



December 16, 2023

To Stop QIP c/o Mr. Craig Gordon, and the Members of the Producer Review Board

On November 22, 2023, I was notified that the Producer Review Board (PRB) met at a duly noticed meeting, on November 17, to review the merits of the recently certified Petition to Terminate the QIP #5 (Petition), attached. The Department received petitions from nearly 29% of the eligible market milk producers, detailed in the attached Notice of Determination, and those petitions appeared to be valid at the time.

After discussion and receiving input from members of the public during the November 17 meeting, a motion was made to have the Board recommend that the Petition should be submitted as industry referendum, with ten (10) members of the PRB having voted in favor of referendum and four (4) members voting against. According to the Department's procedures for handling petitions requesting changes to or the termination of the Quota Implementation Plan, I am required to review and make a determination within thirty (30) calendar days of the PRB's recommendation.

As a matter of principle, my inclination is to support recommendations made by the PRB, and also to allow for a fair petition process which would allow producers to present and address concerns. However, in making the most appropriate determination, I must consider unforeseen circumstances and/or reasons that may have been unknown to the PRB or CDFA.

Recently, information has come to my attention that Petition No. 5 was one of six alternative petitions which, in 2021, had been simultaneously prepared, disseminated and signed, for later periodic submission. I regard such an approach as inconsistent with the objectives regarding petitions and referenda, and an abuse of the process. The use of pre-printed dates, in Petition No. 5 and other submitted petitions, had been of concern, and identified as a potential reason for disqualification by CDFA in response to earlier submitted petitions. This is now exacerbated by evidence that the pre-printed "June 1, 2023" appearing on each submitted petition, is not only inaccurate, but could actually be a date that is off by a measure of approximately 18-23 months from the times when the petitions may have been actually signed.

Accordingly, contrary to the PRB's recommendation, I am compelled to deem Petition No. 5 disqualified. I advise members of the industry that the best practice is to refrain from including preprinted signatures, in order to allow CDFA to more clearly determine the authenticity and reliability of each submitted petition. Prospective authors of petitions are further advised to consider drafting or circulating one petition at a time, rather than packets of multiple alternatives, in order to avoid creating confusion and uncertainty within the California dairy industry.

Yours truly,

Karen Ross
Secretary

Enclosure

