

California Agricultural Commissioners and Sealers Association



January 28, 2011

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, D.C. 20250

The Honorable Jacob Lew
Director
Office of Management and Budget
725 17th Street, NW
Washington, D.C. 20503

Dear Secretary Vilsack and Director Lew:

We are requesting your expedited consideration on a matter important to California's continuing battle with pests and diseases harmful to the nation's agriculture industry and the environment.

As you know, federal funding was authorized by Congress in P.L. 110-246, Food, Conservation, and Energy Act of 2008 (Farm Bill), Section 10201, Pest and Disease Management and Disaster Prevention, for efforts to discover new pests, prepare for the potential introduction of pests and rapidly respond when new pests are detected. Funding from Section 10201 has already proven successful in our efforts to combat pest and disease and it is a vital component of our future successes.

We trust you understand our proactive surveillance activities and early detection are critical to our success in preventing more catastrophic loss and damage from occurring to agricultural crops and the environment from pests and disease outbreaks. Any delay in funding of our activities both jeopardizes our earlier successes and impedes future successes. Yet, we understand this vital funding from Section 10201 for FY 2011 has not been transferred from the Commodity Credit Corporation (CCC) for implementation of timely and vital pest and disease activities.

Funding from Section 10201 will be needed within the next month to support our detection activities that evolve along with the life stages of potential pests as they emerge from dormancy. These surveillance efforts are critical to determining how we more efficiently apply our limited resources to infested areas and can be used to determine when to lift quarantines and resume trade of agricultural products.

We believe Congress' intent is clear in P.L. 110-246 that such funding is authorized and should proceed annually. However, in an attempt to further clarify their intent, Congress enacted legislation for fiscal years 2009 and 2010 in P.L. 111-5, the ARRA of 2009 allowing CCC funds to be used for administrative costs. We understand that legislative language to provide CCC funds for USDA-APHIS to cover salaries and related administrative expenses for implementing of Section 10201 of the 2008 Farm Bill is needed, again, for FY's 2011-2012 before funds may be transferred from CCC.

Robert G. Atkins, President
San Diego County
Agricultural Commissioner /
Sealer of Weights & Measures

Mary Pfeiffer, President Elect
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In addition, at least four other provisions in Title X of the Farm Bill, namely, Section 10106-Farmers Market Promotion Program, Section 10109-Specialty Crop Block Grants, Section 10202-National Clean Plant Network and Section 10302-Organic Production and Market Data initiatives, also derive their funding from CCC. We respectfully request clarification as to why CCC funding transfers for these programs seem to be able to be transferred unfettered and without the same legislative requirement that is imposed for each fiscal year to transfer Section 10201 funding?

We will appreciate your timely consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert G. Atkins". The signature is fluid and cursive, with a prominent initial "R" and "A".

Robert G. Atkins
President

cc: California congressional delegation
Karen Ross, Secretary, California Department of Food and Agriculture
Dr. Robert Leavitt, Director, Plant Health & Pest Prevention Services, CDFA