that she has heard about a few sales and a couple of serious financial situations. Farmers are trying to put 2015 behind them and look forward to 2016. She shared that on her drive to the meeting, she heard Secretary Haymore's interview on NPR about the 2016 Food and Beverage Expo. She said it was a great interview and she was pleased to hear Secretary Haymore and the reporter mention that agriculture is the number one industry in the state. She shared her appreciation for VDACS' Pollinator Protection Plan meetings that were held around the state. She noted that she attended the Tidewater area meeting, which was the best attended meeting of all the meetings. She commended VDACS for an excellent, well run, and well-managed meeting and said there was some potential for

Board of Agriculture and Consumer Services – Draft Minutes

March 24, 2016

Page 6

negativity but everyone was amazed at the end of the evening by how civilized and productive the conversations were. She stated that she recently returned from a four-day domestic VALOR trip to Charlottesville, Culpeper, and the Albemarle area. She added that she also spent two weeks in January in Vietnam with the VALOR group and felt it was the experience of a lifetime. She reported that in Vietnam, every yard was planted from road to house with a crop and that it was unbelievable how much agriculture was there. She said the group was told that 80 percent of the population is involved in agriculture in Vietnam, in contrast to the less than 2 percent of the population engaged in agriculture in the U.S. She added that it was a great experience and highly recommends that anyone interested in the VALOR program apply for the class of 2016-2018. She offered to answer any questions that anyone might have about the program and stated that she cannot recommend the VALOR program enough.

Clifton Slade

Mr. Slade reminded the Board that at the last meeting, he shared the quote “spring brings hope eternal” and stated that he is still hopeful. However, he reported that there are some dire situations in his district. He stated that many farmers in Surry County are not sure if they will be planting this year because of the uncertain economic situation. He noted that Ms. Barlow had mentioned the auctions of some farmer’s property and shared that some auctions are still being planned up through June in his area. He stated that the wheat crop is probably the best crop they have seen but cautioned that if there was a late frost that it could become the worst crop they have seen. He shared that he is seeing a lot of growth in the agriculture sector across the state in the rise in the numbers of small and beginning farmers and people that are interested in coming into the business. He said that it is exciting to see these small farmers and there is a real opportunity for those small farmers, as well as new and beginning farmers, to be profitable. He added that VT and VSU are bringing in record numbers of students to their agriculture programs, which represents hope. He said that when you add the numbers of students, new, beginning, and small farmers together, it represents a great portion in the state. He said that it is especially true in the certified organic business and vegetable garden industry. Finally, as an alumnus of VSU, Mr. Slade welcomed Dr. Makola Abdullah to VSU and the Board.

Wayne Kirby

Mr. Kirby reported that there is a growing interest among farmers in his region in planting grain sorghum instead of corn because of its lower planting cost. He stated that it costs between \$400 and \$500 to plant an acre of corn. He reported a glut in the corn market in his area. He said that many farmers have been storing their corn and waiting to find a market for it, and that normally farmers like to have sold most of their corn by this time of the year. He stated that the wheat crop is off to a great start, with the crop a couple weeks ahead of what is normal at this time of year, but said that an early crop generally proves to be a good thing. He emphasized that farmers are primarily concerned about their costs. He said that although producers can look online and find articles about cutting their costs, he feels that farmers in the Commonwealth have already done a good job over the years managing their costs. He added that he is optimistic and that farmers will figure it out.

Steve Sturgis

Mr. Sturgis echoed the concerns and reported crop conditions of the other Board members. He reported that in his district, wheat is a week and half ahead of schedule compared to last year. He agreed with Mr. Slade’s comments that one April frost could wipe the whole wheat crop out. He stated that as farmers, all they can do is hope for the best and prepare for the worst. He reported a perfect potato planting season on the Eastern Shore, with 95 percent of the potatoes

Board of Agriculture and Consumer Services – Draft Minutes

March 24, 2016

Page 7

planted already and good weather conditions. He said they expect to see plants cracking the ground in the next week. He stated that he is still hoping for beautiful weather and that growers are checking the markets to see what they want to plant and what they can plant this year. He agreed with Ms. Barlow that growers are looking for the crop they can lose the least on, which is a pretty bad situation to be in. He said that farmers are still hopeful for a good year. He shared that he had enjoyed the 2016 Food and Beverage Expo and encouraged other Board members to attend in 2018. He stated that it was good to see all the Virginia products and that the VDACS staff did a great job planning the event. He said the Expo had continued to get better every year. President Sturgis also polled the Board members to see if the electronic distribution of the Board package for that day's meeting was sufficient. All Board members agreed that it was and that it is no longer necessary to mail hard copies to the Board members in advance of future meetings. President Sturgis also asked Board members still wished to receive the weekly legislative summaries from VDACS staff during the legislative session. The Board members were unanimous in agreement that this legislative weekly report is valuable and should be continued. Secretary Schmidt agreed to provide a final version for the 2016 Session of the General Assembly after the Reconvened Session on April 20.

COMMISSIONER'S REPORT

Commissioner Adams delivered her report to the Board. During the presentation of this report, she briefed the Board on personnel changes, recent and future events, and other matters relating to VDACS. A copy of the written report on which her presentation was based was included in the Board meeting folder.

2016 SESSION OF THE GENERAL ASSEMBLY – LEGISLATIVE REPORT

President Sturgis called on Commissioner Adams, who provided a brief overview of legislation tracked by VDACS during the 2016 Session of the General Assembly.

2016 SESSION OF THE GENERAL ASSEMBLY – BUDGET REPORT

President Sturgis called on Kendra Shifflett, VDACS Budget Director, who provided a brief overview of relevant budget issues related to the 2016 Session of the General Assembly and VDACS.

FINAL STAGE – PROMULGATION OF 2 VAC 5-111 (RULES AND REGULATIONS PERTAINING TO PUBLIC AND PRIVATE ANIMAL SHELTERS) AND REPEAL OF 2 VAC 5-110 (RULES AND REGULATIONS PERTAINING TO A POUND OR ENCLOSURE TO BE MAINTAINED BY EACH COUNTY OR CITY)

President Sturgis called on Dr. Richard Wilkes, State Veterinarian and Director, Division of Animal and Food Industry Services, who introduced Dr.Carolynn Bissett, Program Manager, Office of Animal Care and Emergency Response. Dr. Bissett briefed the Board on the final stage to promulgate 2 VAC 5-111 (Rules and Regulations Pertaining to Public and Private Animal Shelters) and repeal 2 VAC 5-110 (Rules and Regulations Pertaining to a Pound or Enclosure to be Maintained By Each County or City).

Following Dr. Bissett's presentation and an opportunity for Board questions and comments, Mr. Mills moved that the Board of Agriculture and Consumer Services adopt 2 VAC 5-111, Rules and Regulations Pertaining to Public and Private Animal Shelters, and repeal 2 VAC 5-110, Rules and Regulations Pertaining to a Pound or Enclosure to be Maintained By Each County or City, as presented by staff, and that the Board authorize staff to take any and all steps

Board of Agriculture and Consumer Services – Draft Minutes

March 24, 2016

Page 8

necessary to have this regulation become a final regulation of the Board. Mr. Marker seconded the motion, and it was carried by a unanimous vote of the Board.

PROPOSED FAST-TRACK ACTION TO REPEAL – 2 VAC 5-160 (RULES AND REGULATIONS GOVERNING THE TRANSPORTATION OF HORSES)

President Sturgis called again on Dr. Wilkes, who introduced Dr. Charles Broaddus, Program Manager, Office of Veterinary Services. Dr. Broaddus briefed the Board on the proposed fast-track action of 2 VAC 5-160 (Rules and Regulations Governing the Transportation of Horses).

Following Dr. Broaddus's presentation and an opportunity for Board questions and comments, Mr. Mills moved that the Board of Agriculture and Consumer Services repeal 2 VAC 5-160, Rules and Regulations Governing the Transportation of Horses, as presented by staff, and that the Board authorize staff to take any and all steps necessary to repeal this regulation through fast-track regulatory action. Mr. Marker seconded the motion, and it was carried by a unanimous vote of the Board.

PROPOSED STAGE – 2 VAC 5-670 (RULES AND REGULATIONS FOR ENFORCEMENT OF THE VIRGINIA PESTICIDE LAW)

President Sturgis called on Larry Nichols, Director, Division of Consumer Protection, who introduced Liza Fleeson Trossbach, Program Manager, Office of Pesticide Services. Ms. Trossbach briefed the Board on the proposed stage for 2 VAC 5-670 (Rules and Regulations for Enforcement of the Virginia Pesticide Law).

Following Ms. Trossbach's presentation and an opportunity for Board questions and comments, Mr. Mills moved that the Board of Agriculture and Consumer Services adopt 2 VAC 5-670, Rules and Regulations for Enforcement of the Virginia Pesticide Law, as presented by staff, and that the Board authorize staff to take any and all steps necessary to file the proposed regulation for public comment. Ms. Potter seconded the motion, and it was carried by a unanimous vote of the Board.

PROPOSED STAGE – 2 VAC 5-680 (REGULATIONS GOVERNING LICENSING OF PESTICIDE BUSINESSES OPERATING UNDER AUTHORITY OF THE VIRGINIA PESTICIDE CONTROL ACT)

President Sturgis called again on Larry Nichols, who again introduced Liza Fleeson Trossbach. Ms. Trossbach briefed the Board on the proposed stage for 2 VAC 5-680 (Regulations Governing Licensing of Pesticide Businesses Operating Under Authority of the Virginia Pesticide Control Act).

Following Ms. Trossbach's presentation and an opportunity for Board questions and comments, Ms. Potter moved that the Board of Agriculture and Consumer Services adopt 2 VAC 5-680, Regulations Governing Licensing of Pesticide Businesses Operating Under Authority of the Virginia Pesticide Control Act, as presented by staff, and that the Board authorize staff to take any and all steps necessary to file the proposed regulation for public comment. Mr. Kordek seconded the motion, and it was carried by a unanimous vote of the Board.

FINAL STAGE – 2 VAC 5-685 (REGULATIONS GOVERNING PESTICIDE APPLICATOR CERTIFICATION UNDER AUTHORITY OF VIRGINIA PESTICIDE CONTROL ACT)

Board of Agriculture and Consumer Services – Draft Minutes

March 24, 2016

Page 9

President Sturgis called again on Larry Nichols, who again introduced Liza Fleeson Trossbach. Ms. Trossbach briefed the Board on the final stage for 2 VAC 5-685 (Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act).

Following Ms. Trossbach's presentation and an opportunity for Board questions and comments, Mr. Kordek moved that the Board of Agriculture and Consumer Services adopt 2 VAC 5-685, Regulations Governing Pesticide Applicator Certification Under Authority of Virginia Pesticide Control Act, as presented by staff, and that the Board authorize staff to take any and all steps necessary to have this regulation become a final regulation of the Board. Mr. Mills seconded the motion, and it was carried by a unanimous vote of the Board.

PROPOSED EMERGENCY REGULATION AND NOTICE OF INTENDED REGULATORY ACTION – 2 VAC 5-425 (REGULATION FOR THE ENFORCEMENT OF THE VIRGINIA MOTOR FUELS AND LUBRICATING OILS LAW – VAPOR PRESSURE REQUIREMENTS FOR GASOLINE ETHANOL BLENDS)

President Sturgis called again on Larry Nichols, who introduced Joel Maddux, Program Manager, Office of Weights and Measures. Mr. Maddux briefed the Board on the proposed emergency regulation and notice of intended regulatory action for 2 VAC 5-425 (Regulation for the Enforcement of the Virginia Motor Fuels and Lubricating Oils Law – Vapor Pressure Requirements for Gasoline Ethanol Blends).

Following Mr. Maddux's presentation and an opportunity for Board questions and comments, Dr. Abdulla moved that the Board of Agriculture and Consumer Services adopt the proposed emergency regulation for 2 VAC 5-425, Regulation for the Enforcement of the Virginia Motor Fuels and Lubricating Oils Law – Vapor Pressure Requirements for Gasoline Ethanol Blends, as presented by staff, and that the Board authorize staff to take any and all steps necessary file the proposed emergency regulation and notice of intended regulatory action for public comment. Ms. Potter seconded the motion, and it was carried by a unanimous vote of the Board.

POLLINATOR PROTECTION PLAN UPDATE - LIZA FLEESON TROSSBACH, PROGRAM MANAGER, OFFICE OF PESTICIDE SERVICES

President Sturgis called on Liza Fleeson Trossbach to deliver this presentation. Ms. Trossbach answered Board questions following her presentation.

NEW BUSINESS

No new business was introduced.

FUTURE BOARD MEETINGS

Mr. Kirby announced that he would be hosting the summer Board meeting and tour in the 7th district. The dates will be set after polling Board members on their availability.

PUBLIC COMMENT PERIOD

Heidi Meinzer, an attorney and member of the Board of the Virginia Federation of Humane Societies, spoke about recent legislation impacting private animal shelters and thanked VDACS for its recent work on shelter regulations. She stated that the Virginia Federation of Human Societies looks forward to working with VDACS on the private animal shelter regulations.

Board of Agriculture and Consumer Services – Draft Minutes

March 24, 2016

Page 10

FUTURE BOARD MEETINGS

President Sturgis announced that the next meeting of the Board will take place on May 26 in the Virginia State Capitol in Richmond.

ADJOURNMENT

There being no further business, the Board adjourned at approximately 11:22 a.m.

Respectfully submitted,

Steve Sturgis
Board President

Kevin Schmidt
Board Secretary