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EDITION 2, 2019

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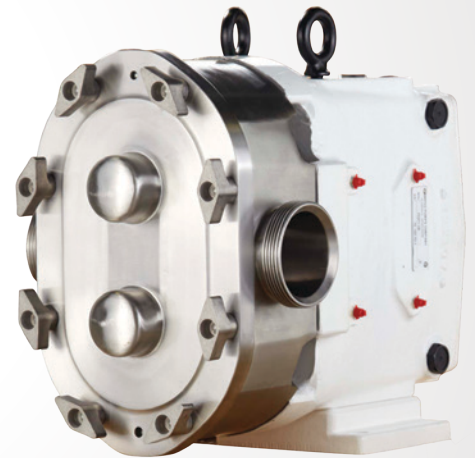
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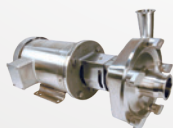


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The California League of Food Producers is an association representing the interests of both large and small food and beverage processors throughout California and works to help ensure a favorable and profitable business environment for its members and the food processing industry.

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On the Cover: Tara McHugh and food technologist John Roberts prepare apple bars at the ARS Western Regional Research Center, in Albany, California.



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President & CEO Message

2020 Food Processing Expo: See You There!

The development and adoption of new technology has kept the California food industry competitive in the global market and must continue to be a top priority.

That's why the CLFP 2020 Expo will feature advances in research and technology. There will be exhibitors with state-of-the-art business solutions, speakers discussing the latest trends and on the show floor, a special Food Processing Technology Showcase which will include several high-technology incubator organizations and research universities. The Showcase will provide an opportunity for processors to meet with innovators with emerging technologies and fresh perspectives on how to solve your pressing operational problems.

There is more to the Expo than just the latest in equipment and services. CLFP members and other processors should also attend the Expo as it is a great place to network with colleagues and suppliers. There will be 12 educational sessions on a number of important topics. The food processing industry is changing rapidly and actively engaging with friends and competitors will help keep you ahead of the curve.

Plan on attending the 2020 Expo which will be held February 12 & 13 at the Santa Clara Convention Center; it will be time well spent. For more information and to register, visit the Expo website at www.foodprocessingexpo.org and read the article about the Expo on pages 14-15.



“The food processing industry is changing rapidly and actively engaging with friends and competitors will help keep you ahead of the curve.”

~ Rob Neenan
President/CEO



February 12 & 13
SANTA CLARA
Convention Center **2020**

To Infinity and Beyond

Innovative Food Research at the ARS Western Region

“This is an example of how processing can actually improve the healthiness of foods.

~ Tara McHugh



Highly innovative, cutting-edge and award-winning food research is taking place at a research center right here in California, creating healthier foods and better utilizing all parts of the plants from which foods are produced.

Located in Albany, CA, just next door to Berkeley, is the U.S. Department of Agriculture's (USDA) Agriculture Research Service (ARS) Western Regional Research Center. The Center's director is Tara McHugh, who has overseen some amazing food research that has resulted in not only new products, but also new food processing and production techniques. This research has been done in the Center's Healthy Processed Foods Unit, sometimes in collaboration with its sister unit the Bioproducts Research Unit.

Some 20 years ago one project in particular put McHugh, and the Center, on the food research and product map (*pictured at left*). McHugh said it was food film research that centered around making very thin sheets out of fruits and vegetables, as an alternative to nori (seaweed around sushi) and meant to be an edible food film wrap.

The research resulted in McHugh and her team, who at the time was partnering with Origami Foods, LLC, to develop new types of fruit and vegetable film wraps. In 2001, the product resulted in McHugh and the product being named one of Popular Science magazine's 100 "Best of What's New" awards.



By LISA JAGER,
CLFP Marketing & Communications Director

ational Research Center

This award occurred early on in McHugh’s career at the Center, where she started working 25 years ago. She eventually led the Healthy Processed Foods Unit for more than 10 years and was named the Center’s director a year ago, which involves overseeing six research areas and the Center’s 220 employees. The center is one of four USDA ARS regional centers.

“I have a lot of passion around research and very impactful meaningful science,” McHugh said.

The Center’s Healthy Processed Food Unit develops new food applications that take a variety of approaches, including better utilization of waste materials, developing healthy foods, adding value to agricultural products, including in units other than food forms, such as utensils. The frequent collaboration with the Bioproducts Research Unit includes sharing pilot plants and transferring



and sharing learned technology with food and other companies.

McHugh said some of the big projects right now are for a number of new sustainable processing technologies to produce foods from value-added crops and to improve nutrition, safety, and energy and water usage. Some of the Food Processing Unit’s projects have focused on how to better utilize what are considered waste materials from fruits and vegetables, such as pomace from wine grapes and olives. McHugh said sometimes that means plowing it back into the ground or using it as animal feed.

However, ARS scientists are also working on ways olive growers and olive oil processors can affordably dry olive pomace—the skins, pulp, and pits left after the oil has been pressed out—for processing into new, higher value byproducts, such as new foods, pharmaceuticals and cosmetics.

The Center often works in collaboration with food processing companies, as it did in the olive research project, collaborating with several different olive oil producers. McHugh said she likes these projects to be collaborative with companies as much as possible as “it leads to a higher likelihood that the research will be used.”

continued on page 8...

McHugh Named 2019 Distinguished Research Scientist of the Year

Last April, Tara McHugh was named the 2019 U.S. Department of Agriculture (USDA) Agricultural Research Service (ARS) Scientist of the Year for her outstanding contributions to food science and processing. She was one of many ARS researchers honored for their scientific achievements.

Prior to becoming WRRC director in 2018, McHugh led the center's Healthy Processed Foods Research Unit in Albany, located in the agency's Pacific West Area. There, she oversaw the development of new or improved food-processing methods. In particular, her team focused on creating value-added products from fruits and vegetables deemed too small or flawed for fresh market sales, but are otherwise safe and nutritious to eat. Their efforts, in turn, led to the patenting, licensing and commercialization of several new food products, including 100-percent fruit bars, edible films and purees.

McHugh also oversaw the development of infrared- and ultraviolet light-based processing methods. In walnuts, for example, infrared drying reduced energy costs by 25 percent and cut the total drying time by 35 percent. Her team's investigation of ultraviolet processing opened the door to increasing the vitamin D content of mushrooms and meeting 100 percent of the daily recommended allowances.

Source: USDA/ARS



...continued from page 7

"At this point we are in a fortunate position that companies find us, more often than us seeking them out," McHugh said. "Finding companies to work with has not been difficult."

McHugh likes to highlight a project that the Center did with Monterey Mushroom, Inc. During the project, researchers' application of ultraviolet light to the mushrooms greatly enhanced the Vitamin D content of the mushrooms to 100 percent of the daily requirement.

"This is an example of how processing can actually improve the healthiness of foods," McHugh said.

Another research project close to McHugh is isochoric freezing, which is a novel way of freezing foods. The Center learned about this method from researchers at UC Berkeley. Isochoric freezing freezes foods in a chamber that has a defined volume. The potential benefits include improving the quality and safety of frozen foods and substantially reduce the energy costs of refrigeration.

McHugh said the Center is also currently assisting an oats company in developing a new oat snack product, that could be an alternative to corn nuts or peanuts, by drying the oats in a particular way for a desirable texture. The Center also is helping the company develop packaging which would open at the bottom and be resealed. Improvements in packaging can assist companies in commercializing their product.

"I am excited about this product as it's a way to get more oats into the diet," McHugh said. "It's a convenient way to eat healthy."



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UC Davis Cutting-Edge Food Science



CLFP recently posed some questions to Dr. Nitin Nitin, Ph.D., Professor and Engineer,

Food Science and Technology, at UC Davis about his cutting-edge research.

Dr. Nitin uses a combination of interdisciplinary approaches encompassing biomolecular engineering, mathematical modeling, material science and molecular imaging to study Food Engineering Research. The goal of this research plan is to develop technologies for addressing key issues in areas of food safety and food for health initiatives (e.g. development and validation of non-thermal food processing operations for food safety; engineering of food formulations to improve bioavailability of nutraceuticals).

These projects provide students with skills in areas of molecular imaging, spectroscopy, mathematical modeling, molecular biology, microbiology and material science with a strong foundation in food engineering.

What was your career path that led you to the Food Science and Technology Department at UC Davis?

After completing my graduate education and postdoctoral training, I joined the Research & Development team at Southwest Research Institute, where I managed a portfolio of research activities related to applications of materials in food, agriculture and biomedical industries. This position provided extensive opportunities to work closely with industry to address their unmet needs. After a couple of years of work experience in this position, I applied for a faculty position at UC Davis that matched with my academic background in food and bioengineering and offered an opportunity to do research and teaching in the areas of food and biosystems.

What are your areas of research interest?

My research program integrates food engineering, applied microbiology, materials science, sensing and imaging to address the unmet needs in the areas of food quality and safety. My research program also extends certain application of material science, sensing and imaging to addressing challenges in human health.

How does your research relate to the intersection of food and personal health?

In the area of food quality research one of our core focus areas is to improve the stability of nutrients and their delivery via food. In this research, we focus on using food grade materials to improve process and shelf life stability of nutrients in food and also investigate how these materials influences the bioavailability of these nutrients. This research theme provides a platform to address various aspects of food and personal health.

ce Research

The goal of this research plan is to develop technologies for addressing key issues in areas of food safety and food for health initiatives.

What are emerging frontiers in food processing research and what critical issues need to be addressed over the next 10–20 years?

Emerging frontiers in food processing research are at the intersection of nutrition and health, digital transformation of food and agricultural systems, efforts for reducing food waste and optimized utilization of food and environmental resources. These emerging frontiers are in response to several societal needs including prevention of chronic diseases, consumer demand for personalized health and nutrition and concern for environmental and food resources.

Are you and your team of graduate students willing and available to work with industry partners to solve applied problems?

We are very excited to work with industry partners to solve applied problems. We believe that understanding and addressing the unmet needs in the industry is mission critical for our ability to make a difference in our society. These applied problems also provide an excellent opportunity to understand complex systems at both fundamental and application levels and guide future research efforts. To me, these applied problems are also excellent case studies to both motivate and engage students in learning both in the classroom and in the laboratory.

Working together with industry is very beneficial for our students as they gain perspective on the challenges and opportunities in the industry. Many of the graduates from my laboratory are currently employed in the food industry. We are grateful for support from the industry in our research as well as employment of our graduates.



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Women in the Food Processing Industry

Mona Shulman, Pacific

Editor's Note: *This is the first in a series of articles about women in leading roles in California's food processing industry. Like many other industries, there are often more men than women in higher-level positions. We asked longtime CLFP-member Mona Shulman of Pacific Coast Producers (PCP) a few questions about women's roles and opportunities in the industry.*

What was your work background and education leading up to your role at PCP?

I earned my J.D. at UC Davis in 1987. I worked for private law firms, and I started working with PCP in 1993 when PCP was a client of a firm I worked with. I went out on my own when my daughter was born, and PCP asked me to be their outside General Counsel (GC) in 1998. I came in-house in 2002 and have worked with PCP since then.

What is your current role and responsibilities?

From 2002 and forward, I have been the GC of PCP. In 2014, I added the title of Vice President/Human Resources (HR) to that role. I oversee HR, Labor, Environmental Health and Safety, contracts, insurance, consumer complaints and a few other things.

Were you always interested in working in the food industry?

No, I became interested in the food industry through my work with PCP.

Why do you think there are so many more men rather than women in higher level roles in the food processing industry in CA and throughout the U.S.?

I think that the food processing industry follows the general pattern of "corporate" work, in which women have been increasing their roles over time in what has been traditionally a man's world. Additionally, our facilities are typically located in agricultural areas, with smaller, more rural communities, which tend to be more conservative and

maybe slower to change. Juxtapose that, however, with someone like Tillie Lewis (see *sidebar*) who managed to run a food production company years ago, when it was unheard of! We do continue to see fewer female applicants for higher level jobs at our production facilities. The jobs at the corporate level are now much more equalized than in the past.

What do you see as current or new opportunities for women in the industry?

There would be opportunity for women who wanted to work in the food quality, production or technical fields. Environmental, health and safety jobs are areas where I believe there is a lot of opportunity for women, along with technical controls and programming work, as food production plants continue to automate. There will continue to be jobs in the corporate/administrative functions.

Are there particular challenges they face in the industry?

I don't believe the challenges in this industry are any different from the challenges women face in any industry or profession.

Can companies or the industry do anything to help women move up the ladder in the industry?

Companies can sure support young and upwardly mobile candidates with training and mentoring to ensure their success.

How long have you been involved with CLFP and what have been your roles, involvement, committee membership, etc.?

I have been involved with CLFP since I started working with PCP. I am on the Food Safety and Nutrition Committee, the Prop 65 Committee, the PAC committee and attend various legislative events. It is important for companies to participate. There are valuable networking opportunities which help us all perform better. Staying

Coast Producers

“I think that the food processing industry follows the general pattern of “corporate” work, in which women have been increasing their roles over time in what has been traditionally a man’s world.” ~Mona Shulman

ahead of the legislative and regulatory environment is imperative in California today, and participation in industry events is good PR for both our companies and the industry.

Are you involved in other food or ag related groups in CA?

Yes, the Agricultural Council of California, Woodland, CA’s Food Forward initiative and local ag groups in our communities.

Are there any groups for women in food processing or manufacturing either in CA or nationally?

There are women in agriculture groups, but I am unaware of a food production group for women on the state or national level.



Pacific Coast Producers (PCP) was formed in 1971 and is a Grower Owned Cooperative headquartered in Lodi in the heart of California’s Central Valley. It produces canned fruit and tomato products at plants in California, Washington and

Oregon. The California plants are located in Lodi, Oroville and Woodland. The Lodi plant is now the largest apricot canner in the United States.



TILLIE LEWIS

Tillie Lewis (1904–1977) was a pioneer in female-owned businesses in the food industry, and during her lifetime Lewis achieved a stature unequaled by any other businesswoman in the world. Lewis introduced the Italian pomodoro tomato to the Stockton, California, area and established tomato and multiple agricultural products canning in both the San Joaquin and Stanislaus counties. By 1950 her company had become the fifth largest canning business in the United States. During the 1930s and The Great Depression she changed hiring practices by inviting people of all races, gender and faith into her workforce. Tillie brought the first diet and diet products approved by the American Medical Association into grocery stores and high-end hotel menus, known as the Tasti-Diet.

New Location,
Same Great Show

FOOD PROCESSING

EXPO

Food Processing Expo 2020 will be held in a new location, the Santa Clara Convention Center,* February 12–13. It will offer a fresh take on this classic one-of-a-kind show with a dynamic and topical array of speakers and workshops, an expansive trade show floor and other features. The Expo is California's largest food processing trade show and is a premier event for all facets of the state's food production industry.

PRE-EXPO WORKSHOPS

Two Pre-Expo Workshops will be held on February 11: **Starting a Specialty Food Business** and **Food Processing Facility Sanitation**.

Starting a Specialty Food Business will cover the basics of product development, food safety, processing options, marketing and cost analysis. Participants will have the opportunity to engage with university and industry specialists to learn the fundamentals of how to create a successful specialty food business. The workshop will be led by extension specialists from the UC Davis Department of Food Science and Technology.

Food Processing Facility Sanitation is being planned and led by the Safe Food Alliance and will involve a cross-functional discussion of the latest techniques, and long-standing best practices, related to sanitation, pest control, and other prerequisite programs that are critical for any food or beverage manufacturing facility.

SHOW FLOOR WORKSHOPS

Twelve additional workshops will be held throughout the two-day Expo focusing on timely topics such as *The Next Big Thing — Plant-Based Food Products*, *Food Labeling*





“The Expo gets better every year.”

~Participant

By LISA JAGER, CLFP Marketing & Communications Director

Regulations Update, Compliance with the FSMA Intentional Adulteration Rule, Integrating Robotics and Automation into Your Operations, new labor regulations and much more.

Phil Kafarakis, president of the Specialty Food Association, will be the Kickoff Breakfast Speaker on February 12. Kafarakis is a leading advocate and spokesman for the \$140 billion U.S. specialty food industry, one of the fastest growing food segments in the world. He is a nationally recognized industry insider and is often quoted by media sources. His editorials have appeared in Progressive Grocer, FoodDive, Ivey Business Journal, and SmartBrief, among others. Kafarakis is also a frequent speaker at events on topics like the future of the U.S. food market, disruptive innovation, and effective entrepreneurship.



Dr. Ken Goldberg, UC Robotics and Artificial Intelligence Lab, will be the Keynote Speaker at a Food Processing Technology Breakfast on February 13. Goldberg is an internationally known expert on robotics and artificial intelligence. He will discuss “A Radically Hopeful Vision for Humans, Artificial Intelligence, and Robots.” Goldberg is the William S. Floyd Jr. Distinguished Chair in Engineering at UC Berkeley and Chief Scientist at Ambidextrous Robotics. Goldberg is on the Editorial Board of the journal “Science Robotics,” served as Chair of the Industrial Engineering and Operations Research Department



and co-founded the Institute of Electrical and Electronics Engineers’ Transactions on Automation Science and Engineering.

TECHNOLOGY & INNOVATION SHOWCASE

A Food Processing Technology and Innovation Showcase will be held for the first time on the show floor and will be an excellent opportunity for food processors to meet with cutting edge researchers and innovators who are striving to solve a wide range of technical and operations problems facing food processors. The participants in the Showcase will include technology incubator organizations, startup companies looking to partner with industry, engineering and food science faculty with five universities, and researchers with the California Energy Commission. These organizations can help processors find new solutions to issues related to food safety, water conservation, energy use, data management, automation, and product development.

The 2020 Expo was relocated to Santa Clara due to the temporary closure of the Sacramento Convention Center for renovation. The 2021 Expo will return to Sacramento.

Thanks to our 2020 Expo Sponsors!



For more information about attending or exhibiting, visit:
www.foodprocessingexpo.org

Food Processors Benefit from UC Merced's Innovative Student Capstone Projects

UC Merced is unlike many college campuses because of its location and newness. It is the tenth and most recent addition to the University of California system with the first class of undergraduate students arriving in the fall of 2005.

The campus has a crisp feeling to it and features the clean lines of buildings with large windows, minimal landscaping and the university's signature art sculpture, Beginnings, which has two large curved silver beams rising 40 feet above the ground.

The university is in a somewhat rural setting at the edge of the city of Merced, not far from Yellowstone National Park. On a clear day you can see the outlines of the park's well-known Hall Dome rock formation.

Perhaps UC Merced students draw inspiration from this environment which allows free thinking and creativity to flow. This is reflected in the university's Department of Engineering Capstone Program which is required for all engineering students in their senior year. Stefano Foresti, director of innovation, UC Merced of the School of Engineering, said that although the Capstone Program is not unique to the university, it sets itself apart by having students utilize "all industry real life" projects.

The Capstone projects usually involve teams of four to six students collaborating with a California company to solve a wide range of engineering, manufacturing and other challenges and issues the company is facing. Many CLFP members, including processors and affiliates, have participated in UC Merced's Capstone Program and implemented the

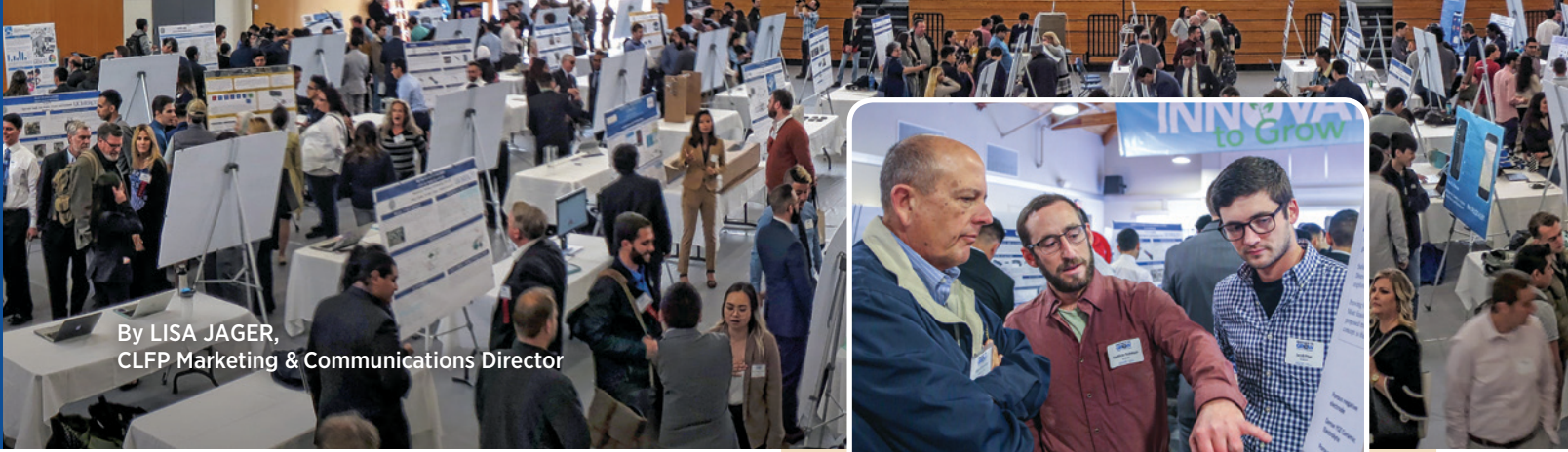
student's solutions. The qualifying projects are then part of the university's Innovate to Grow competition, held in the spring and fall.

Longtime CLFP member, The Morning Star Packing Company, has collaborated on multiple Capstone projects over the years and has applied student solutions in their production lines. "Morning Star is one of our very happy customers," Foresti said. "There have been several (Capstone) projects, including those involving new technology development and drum curing, and their need to cure them faster."

Foresti has been instrumental in helping bring more food and agriculture into the fold of Capstone projects. His outreach efforts have included calling on companies and people to learn about their operation needs. "We are about ag but even more about food," Foresti said. "We do something good for the industry, which is good for the university as well."

Other CLFP processor members who have partnered with the Capstone Program include Del Monte Foods, Inc., Frito-Lay, Inc., Olam Spices, Hilmar Cheese Company and Conagra Brands, Inc. and affiliate members Scholle IPN and United States Cold Storage.





By LISA JAGER,
CLFP Marketing & Communications Director

(See sidebar about CLFP member projects entered into the most recent Innovate to Grow contest.)

Foresti said that the challenges being addressed by companies are generally “on a wish list, they are not mission critical. All companies have problems collecting dust. We tell companies to give us a problem on their wish list. Most companies are looking to constantly improve.”

Capstone projects usually involve teams of four to six students collaborating with a California company to solve a wide range of engineering, manufacturing and other challenges the company is facing.

“Tell me something you (processor) need to get done, and I will give your four students who can work on it for you,” Foresti said.

Alejandro Gutiérrez, a UC Merced professor who teaches the Capstone class, said the program is good for both companies and students, particularly when it can sometimes be difficult for UC Merced students to obtain internships. “It gives graduating engineering students who do not have experience some hands-on skills and provides them with industry contacts,” Gutierrez said.

Foresti agrees and also said it gives companies access to potential new employees, a constant need and challenge in the food processing industry.

If you are a CLFP member, processor or affiliate, and interested in participating in the UC Merced Capstone Program, contact Stefano Foresti at Stefano.Foresti@ucmerced.edu.



Innovate to Grow

Several student Capstone projects that partnered with CLFP food processor members were part of the 2019 Innovate to Grow competition held in December.

Del Monte Foods, Inc. | Acam Consulting

SINGLE STRENGTH JUICE: Our goal is to identify the bottlenecks in Del Monte's juice making process in order to maximize the juice output per unit time. A process flow diagram will be constructed to show the inefficiencies and which stage is limiting production. A proposed concept of new tanks and addition of draining pipes that will separate the digestion stage into four parts will help tackle the bottleneck. A cost analysis will then be analyzed to prove the feasibility of this addition to the existing production process.

The Morning Star Packing Company | Blt (Bin Liner Team)

BIN LINER ASSEMBLY: The Morning Star Packing Company currently has two people who manually insert plastic liners into bins, an expensive process due to the associated requirements for labor. Our four-leg bin liner insertion system was created to maintain production efficiency, reduce labor costs, and properly insert the liner into the bin with a two-foot overhang.

The Morning Star Packing | Motreatment

WATER TREATMENT: This team will design a working prototype of a water treatment system used to remove MOT (dirt, rocks, and vines) from the product flow at The Morning Star Packing Company.

Pro Business Supporter Assemblymember Jim

Assemblymember Cooper represents California's 9th Assembly district, which includes Sacramento, Elk Grove, Galt and Lodi. CLFP is appreciative of Cooper's support of the business community and being part of the moderate Democratic caucus, which was organized in the Assembly to help pass pro-business legislation and shape and defeat anti-business legislation, such as packaging bills that will be coming back in January, including SB 54/AB 1080.

What was your path and background to becoming an Assemblymember in the California Legislature?

I had a career in law enforcement in Sacramento and at the same time served as a council member and as the first mayor of Elk Grove, which was incorporated in 2000. I had the opportunity to help build city services from the ground up - the whole nine yards - hiring all the city staff, bringing services to the city, etc. At the time it was the fastest growing community in the country.



“California is a highly regulated state. We are losing businesses, farms, dairies, etc., to other states and countries.”

~ Assemblymember Jim Cooper

How does your background in law enforcement help you as a legislature?

In law enforcement you have to be the decision maker and really have common sense and experience “drinking from a fire hose.” As lawmakers we also are tasked to make decisions. In law enforcement we learn to take the emotions out. We saw a lot of very bad things. In the legislature, no one is dying right now, and we are sometimes rushing bills through. We need to take the time and slow down. Some of these are really big issues. Last year there were more than 22,000 bills and most of them weren't fully cooked and not well thought out.

What are your thoughts on the recent packaging bills that would affect the food processing industry? How have you worked on issues or legislative matters related to agriculture and the food processing industry?

Some want to make a name for themselves with these bills. How can you go that far to the extreme? It's a feel good bill, the packaging bill. Some businesses are regulated by the FDA, and some manufacturers send products to Mexico to be packaged. People don't get that. We should be doing more to help those industries.

California is a highly regulated state, over regulated. We are losing businesses, farms, dairies, etc., to other states and countries.

Ag is important, when I came in I wanted to be an ag guy. By my actions and legislation I have supported and opposed, I have kept my word. I have done 50 plus ag tours. My car is three years old with 90,000 miles on it, most of from touring up and down the Valley.

Cooper

I want to make sure our ag producers get a fair shake. They are hard-working folks. I love ag, but sometimes they can be frustrating. They are one of the biggest gorillas in the state and have the resources. Ag is bigger than tech, and when tech has a battle, they rally together. Ag can be so silent. They should pick one commonality and rally around that, whether it be water and pesticides or other things.

Tell me about your district and the people you represent? It does include one CLFP member—Pacific Coast Producers.

It (PCP) is an excellent facility that I toured when running for office. Mona (Shulman of PCP) is always at the Capital, keeping us apprised about what is going on.

What are your thoughts on PG&E's power outages as a fire preventive measure?

It can't be the new normal. Something has got to change. Meetings are going on right now, and we are going to be part of it. California is not a third world country. This has to be rectified.

There are many state organizations like the California League of Food Producers (CLFP) who rely on building relationships with legislators such as yourself to further their issues and causes. What is your approach to working with organizations and how can they best further and maintain relationships?

Engagement is the number one issue. I represent the Valley, however at least half of the legislative members don't have ag as part of their district, yet California feeds the world. I helped form the first ag caucus on agriculture to help folks that don't represent ag. We talk about issues that affect ag and organize visits to facilities and do ag tours. I have a lot of pears in my district and organized a tour there. Other tours are planned for January.



Assemblymember Jim Cooper has visited 50-plus ag and food operations throughout the valley. In these photos, he is taking a farm tour and spending time with CLFP-member Pacific Coast Producers, located in his district in Lodi.



Regulatory Report

By JOHN LARREA & TRUDI HUGHES
CLFP Government Affairs Directors

California food processors were faced with a variety of regulatory issues in 2019. One bright spot was the California Department of Energy's Food Processing Investment Program, which several CLFP members have taken advantage of over the last two years. PG&E's bankruptcy, Governor Gavin Newsom's wildfire fund and a new de-energization plan were some of the top regulatory energy issues facing food producers in 2019 and will continue to do so moving into 2020.

Food Processing Investment Program

In 2017, the state legislature authorized \$60 million in funding to establish the Food Processing Investment Program (FPIP) to be administered by the California Energy Commission (CEC). The program is designed to provide funding for projects that improve energy efficiency and reduce greenhouse gas emissions for food processors.

CLFP worked with CEC to introduce additional changes to the regulation to further accommodate applications from food processors. Changes include an extension of the deadline for completing the applications for a grant. Companies that need extra time meeting the application requirements can opt for the second deadline providing an additional three months.

Several CLFP members have taken advantage of the program since its inception, including most recently Sun-Maid Growers of California, pictured below.

Because Governor Gavin Newsom did not provide additional FPIP funding for the 2019–2020 budget year, this may be the final year for the program. CLFP is working with CEC to get FPIP funding extended to 2021. For more information, contact John Larrea at john@clfp.com



Sun-Maid is one of several CLFP members utilizing funds from the Food Processing Investment Program.

AB 1054 & The Wildfire Fund

In January 2019 Pacific Gas & Electric (PG&E) filed for Chapter 11 bankruptcy in response to financial challenges associated with the catastrophic wildfires that occurred in Northern California. This bankruptcy eventually led to Governor Gavin Newsom in June 2019 signing AB 1054, which requires the state's three main investor owned utilities (IOUs), PG&E, Southern California Edison and San Diego Gas & Electric, to make

CLFP is working with the California Energy Commission to get Food Processing Investment Program (FPIP) funding extended to 2021.

\$5 billion in aggregate safety investments without return on equity that would otherwise be borne by ratepayers. AB 1054 seeks to clarify the current “prudent manager” standard used to determine whether a utility can recover costs arising from a covered wildfire. The measure allows cost recovery if the costs and expenses are determined just and reasonable based on reasonable conduct by the electrical corporation.

AB 1054 also establishes a Wildfire Fund to pay eligible claims arising from a covered wildfire. The fund will be jointly funded by utility shareholders and utility ratepayers. Utility shareholders will contribute \$7.5 billion initially and an additional \$3 billion over 10 years (\$300 million per year) to the wildfire fund. Ratepayer contributions will include a non-by-passable energy usage charge of \$0.005 KWh for 15 years to securitize \$10.5 billion for the wildfire fund. The total charge equates to \$13.5 billion (or roughly \$900 million a year). Farming and food processing’s share of the \$13.5 billion is expected to total roughly \$1 billion over the 15-year period. AB 1054 requires PG&E to resolve all pre-bankruptcy claims and achieve a CPUC approved reorganization plan that is both consistent with the state’s climate goals and renewable portfolio standards and determined to be neutral to the ratepayers of the IOU. Thus, PG&E shareholders are responsible for all liability claims from 2017 and 2018 wildfires, a liability estimated at approaching \$30 billion. CLFP will continue to work with the California Legislature and Governor Newsom on measures that will help to mitigate the impacts of rising electricity rates on agricultural and industrial ratepayers resulting from the enactment of AB 1054.

California Public Utilities Commission Proceedings. Including De-Energization

A number of proceedings have been opened at the California Public Utilities Commission that may affect

the food processing industry in the coming months or years. CLFP is either joined as a party to these proceedings or is actively monitoring them on an informational only basis. Some of the recently filed proceedings include:

- **Microgrids:** Proceeding aimed at examining the commercialization of microgrids and to develop standards (guidelines, rates, tariffs, protocols) that are supposed to reduce the barriers to microgrid deployment.
- **Decarbonization Proceeding:** Looking at developing key policy issues related to building decarbonization required by Senate Bill (SB) 1477.
- **Rate Affordability Proceeding:** Proceeding designed to assess the impacts on affordability of individual CPUC proceedings and utility rate requests.
- **Wildfire Mitigation Plan Proceeding:** Proceeding to implement SB 901, which addresses a number of issues in the CPUC’s jurisdiction related to wildfires.
- **De-Energization Proceeding:** Proceeding examines utilities’ de-energization processes and practices as well as the impacts on communities and industry.
- **Direct Access Proceeding:** Proceeding to implement the requirements of SB 237 relating to the expansion of Direct Access to more customers.

Other Key 2019 Regulatory Issues for Food Processors

- The State Water Board has approved new wastewater discharge regulations that will have a significant impact on processors, farmers, and others who discharge wastewater to land application sites. CLFP is part of a coalition working with the Regional Board to inform dischargers of their options and reduce their compliance costs.
- Some CLFP members with non-transient, non-community, water systems continue to face issues with arsenic, 123 TCP, Chromium-6, or other contaminants in their water supply in exceedance of the Maximum Contaminant Levels prescribed by the State Water Board. Treatment options can be very expensive and CLFP is working with members to address these issues.



Legislative Update

By TRUDI HUGHES
CLFP Government Affairs Director

CLFP was engaged in multiple priority legislative issues in the final weeks of the 2019 session that had direct and significant implications to the food processing industry in California.

Packaging Recycling

Two bills that CLFP strongly opposed were held in the Legislature at the end of session and will be considered again in 2020. Senate Bill (SB) 54 (Allen) and Assembly Bill (AB) 1080 (Gonzalez), which are identical bills, require CalRecycle to adopt regulations to source, reduce and recycle at least 75% of single-use packaging and products sold or distributed in California by 2030. See the following “CLFP Active During Legislative Interim” for additional information about these bills.

Priority Workforce Bills

The Governor signed AB 5 (Gonzalez) on September 18. AB 5 codifies into the Labor Code the court decision in *Dynamex Operations West, Inc. v. Superior Court of Los Angeles*, which rejected the long-standing Borello test (where employer control over the worker was a key) and adopted the “ABC” test for determining whether workers should be classified as either employees or independent contractors. The bill contains more than 31 exemptions for a number of industries, but the exemptions are still not broad enough. The bill’s author has committed to further review and adding more exemptions. CLFP is working with the California Truckers Association on a potential exemption for independent truckers which are vital to moving agricultural products throughout California.

On the final day of the legislative year, AB 1066 (Gonzalez), a CLFP-opposed bill granting unemployment

benefits to striking workers, fell short of votes needed to pass the Senate. AB 1066 would have significantly increased costs on employers engaged in a trade dispute by allowing employees on strike to receive unemployment benefits if the strike lasted more than four weeks, incentivizing strikes, burdening employers and potentially affecting the solvency of California’s unemployment insurance fund.

A remaining workforce issue of importance to the food processing industry and the entire business community is AB 51 (Gonzalez) which bans arbitration agreements made as a condition of employment. The bill is similar to legislation vetoed last year by Governor Jerry Brown for violating federal law. If enacted, the bill would create more cost, litigation and uncertainty for employers, who would have to wait until a court definitively resolves the conflict with federal statute. Governor Newsom signed the bill on October 10.

California Environmental, Public Health, and Workers Defense Act of 2019

On September 27 Governor Newsom vetoed SB 1 (Atkins) that would have threatened California’s water supply and would have created regulatory uncertainty and litigation. It would have undermined current state efforts to move forward with Voluntary Settlement Agreements that are science-based decision making to manage and provide reliable water supplies for California and protect, restore and enhance the ecosystems of the Bay-Delta and its tributaries.

SB 1 would have further increased the potential for costly litigation by forcing a federal agency to operate the Central Valley Project subject to the California Endangered Species Act, when that state law is preempted by the federal Endangered Species Act.

It further would have created significant regulatory uncertainty and litigation risks to regulated entities by giving certain state agencies authority to adopt rules and regulations without any of the Administrative Procedure Act safeguards when the agency, in its discretion, determined that the federal rules and regulations in effect on January 19, 2017 are “less protective” than existing federal law.

CLFP Active During Legislative Interim

During the legislative interim, CLFP has been engaging with stakeholder groups, the Governor Gavin Newsom’s Administration and legislators and staff on policy issues impacting the food processing industry including food packaging and energy rates and programs.

Two packaging bills that CLFP strongly opposed were held in the Legislature at the end of session and will be considered again in 2020. SB 54 (Allen) and AB 1080 (Gonzalez), which are identical bills, would set impractical recycling rates and deadlines for all types of packaging materials, provides CalRecycle with broad emergency regulatory authority that include significant fee authority with no legislative oversight, draconian penalties for unintentional data reporting errors, and lacks assurances that local jurisdictions and waste haulers would pull material through for all recyclable and compostable materials, among other issues.

CLFP is continuing to engage on these bills throughout the legislative recess to try and make these bills workable. CLFP is working with a food and agriculture stakeholder group on issues relating to food safety as well as a larger multi-industry stakeholder group on larger issues relating to infrastructure, Cal Recycle authority and more. The groups will offer amendments to Senator Allen and Assembly Member Gonzalez in the coming weeks.

CLFP is also engaging with an agricultural and industrial stakeholder group on energy rates. With the passage of AB 1054 in July, legislative leadership asked key stakeholders to compile a wish list of potential energy proposals to help offset increased costs. The preliminary stakeholder list includes proposals surrounding de-energization, customer-generation, direct access, energy efficiency funding and more. The CLFP Energy Resources Committee is providing input on these proposals before they are formally presented to the Legislature for potential action in 2020.



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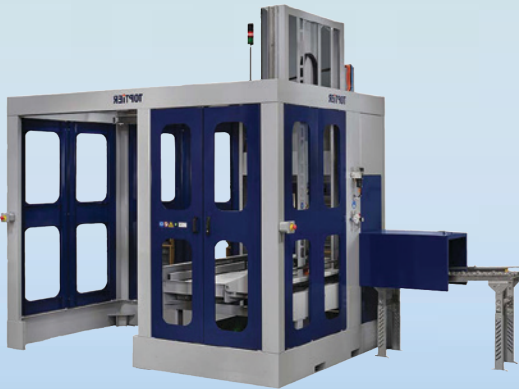
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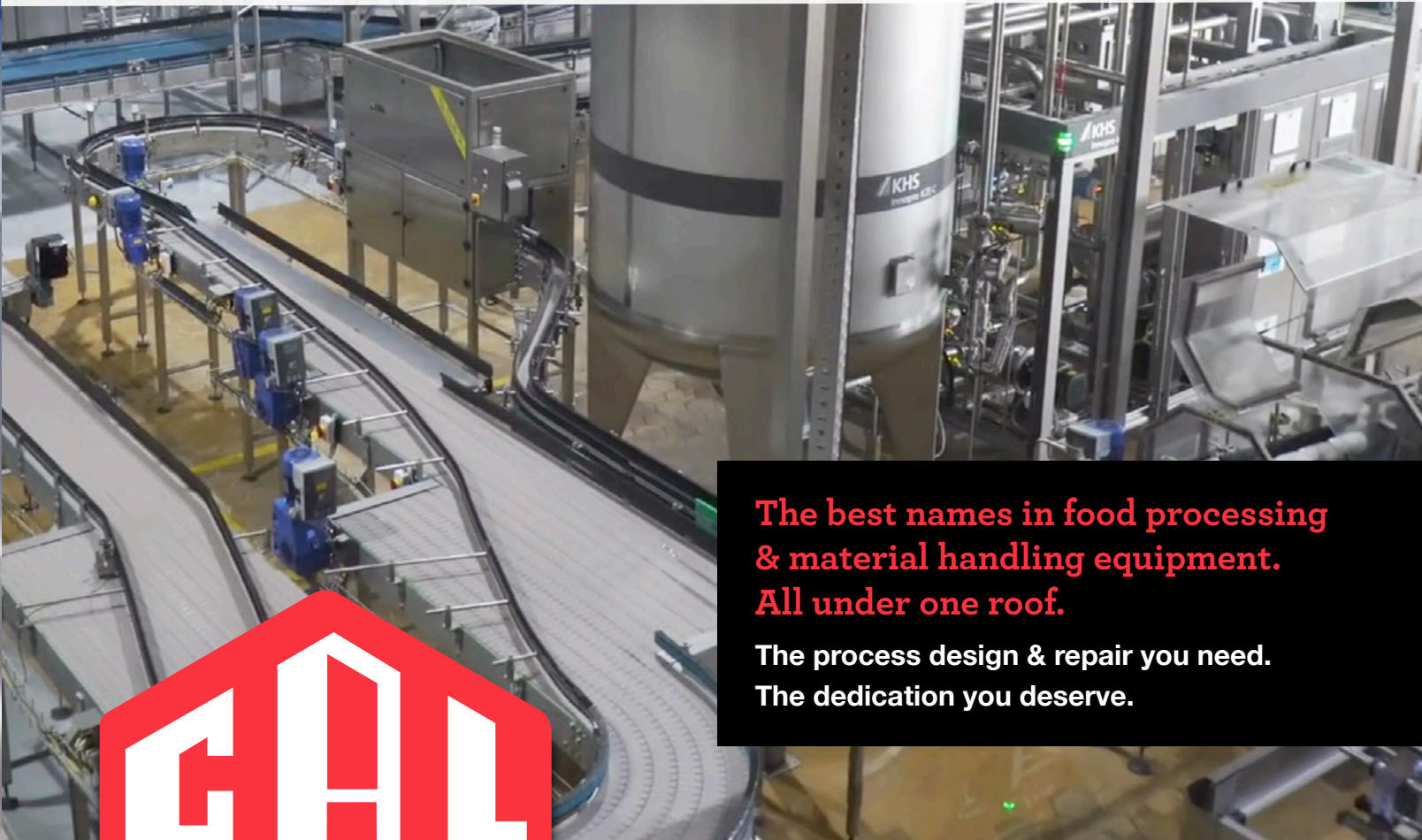


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Board of Directors Fall Meeting

CLFP held its 2019 Fall Board of Directors Meeting on October 24 at Wine & Roses in Lodi, CA. The meeting was presided over by current chair, Ross Siragusa, The Kraft Heinz Company.

The guest speaker was Audra Hartmann, a partner with Smith, Watts & Hartmann, a lobbying and consulting firm based in Sacramento. The firm specializes in energy, climate and transportation issues. In her current role, Audra provides strategic advice and advocacy before the legislative, executive and regulatory branches of the California state government for the California Large Energy Consumers Association, several large California manufacturers and other companies.

The title of her discussion was “How Bad Can It Get? The Good/ The Bad and The Ugly Impact of California Energy Policy on Large Energy Users.” She laid out the current energy situation and reviewed the “ugly” state policies that are impacting California rates and ratepayers, including the Wildfire Fund, Wildfire Mitigation Plan/System Hardening Costs, Inverse Condemnation, Public Safety Power Shutoffs, Rate Impacts of Clean Energy Goals, Near-term Reliability & Resource Adequacy Concerns and Other Rate Increases.

These points resulted in a lively discussion with CLFP board members.

She did outline some of the “good” in the current energy situation, including the California Department

of Energy’s Food Processing Investment Program, which she said could be a model for other industries, the lobbying efforts of the Ratepayer Coalition on AB 1054, which got the attention of key legislators and that at least one other agency is looking for ways to incentivize industry to

make Greenhouse Gas reductions and energy improvements.

CLFP Government Affairs Directors Trudi Hughes and John Larrea provide detailed legislative and regulatory reports during the meeting. See *pages 20–23 for more information.*

2019–2020 CLFP Scholarship Recipients Announced

Processor Members

Adriana Garibay Barboza	<i>Campbell Soup Supply Company</i>	\$1,000
Gustavo Ruiz	<i>ConAgra Brands, Inc.</i>	\$1,000
Alejandra Moreno	<i>Del Monte Foods, Inc.</i>	\$1,000
Danielle Garcia	<i>Leprino Foods Company</i>	\$1,000
Daniel Ibarra Reynoso	<i>Liberty Packing Company</i>	\$1,000
Marco Murillo Madera	<i>Mariani Packing Company, Inc.</i>	\$1,000
Juan Barajas	<i>Olam Spices</i>	\$1,000
Viviana Mendoza	<i>Olam Spices</i>	\$1,000
Erika Benitez Rodriguez	<i>Pacific Coast Producers</i>	\$1,000
Joel Lemus	<i>Pacific Coast Producers</i>	\$1,000
Shelley Thomas	<i>Pacific Coast Producers</i>	\$1,000
Hannah Ragsdale	<i>Sun-Maid Growers of California</i>	\$1,000
Melissa Retamoza	<i>Sun-Maid Growers of California</i>	\$1,000
Lizet Mendez	<i>Ingomar Packing Company, LLC</i>	\$500
Alex Walker	<i>Leprino Foods Company</i>	\$500

University Donations | Food Science Clubs (Programs)

Cal Poly, San Luis Obispo	\$1,500
Cal Poly, Pomona	\$1,500
California State University, Chico	\$1,500
California State University, Fresno	\$1,500
University of California, Davis	\$1,500
Chapman University	\$1,500

University Donations | Engineering Clubs

California State University, Chico	\$1,500
University of California, Merced	\$1,500

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Audra Hartman, with Smith, Watts & Hartmann, addressed the board about the current energy climate in California.




CLFP's board of directors meets three times per year.

The next CLFP Board of Directors meeting will be held on February 12, 2020, in conjunction with the Food Processing Expo at the Santa Clara Convention Center.



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