

BOARD OF AGRICULTURE, TRADE AND CONSUMER PROTECTION MINUTES

November 16, 2017

The Board of Agriculture, Trade and Consumer Protection (“DATCP Board”) met on **November 16, 2017**, at the Department of Agriculture, Trade and Consumer Protection (“Department”), 2811 Agriculture Drive, Board Room, Madison, WI. The meeting was preceded by public notice as required by Wis. Stat. § 19.84.

Call to Order

Board Chair Miranda Leis called the meeting to order at 9:04 a.m.

Board Members Present

Miranda Leis, Andy Diercks, Paul Palmby, Nicole Hansen, Dean Strauss, Paul Bauer, Kurt Hallstrand

Minutes

Motion

Dean Strauss moved, and Andy Diercks seconded, a motion to approve the September 21, 2017 Board minutes. Motion approved unanimously.

Aldo Leopold Award

The DATCP Board, Secretary Sheila Harsdorf, and Sand County President Kevin McAleese presented the Wisconsin Leopold Conservation Award to Brickstead Dairy and its owner, Dan Brick, for his achievement in voluntary stewardship and the management of natural resources.

Public Appearances

Kara O’Connor, on behalf of the Wisconsin Farmers’ Union, appeared before the Board regarding ATCP 51 – Livestock Facility Siting. She discussed the setback requirements and the need for the rule to move forward. She reported on land values near CAFOs and how they are impacted.

Brad Legreid, on behalf of the Wisconsin Dairy Products Association, appeared before the Board to welcome Secretary Sheila Harsdorf to the Department. Mr. Legreid stated that Sheila Harsdorf is a phenomenal choice to lead DATCP and the industry. Mr. Legreid stated that the

Wisconsin Dairy Products Association is thrilled with the selection of Sheila Harsdorf, person who has proven her knowledge and expertise on many issues affecting agriculture. Mr. Legreid noted that he has personally worked with five separate DATCP Secretaries, and he is confident that Secretary Sheila Harsdorf will thrive in the position. Mr. Legreid added that he has enjoyed working with Keeley Moll as well. Mr. Legreid believes that Keeley Moll is also an excellent selection to serve as DATCP's next Deputy Secretary.

BITS Report

Karen Arriola, Bureau Director of Information Technology Services within the Division of Management Services, provided a report to the Board. Bureau Director Arriola updated the Board on changes to her Bureau in the past year along with future planned upgrades.

ATCP 93 – Storage Tanks (Hearing Draft)

Judy Cardin, Bureau Director of Weights and Measures in the Division of Management Services, presented the Hearing Draft of Wis. Admin. Code ch. ATCP 93 to the Board.

Motion

Andy Diercks moved, and Nicole Hansen seconded, a motion to approve the Hearing Draft of Wis. Admin. Code ch. ATCP 93. Motion approved unanimously.

Wisconsin Agricultural Statistics Services (Report)

Greg Bussler, State Statistician, updated the Board on the recent production and price reports. Mr. Bussler discussed the 2017 Wisconsin Agricultural Statistics Report. He also discussed the corn harvest and the fact that the harvest is 55% above last year's values.

Division of Animal Health (Report)

Dr. Paul McGraw, DVM, Administrator of the Division of Animal Health, provided an update to the Board on his division and its current activities.

ATCP 20 – Seed Labeling – Emergency Rule and Permanent Rule (Scope Statement)

Greg Helmbrecht, Bureau Director of Weights and Measures of the Division of Agricultural Resource Management, presented the Scope Statement pertaining to Wis. Admin. Code ch. ATCP 20 to the Board.

Motion

Andy Diercks moved, and Paul Palmby seconded, a motion to approve the Emergency Rule Scope Statement for Wis. Admin. Code ch. ATCP 20. Motion approved unanimously.

Motion

Nicole Hansen moved, and Dean Strauss seconded, a motion to approve the Permanent Rule Scope Statement of Wis. Admin. Code ch. ATCP ATCP 20. Motion approved unanimously.

Land and Water Conversation (Report)

Brian Loeffeletz and Melody Walker of the Land and Water Conservation Program, in the Division of Agricultural Resource Management, provided an update to the Board on the program and its recent activities.

DATCP Board Meeting Dates (Report)

Paul Dedinsky, Chief Legal Counsel in the Office of the Secretary, discussed the 2018 meeting dates.

DATCP Board Member Reports

DATCP Board Chair Miranda Leis, on behalf of the DATCP Board, formally welcomed Secretary Sheila Harsdorf to the Department.

Board Member Paul Bauer – Mr. Bauer introduced himself and advised of his background and current work with Ellsworth Creamery. Mr. Bauer expressed excitement at the opportunity to work with the Board in the coming years ahead. Mr. Bauer has worked with Secretary Sheila Harsdorf in the past and is very pleased to see her at the Department. Mr. Bauer advised that Ellsworth Creamery is the first private industry in the state to receive a variance for phosphorous. He discussed the cheese industry and the changes it has undergone in recent years. Mr. Bauer also discussed the glut of cheese available in the marketplace, circumstances which will put significant pressure on producers and could result in farmers leaving the industry in the near future.

Board Member Dean Strauss – Mr. Strauss welcomed Secretary Sheila Harsdorf and newly approved Board Member Paul Bauer to the DATCP Board. Mr. Strauss announced that last Monday, the last robots on his dairy operation were installed. Mr. Strauss also reflected on the changes which have impacted his farm over the past 20 years.

Board Member Nicole Hansen – Ms. Hansen indicated that the cranberry industry has completed its harvest for the season. She indicated that there is currently a marketing order due to an oversupply of cranberries. The Board discussed the marketing order and how it is impacting the cranberry industry in the United States versus its impact on Canada. Industry-wide, the cranberry industry is also dealing with the honeybee shortage. She also discussed farm labor and the contributions of the migrant population.

Board Member Kurt Hallstrand – Mr. Hallstrand welcomed Secretary Sheila Harsdorf and Paul Bauer to the DATCP Board. Mr. Hallstrand advised that cattle prices for feeders have increased. Mr. Hallstrand also discussed the cattle industry and its increasing numbers.

Board Secretary Paul Palmby – Mr. Palmby welcomed Secretary Sheila Harsdorf and Paul Bauer to the DATCP Board. Mr. Palmby provided some background information on Seneca Foods and the size of its operations. Mr. Palmby advised that Seneca is in its heavy selling season. He also discussed migrant farm workers and issues pertaining to finding qualified and skilled farm labor.

Board Vice-Chair Andy Diercks – Mr. Diercks provided some background information on his potato farm operations and his lengthy service on the DATCP Board. Mr. Diercks also discussed migrant farm workers. Mr. Diercks advised that the potato crop this year is probably a little safer in comparison with others in the agricultural industry. Mr. Diercks mentioned his meeting at the University to discuss new farming technologies. While new technology costs money, Mr. Diercks expressed excitement with bringing in new energy to the agriculture industry.

Board Chair Miranda Leis – Ms. Leis discussed her background as a dairy farmer and her work within Organic Valley. Ms. Leis advised that there are issues within the dairy industry currently. One of the current issues concerns the gap in pricing between organic and non-organic milk. If an oversupply of organic milk exists, it will be sold on the conventional market. With a large gap in prices, it means that companies such as Organic Valley pay a premium for milk that is being sold at a much lower rate.

Consumer protection report

Frank Frassetto, Administrator of the Division of Trade and Consumer Protection, and Michelle Reinen, Director of the Bureau of Consumer Protection, made a presentation to the DATCP Board. Division Administrator Frassetto and CP Bureau Director Reinen reported data to the DATCP Board on numbers of cases processed, completed, and the results. The cases discussed include William Bearer of Handyman Services, Thomas Handeland d/b/a Dependable

Contractors, LLC, Jeffrey Baum d/b/a Handyman Solutions and Remodeling, and Jeffery Dewing d/b/a Dewing Contracting.

Frank Frassetto spoke about the Equifax data breach and its implications upon consumers. According to Equifax, hackers gained access to certain files between mid-May and late July of this year. Information in the breach included consumers' names, Social Security numbers, birth dates, and addresses. Some consumers' credit card numbers, driver's license numbers, and dispute documents (that contain personally identifying information) were also accessed. The Wisconsin Bankers Association contacted DATCP regarding the breach and requested help in notifying and updating their customers. The Division participated in live Facebook streams with Madison, Green Bay, and Milwaukee TV stations.

Mr. Frassetto and Ms. Reinen discussed other activities in the division including gas shimmers and overseas scam emails.

Secretary Sheila Harsdorf advised the DATCP Board that Frank Frassetto will be leaving the Department to join USDA Rural Economic Development. Board Members collectively wished Mr. Frassetto well and thanked him for her service to DATCP.

Secretary's Report

Secretary Sheila Harsdorf – Secretary Sheila Harsdorf thanked the DATCP Board for its leadership and expressed her excitement with joining the Department. Secretary Harsdorf shared with DATCP Board Members that she was first encouraged to run for the legislature due to her experience in agriculture and because of her ability to create legislation to improve farming and agriculture for the state of Wisconsin. Secretary Harsdorf told the DATCP Board that she is honored to be appointed to serve as Secretary for the Department. Secretary Harsdorf told the DATCP Board that she is thrilled that Keeley Moll has accepted the position of Deputy Secretary for the agency. Secretary Harsdorf told the DATCP Board that Keeley Moll will continue to be an asset to the leadership team at DATCP. Secretary Harsdorf looks forward to traveling the state, visiting farms, listening to farmers, and getting to know the people across the state.

Secretary Sheila Harsdorf reported that, in October of 2017, Governor Scott Walker discussed his rural agenda. DATCP looks forward to helping move this agenda forward.

Secretary Harsdorf also mentioned that she was pleased that Interim Secretary Jeff Lyon participated in the Tri-National Accord on behalf of DATCP. DATCP's participation represents a long standing relationship between North America and the work currently underway towards modernizing NAFTA in a way that will benefit the agriculture industry.

Future Schedule and Agenda Items

In terms of future agenda items, Board Chair Miranda Leis requested information on the Trans-Pacific agreement. Ms. Leis also requested future DATCP Board leadership would benefit from more information on the dairy industry with a focus on market expansion. Board Member Dean Strauss also raised the issue of monitoring dairy trade issues.

Adjournment

Motion

The Board adjourned at approximately 2:08 pm.

Miranda Leis, Board Chair

Paul Palmby, Secretary

Approved DATCP Board Meeting Minutes are posted on the DATCP website. All reports and any associated documents presented during a Board meeting can be accessed by contacting the Office of the Secretary, Office of Legal Counsel at (608) 224-5023 or e-mailing the Department at datcpublicrecords@wisconsin.gov