

# Weak *in the* Links Supply Chain

Ports and the Supply Chain  
Five Things You Need  
to Know About Blockchain  
We Are Back!  
Expo Returns to Sacramento

WINTER 2022

Produced by the California  
League of Food Producers (CLFP)

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# CALIFORNIA food PRODUCER

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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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## How are you combating rising costs in the food industry?



These 3 categories are projected to continue increasing in 2022.



Packaging



Transportation



Cost of goods

Where in the past the industry has seen inflation impact one category, global challenges have created a trifecta of increases industry-wide. Many decision makers feel there is no choice but to pass the costs on to consumers.

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# President & CEO Message



*“There is clearly a need for major investment in new technology and infrastructure such as inland ports and dedicated rail lines to the ocean ports.”*

— Rob Neenan  
President/CEO



## Weak Links in the

With the ongoing truck driver shortage, limited availability of intermodal equipment, and monumental delays getting cargo into and out of the ports, 2021 was a logistical nightmare for many companies. Federal Maritime Commissioner Carl Bentzel recently stated that “this is the largest U.S. shipping meltdown since World War II” and that, as a result, “the just-in-time logistical system is broken.”

Resolving this problem may take a long time. The trucking industry needs thousands of new drivers, but most freight companies have had limited success in attracting and keeping new entrants and coping with regulations regarding independent contractors. Due to a lack of investment in automation and restrictive union rules, U.S. ports are generally far less productive than overseas ports such as Singapore, Hong Kong, and Rotterdam.

The newest generation of container ships are so large they can only dock at a few port terminals on the West Coast, creating logistical bottlenecks. The largest container ships in service are about 1,300 feet long and can carry nearly 24,000 20-foot container equivalents. The impact of these enormous ships is exacerbated by insufficient port container storage space and highway



# Supply Chain

traffic congestion around the ports. The ocean carriers, which are all foreign-flag, have limited incentive to reduce congestion and lower freight rates. The Federal Maritime Commission lacks the authority, and the will, to take aggressive action. All of these issues add costs and headaches to the supply chain.

President Biden ordered the Federal Maritime Commission to investigate allegations that the ocean shipping lines are assessing unfair demurrage and other surcharges and are not providing competitive rates and services. Congress is considering action, and there is clearly a need for major investment in new technology and infrastructure such as inland ports and dedicated rail lines to the ocean ports. This may take many years to accomplish, and in the meantime, it may be a bumpy road ahead for California food exporters.

## Longtime President Rob Neenan Announces Plans to Retire at Board Meeting

CLFP's Fall Board of Directors Meeting was held October 21 in Modesto. During the meeting, longtime President & CEO Rob Neenan announced he plans to retire this summer. The Executive Committee will conduct a search for his replacement.

Vaughn Koligian, former CLFP board member and now President of the Safe Food Alliance, was a guest speaker and discussed ways the two organizations could work jointly on multiple projects.

Financial reports were reviewed and reports on legislative and regulatory issues were presented by CLFP Government Affairs Directors Trudi Hughes and John Larrea.

The Annual Board of Directors Meeting will be held May 5-6 in Monterey.



# Ports and the Supply Chain

*CLFP posed some questions to Andrew Hwang, Manager of Business Development and International Marketing, Port of Oakland, about the role of ports in supply chain issues. Here's what he had to say.*



## **Any forecasts on how long the supply chain problems will continue?**

Right now, the consensus in reports that I have read is that we will see elevated volumes through the end of 2022.

## **In your opinion what are the top problems that need to be solved before the supply crisis will dissipate?**

The supply chain is exactly that. It is a chain so if there is one problem, it creates problems down-line and upstream. There is not one single culprit in the supply chain. However, if there is an over-arching factor, it would be the shift to online shipping and the elevated demand for products due to COVID. Once experiential spending comes back, hopefully we will see relief.

## **Were White House actions helpful? Did they address the key problems?**

It is too early to tell. The actions are well intended, but it usually takes a long time before the real effects can be seen and quantified.

## **Would additional inland ports be of benefit to the goods movement in CA?**

Additional inland ports may be beneficial if they are in the right place and have a specific role in the supply chain. The inland port would need to be financially sustainable during normal times and not just during times of upheaval.

## **In your opinion, has the threat of AB 5 contributed to the supply chain crisis? If so, in what way?**

AB 5 has not yet been finalized so it is difficult to tell what its affect on the supply chain crisis is.

## **How does the situation at Oakland differ from the southern CA ports?**

Oakland has increased it's labor pool on the docks by 16% since Q1 2021. This helped us whittle down the congestion we were facing during Q2 2021 and part of Q3 2021. Right now, we are operating below capacity and are open for business.





### **Is Oakland running at capacity? Why aren't more carriers using Oakland?**

We are working with carriers to re-instate services that are skipping Oakland due to the extreme delays in Southern California.

### **What are some of the problems facing ag exports in California that you're hearing?**

Oakland exporters are having a difficult time getting to certain markets due to schedule reliability that will not allow their cargo to make the trans-shipment vessel. There are also not enough vessels weekly right now to handle the export demand.

### **What steps can be taken to address ag export issues?**

The Port of Oakland has been working with our stakeholders through webinars, our Truckers' Work Group and our Port Efficiency Task Force to provide the most updated information that we have. Ag Exporters can help get services reinstated by contacting their ocean carriers executives and advise of their need for the services to be reinstated to Oakland.

*Editor's Note: The Port of Oakland has announced plans to launch an interagency effort to improve the flow of agricultural exports. The program involves the use of additional yard space and equipment, restored export ship calls and assistance to export users. The goal is to provide relief to agricultural exporters who are facing shortages of export capacity and skyrocketing logistics costs. The Port will open and operate a 25-acre off-terminal, paved container yard equipped to move containers off chassis and store them for rapid pick-up. The yard will provide access to equipment and provide faster truck turns without having to wait for in-terminal space. Agriculture exporters will be assisted by federal and state agricultural agencies to use the yard.*

# Five Things You Need to Know About the Blockchain

**What is the next technology that will transform the food and ag industry? What will astute leaders be devoting attention to these next couple years?**



## **The answer is blockchain.**

We're confident in this; because people like you have told us so.

In a recent survey focused on managers and directors in the agriculture, food or agri-food markets, only 13.2 percent said their company is currently conducting work regarding blockchain technology — but 49 percent said they believe their company will do so in the next three years.

That's just one of the fascinating findings that emerged from C.O.nxt's industry survey, distributed in partnership with Stratovation Group. But before we dive in, let's pause on the most basic question.

## **What is blockchain?**

Because while the buzz for blockchain is growing right now, many still aren't quite sure precisely what it is and how the technology would work in their systems.

## **So a quick primer.**

While blockchain's details and applications can be complex, the fundamentals are simple. Blockchain is a decentralized database (as opposed to a traditional database, like a server) that is comprehensive of all aspects of a product's production and supply chain.

One that's secure, fast and completely transparent. Here's how IBM, one of the leaders in blockchain usage, defines it:

*Ideal for delivering information because it provides immediate, shared and completely transparent information stored on an immutable ledger that can be accessed only by permissioned network members. A blockchain network can track orders, payments, accounts, production and much more. And because members share a single view of the truth, you can see all details of a transaction end to end, giving you greater confidence, as well as new efficiencies and opportunities.*

Once you get a handle on the fundamentals, possibilities start to open up. What's coming next? Here's what we foresee:

## **Blockchain is perceived as a tool for the mega companies.**

When survey participants were asked to name an ag or food company using blockchain today, IBM and Walmart were perceived as the top leaders in the space. AgriChain and Ripe.IO garnered attention too. Right now, blockchain is seen as something only the giants can afford to invest in. But that's changing.

## **Blockchain will likely be common in companies of all sizes soon.**

Over two-thirds of survey participants said their companies are at least "somewhat interested" in blockchain tech. So what's stopping them from relying on blockchain's capabilities?



## **Understanding and knowledge are the top barriers to adopting blockchain technology.**

Blockchain can be dense. There is a steep learning curve of both language and scope that serves as a barrier to entry. Our survey found that “understanding” and “knowledge” are currently most likely what’s holding most companies back. But like most new innovations, once the dam breaks, it will be found everywhere (and fast). As more and more companies start to use it, the pressure will increase to learn and keep up. What will newcomers find?

## **It’s much more than cryptocurrency.**

Crypto and blockchain go hand-in-hand in many consumers minds. Digging into our collective industry, the most agri-food blockchain opportunities exist in traceability and connecting the dots in the supply chain the survey participants believe, along with commerce and food-safety optimization to a lesser extent. It is most definitely a big-picture technology, with capabilities to impact almost every part of business, especially within the Agri-food sector.

Blockchain is way more than crypto. There are opportunities in supply chain, food tracing and food security.

## **What does this all mean?**

All signs point to blockchain surging throughout the industry. It’s a vital technology that provides opportunities and solutions in supply chain, food tracing, food security and more.

If you aren’t in the know about blockchain, it’s time to learn as much as you can. And if you have a grasp on the fundamentals, becoming an expert would be a

*Over two-thirds of survey participants said their companies are at least ‘somewhat interested’ in blockchain tech.*

smart step to putting your company in a position to grow and thrive.

At C.O.nxt, we’re always here to help. If you want to see more from the research or start a deeper conversation—reach out. We’re all going to be talking more about this in the next few years. So stay with us as we continue to learn together how blockchain can add innovation to the agri-food sector.

## **C.O.nxt Insight**

Our team of subject matter experts focuses on food and agriculture—farm field to processing to entrée on a plate. We can help you build a new brand, protect an old one or target customers to foster sales. Let’s talk when the time is right to handle your next strategic marketing and communications challenge: Marcy Tessmann, [marcy@co-nxt.com](mailto:marcy@co-nxt.com).

Our research partner, Stratovation Group, provides unique and proprietary insights like these for leaders serving all aspects of the agri-food value chain. Learn how data-driven decision making can provide new opportunities and solve old challenges for your business; reach out to: Cam Camfield, [Cam@StratovationGroup.com](mailto:Cam@StratovationGroup.com).

# we are BACK!



*We are back in Sacramento and looking forward to welcoming new participants as well as exhibitors and attendees who have come for many years.*

FOOD PROCESSING  
**EXPO**   
**February 15 & 16, 2022**  
SAFE Credit Union Convention Center  
in Sacramento, California

The Food Processing Expo returns to Sacramento following the completion of renovations to the recently renamed SAFE Credit Union Convention Center. The Expo, the largest event of its kind in California, attracts a wide variety of attendees, including CLFP member food processors, non-member processors, those with ideas for new food products, university personnel and students, food processing industry vendors and suppliers.

The Expo will provide a day and a half of educational sessions covering a broad array of topics of current interest to the food industry, including COVID-19, The Circular Economy and Food Packaging Recycling, Meeting New Groundwater Nitrate Limitations for Wastewater Land Application Operations and Robotics and Automation in the Food Industry. A full listing can be found at the Expo website at [www.foodprocessingexpo.org](http://www.foodprocessingexpo.org).

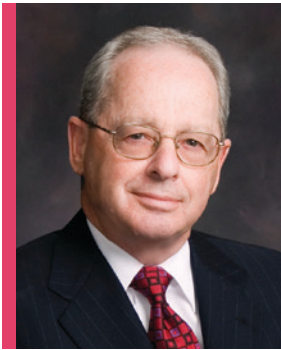
Some are predicting a bright future for the food and beverage industry in 2022. Attendees will want to spend some time on the Expo show floor to learn from exhibitors how industry suppliers can help you meet your needs in the coming year.



# Mingle, Relax and Have Some Fun!

The Expo is also about networking and having some fun, and this year in particular connecting in-person with colleagues. Try your hand at the always popular Veggie, Fruit & Nut Putting Contest and mix and mingle at the Annual Supplier Host Council Reception & Silent Auction, both of which raise funds for CLFP's Scholarship Program.

## Keynote Speaker



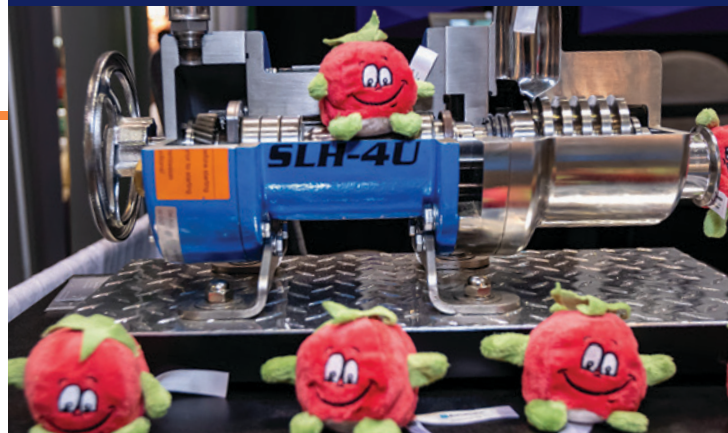
George Soares is the Expo Kick-off Breakfast Keynote Speaker. Soares is the Managing Partner at the Sacramento law firm Kahn, Soares, and Conway. He is considered to be the *Dean* of agricultural lobbyists in California due to his many years of working in the Capitol, knowledge of the regulatory process and his political savvy. He will speak about key issues facing California agriculture in 2022.

More information and registration at  
[foodprocessingexpo.org](http://foodprocessingexpo.org)

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# 2021-22 Scholarship Recipients

## Awards & Donations

The California League of Food Producers (CLFP) awards scholarships and funds to deserving students and colleges each year. For the 2021-22 year CLFP awarded \$26,000 in scholarship funds to students and through donations to universities and community colleges.

### Scholarship Recipients

Monsserat Sanchez  
*ConAgra Brands, Inc.*

Natalie Mejia  
*Del Mar Food Products Corp.*

Yadira Yepiz Yopez  
*Del Monte Foods, Inc.*

Innara Medina-Vargas  
*Ingomar Packing Company, LLC*

Alex Walker  
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Leticia Rocha  
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Alis Ramirez  
*The Morning Star Packing Company*

Elizabeth Newman  
*The Morning Star Packing Company*

Ivan Montes de Oca  
*Musco Family Olive Co.*

Carlos Meza  
*Olam Spices*

Sebastian Ibanez-Garcia  
*Pacific Coast Producers*

Christina Gonzales  
*Stanislaus Food Products*

Amalia Avalos  
*Stanislaus Food Products*

Sydney Eredia  
*Sunsweet Growers, Inc.*

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Cal Poly, Pomona  
California State University, Chico  
California State University, Fresno  
University of California, Davis  
Chapman University

### University Donations/ Engineering Clubs

California State University, Chico  
University of California, Merced

*The success of the CLFP Scholarship Program is made possible through generous donations.*

*Thank you!*





# Regulatory Report

By JOHN LARREA  
CLFP Government Affairs Director

*The State is pulling out the stops in its drive toward decarbonization with numerous regulatory rulemakings in progress, aimed at accelerating the decarbonization of California industry and business.*

CLFP expects the agencies to use the recommendations contained in SB 100 to double down on its efforts toward the goals set forth in Governor Gavin Newsom's executive orders (EO) from last year seeking a carbon-free grid by no later than 2045.

Decarbonization, mostly via electrification, continues to be the main focus in the regulatory agencies, with carbon-neutrality as the underlying goal for industry in California. However, recently there has been an increasing emphasis aimed at incorporating the concept of energy equity as a part of many proceedings

## **State Still Facing Grid Reliability Issues**

This summer, California energy agencies and the California Independent System Operator (CAISO) utilized a number of new programs in an attempt to avoid rolling blackouts due to insufficient generation capacity and the ongoing threat to the grid from wildfires and other extreme weather events.

Overall, CA continues to face significant generation capacity problems that are expected to extend through 2022. In anticipation of another tight year, in September the CAISO requested that the CPUC increase the planning reserve margins from the current 15 percent to 17.5 percent. The planning reserve margin is meant to ensure that the grid operated by CAISO has sufficient electricity

supply when power plants go down or demand increases unexpectedly.

## **California Air Resources Board (CARB)**

**2023 Scoping Plan Update:** CARB is continuing its series of workshops on developing its recommendation for the Scoping Plan. To date, CARB has presented multiple scenarios for achieving both the 2030 target of 40% below 1990 emissions levels. On whole, these scenarios include tighter emissions reductions requirements. The modeling is designed to determine the pathway for achieving carbon neutrality.

In this Scoping Plan, Natural and Working Lands (NWL), which is both a source of emissions as well as a sink for carbon, will take a greater role in CARB's efforts to reduce emission. The role of carbon sequestration (CCS) has become one of the major solutions in CARB's thinking. CARB has identified the Central Valley as a prime target for targeting CCS. CLFP is working with other industry representatives to ensure that the Scoping Plan Update will utilize principles that reflect industry standards and to continue to enforce the key features of AB 32, those being affordability, technological feasibility, and leakage minimization.

**AB 617 Implementation:** CARB is conducting a comprehensive public outreach and community engagement process supporting the development of AB 617. AB 617 requires CARB and air districts to develop and implement additional emissions reporting, monitoring, reduction plans and measures aimed at further reducing air pollution exposure in disadvantaged communities.

Currently, though no CLFP member facilities are located in an AB 617 community boundary, CLFP



continues to monitor developments in this area because community groups are always eager to expand the boundaries of a selected community. CLFP is working with other industries to keep any effort to expand contained.

**Of Concern:**

There is an increasing tension between air districts and CARB regarding New Source Review (NSR) due to AB 617 implementation. NSR requires industrial facilities to install modern pollution control equipment when they are built or when making a change that increases emissions significantly. AB 617 is focused on accelerating BARCT implementation thus; EJ groups are using AB 617 implementation to pressure CARB to urge air districts to revamp permitting rules.

**Transport Refrigeration Unit (TRU) Rulemaking:**

Regulations are being designed aimed at reducing emissions at various facilities that operate cold storage warehouse facilities or distribution centers requiring refrigerated trucking service to transport products. CLFP has been involved in the CARB rulemaking on Transport Refrigeration Unit rulemaking. The new regulation is aimed at reducing emissions from facilities with TRU activity by transitioning to zero-emission operation where practical. CLFP is continuing to oppose the portion of the TRU regulation that would require facilities with warehouses or other storage to act as enforcers for truck compliance

**California Energy Commission**

**Food Production Investment Program (FPIP):** In the most recent budget proposal, the Governor has earmarked \$85 million for the Food Production Investment Program. Meanwhile, CLFP continues to work with the Energy Commission to amend the program guidelines to provide a more streamlined application process as well as make changes to the program designed to benefit CLFP in the application process.

**California Public Utilities Commission**

**Commission Proceedings:** CLFP continues to track or participate in CPUC proceedings that are likely to impact 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.

- **Distributed Energy Resources (DER):** CLFP is party to this proceeding as it is an umbrella proceeding that will set the infrastructure for the anticipated expansion of the distributed energy resources (DER). Given the recent instability of the grid, wildfire impacts, and PSPS events, some CLFP members are looking to alternative energy systems to mitigate increasing rising energy costs and power disruptions, especially during the processing season. Microgrids, battery backup, solar and other forms of alternative energy are to be covered by this proceeding.
- **2023 PG&E General Rate Case:** Pacific Gas & Electric (PG&E) recently filed its 2023 General Rate Case (GRC) outlining its proposed investments for continued operation of its electric and natural gas assets. Investments in grid safety and resiliency, new technology and innovations, and gas and electric system infrastructure improvements are all listed in the filing. PG&E is proposing a \$3.6 billion rate hike. If approved by the CPUC, PG&E's request would result in a revenue increase of \$3.56 billion for 2023 and additional increases of \$930 million in 2024, \$590 million in 2025, and \$381 million in 2026, respectively. Nonresidential Direct Access (DA) and Community Choice Aggregation (CCA) customers would, on average, see an increase of 21.5%. At present, the proposed rate increases for industrial gas customers are 23% for distribution and 24% for transmission. In a bit of good news, industrial backbone is anticipated to see a -0.2% decrease.

Given the increase in rates on both gas and electric, for the foreseeable future CLFP will continue to advocate

*continued on page 16...*



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## Regulatory Report ...continued from page 15

for additional utility incentive programs designed to increase efficiency and reduce energy use for large industrial users where possible.

### Transportation

**Driver Shortages:** While driver shortages have poised an ongoing problem over the past decade, the pandemic greatly exacerbated the problem to such an extent that the lack of available drivers expanded to threaten statewide food production in California. The driver shortage threatened not only processed tomato harvests but other seasonal fruit and vegetable producers as well, including the fresh produce industries, such as grapes, olives, and nuts, among others.

At members' request, CLFP joined a coalition of Ag trucking companies and trade to urge the state to take action before the driver shortages became acute. CLFP and the coalition were successful in obtaining a special permit, but only of limited value. The special

permit allowed the 10% increase, but was limited to only eligible produce and did not include interstate highway access for trucks. Efforts to address the ongoing problems continue with the goal of obtaining a permanent weight increase for trucks involved in ag harvests.

**West Coast Ports:** Just before the holiday, the Port of Los Angeles began operating 24/7, adding 60 additional hours a week of operation. However, it appears that the move did little to alleviate the backlog. The congestion at the ports seems to be centered on terminal operations, trucks, equipment, and storage. LA and Long Beach are still backlogged that are likely to extend well into 2022.

Throughout the crisis, CLFP has been working with a coalition of both ag exporters and retailers pursuing sweeping solutions in the Ocean Shipping Reform Act of 2021. CLFP continues to support the coalition efforts to reform the Shipping Act.



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# Legislative Update

By TRUDI HUGHES  
CLFP Government Affairs Director

***The California Legislative Session for 2021 adjourned on September 10, 2021. This marked the second session with remote lobbying due to COVID-19.***

Despite these challenges, CLFP had overall success in significantly amending or stopping onerous bills relating to labor, climate change, and recycling that would have adversely impacted the food processing industry. However, there were a few measures that passed the Legislature and were signed by Governor Newsom.

**Packaging Recycling:** Recycling of packaging materials, particularly plastics, has been a hot button issue in the Legislature for the past two years. The issue was not resolved in 2021 and will continue to be negotiated into 2022. The issues surround the creation of statewide recycling infrastructure and standardized practices among all California municipalities in order to increase recycling rates of plastics and other packaging materials.

**Labor:** Several bills that would expand leave time for employees were introduced in the Legislature in 2021 largely in response to COVID-19. These measures would have increased and expanded family leave, sick leave, and bereavement leave among others. The business community largely opposed these measures because of the “stacking” of leave time which would impair employer operations and would have exposed them to litigation. These bills were held in the Legislature and may be acted upon in 2022.

The Governor vetoed a bill that CLFP and the larger agricultural community opposed that would have forced a unionization process for agricultural employees. The bill would have limited an employee’s ability to independently and privately vote for unionization in

the workplace, by essentially eliminating a secret ballot election and replacing it with the submission of representation cards signed by over 50% of the employees, which would leave employees susceptible to coercion and manipulation by labor organizations. It would have also unfairly limited an employer’s ability to challenge any order by the Agricultural Labor Relations Board (ALRB) by forcing employers to post an unreasonable bond, and then limit an employee’s ability to decertify a union, by forcing them to go through the ballot election process instead of submission of representation cards. It also included an unnecessary presumption of retaliation that would have been effectively unlimited in scope because it would have applied for the duration of an election campaign, which could last for a year or more.

Another bill was signed by the Governor that expands Cal/OSHA authority and enforcement. The bill significantly expands Cal/OSHA authority by creating new “egregious employer” category in Labor Code, creates a new category of “enterprise-wide” citations that face higher citation amounts based on, at times, evidence at only one location. However, amendments by the business community limits certain overbroad provisions, but CLFP remained opposed due to structural changes to Cal/OSHA enforcement.

**Climate Change:** Two bills were held in the Legislature that would have threatened substantial increases in the cost of goods and services of entities subject to cap-and-trade by leap frogging the California Air Resource Board (CARB) and significantly increasing California’s carbon emissions reduction goals. The bill may be brought up in again in 2022, but given CARB’s ongoing AB 32 Scoping Plan process, it doesn’t seem likely that they will move.

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## 25<sup>th</sup> Annual Golf Tournament is a Success

Some 100 CLFP processor and Supplier Host Council affiliate members gathered on October 18, a balmy fall day, to participate in CLFP's 25<sup>th</sup> Annual Supplier Host Council Golf Tournament. The event raises funds for CLFP's Scholarship Program. The tournament was held at the Brookside Golf and Country Club in Stockton. The event is open exclusively to CLFP Supplier Host Council (SHC) members and their invited food processor guests. Individual SHC and food processor members are welcome to participate as well.

Prizes were awarded in various categories such as Longest Drive, Hole-in-One, Closest-to-the-Pin, Regular Putting Contest, Low Gross and Net Score plus the always popular and surprisingly challenging Tomato Putting Contest.

A raffle drawing and lunch capped off the day.



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*continued on page xx...*

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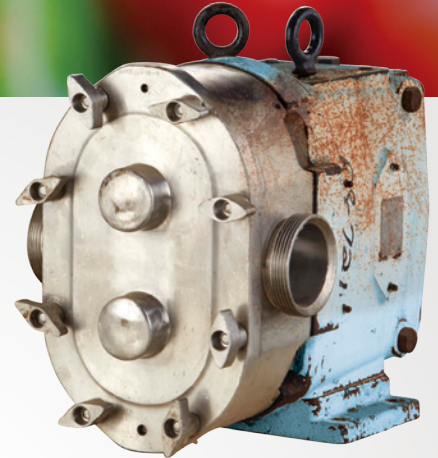
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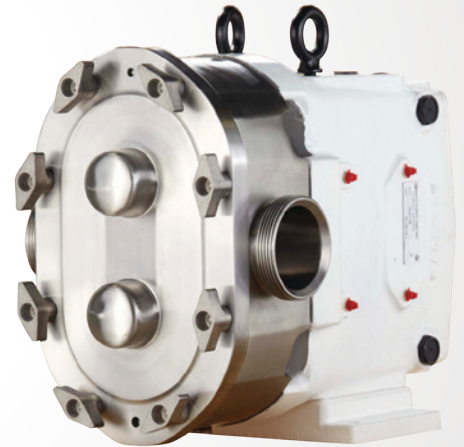
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