

PUBLIC MEETING

RE: Florida Peach Marketing Order

DATE: May 20, 2015

TIME: 2:08 - 3:46 p.m.

PLACE: Polk County Extension Service
1710 U.S. Highway 17 South
Bartow, Florida

REPORTER: LINDA A. MCGILL, RPR, FPR
Registered Professional Reporter

1 5-20-2015

2 Thereupon, the following proceedings were taken:

3 MR. OSWALT: One thing we would ask y'all to
4 do would be to make sure that you sign in on the --
5 there's some sign-in sheets over here, and there's
6 plenty of pens, so you don't have to wait in line.
7 But make sure you sign up, because it is a public
8 record meeting, so they need to have that
9 information to know who's here. So if you would
10 make sure that you do that.

11 If you need a copy of the agenda, if you'll
12 just kind of raise your hand, I'll go over here and
13 grab them, and I'll pass them out to you if you
14 need to get them.

15 And other than that, Philip, do you want to go
16 ahead and do you want me to kind of --

17 MR. RUCKS: Good afternoon.

18 We had a meeting last week in Dade City, and
19 this is regarding a proposed peach marketing order
20 for peaches. And some of you were there last week,
21 so hopefully you'll kind of understand how it
22 operates.

23 We're going to operate a little different than
24 last time, which got a little out of control last
25 time. But this time is an orderly fashion.

1 Hold your questions until the speaker gets
2 done. And I will ask you, if you've got a
3 question, I need you to go over to this table,
4 where we have a court reporter. Her name is Linda,
5 a real nice lady. But she needs to have -- you
6 need to have a wireless mic so that she can hear
7 everything.

8 And we've got a card -- Chris has got a set of
9 cards that you'll write out the question. We'll
10 have all this recorded, since it's a publicly held
11 meeting.

12 So it's a little bit different than last time,
13 but it's going to be a little more orderly fashion,
14 not screaming across the room, and I-said,
15 you-said, that kind of thing. So hold your
16 questions for the speaker.

17 And as a matter of fact, Chris, can you pass
18 some cards out, anyway, or --

19 MR. OSWALT: We just need to make sure we get
20 their names.

21 MR. RUCKS: Okay. Yeah, that's another thing.
22 When you do speak for the record, we've got to have
23 your name. And, of course, it would be nice to
24 have the question written on the card, to have it
25 recorded.

1 So to get this going, I think -- I sell to
2 most of y'all trees. I don't have any planted.
3 But the purpose of this is for us to do a little
4 better job of creating an identity for Florida
5 peaches, because we are constantly being compared
6 to the Georgia and California standards, and we're
7 not a Georgia or California peach. We are a
8 Florida peach. We're unique. Ours are the only
9 ones that are picked tree-ripe.

10 Of course, all of this will going into the
11 marketing order, and later probably into the Fresh
12 From Florida campaign. We have to create this
13 identity that we need to have. Right now, we're
14 just the Wild West, and I think it will help
15 complement all of us as a group where, you know,
16 we've got our own name brand and we've got our own
17 size standards. We're not being compared to a
18 3-inch Georgia peach, which is pretty hard to get.
19 And it will help save us all these eliminations.

20 So -- and I've got some examples of that later
21 in the meeting.

22 I'm going to turn it over to Chris Denmark
23 with the Department of Ag. And we'll give you a
24 little information on what the purpose of the
25 marketing order is and kind of how they operate in

1 other industries like the tomato industry. They
2 have a marketing order. Tobacco has one.

3 Mr. Milton Raines here, he's a veteran in
4 this. He has some examples and -- like the
5 inspection process. You know, they don't expect to
6 have an inspector there every day. It might even
7 be a spot inspection, it might be a once-a-week
8 inspection.

9 But remember, this is all going to be governed
10 by a committee of some of you that's in the
11 industry that will -- that will assist in writing
12 these recommendations for this marketing order for
13 the Commissioner to enforce with an inspection
14 agency. So that's the whole purpose, is to have
15 quality peaches, be able to sell them outside the
16 State of Florida.

17 We've got a huge domestic market. You know,
18 there's so many people outside the State of Florida
19 that do not realize we have peaches. So we have to
20 get some name recognition and get our name out
21 there. We can't really do that, and the Department
22 of Ag and the Fresh From Florida can't really
23 promote Florida peaches if they don't know what
24 they're promoting. They can't afford to promote
25 something that is poor quality. If it's poor

1 quality, then they've got egg on their face, and
2 they would never -- I shouldn't say never, but it
3 would be pretty hard to get them to promote peaches
4 again.

5 So we want to try to do this in order by
6 steps. And I think the first step is to have a
7 marketing order. It will have an advisory board or
8 administrative board, however you want to say it,
9 of you guys, growers and packers and maybe somebody
10 that sells or picks or whatever, on this board, of
11 seven members.

12 So this is where you guys play a part in
13 taking control of your own destiny. So -- and, you
14 know, weather events change the quality of peaches
15 from year to year. This year, we had some size
16 issues. We had a lot of early heat, and it made it
17 difficult for us. So that will be an opportunity
18 for the board to maybe change the size standard a
19 little bit.

20 And so there's a lot of flexibility. It's not
21 like it's the law that you've got to abide by year
22 to year. It can change from year to year,
23 depending on what this administration board
24 recommends to the Commissioner.

25 And the Commissioner is behind this. He

1 endorses it if you guys want to do it. He's there
2 to help. But if you don't want to do it, he says,
3 okay, we won't do it then.

4 So we've got some help from the Department of
5 Ag people here today that are here to help us and
6 educate us on how to make this thing doable.

7 So at this time, I want to turn it over to
8 Chris. And remember to hold your questions until
9 he gets done. At the last meeting, he kind of got
10 shot up a little bit, so we want to make him future
11 friendly here. So keep it friendly.

12 So hi, Chris.

13 MR. DENMARK: Thank you, Philip.

14 I appreciate everybody showing up. My name is
15 Chris Denmark. I work with the Florida Department
16 of Agriculture in the marketing division.

17 And, again, I'm going to say it. I've got
18 eight fearful words for you: I'm from Tallahassee,
19 and I'm here to help. So take that as you may.

20 Basically what I want to do today, and
21 hopefully to a little better extent from last week,
22 is to kind of go through and explain what a
23 marketing order is.

24 So basically, it's the concept behind the
25 state marketing order, what is a marketing order,

1 and the objectives and values to the peach
2 industry.

3 So basically, what a marketing order -- the
4 activities it can cover: Advertising and
5 promotion, research, establishing quality and
6 grading standards, regulating trade practices, and
7 resolving other issues and needs, diseases and
8 such.

9 So that's some of the things that you can do
10 with a marketing order. We are bound by state
11 statutes to follow some strict guidelines within
12 that.

13 But basically, the advisory council of the
14 peach marketing order would -- would basically set
15 what the marketing order does. And we are merely
16 here -- at that point, the Department of
17 Agriculture merely adheres to those standards and
18 administers the -- to those standards.

19 Basically, the sequence of events to setting
20 up the marketing order, discuss the ideas as an
21 industry.

22 We've already passed that point. We're here
23 today, so this has been established already.
24 There's been a petition, the application by a
25 10-percent minimum of the industry.

1 We also -- there's been \$2,000 established in
2 the fund to administer costs associated with this.
3 We have a court reporter and those -- the funds are
4 already established to take care of some of those
5 costs.

6 We have informal meetings. Last week, I
7 think, was an informal meeting. And there's --
8 there was one earlier here in Bartow. And then we
9 have public hearings, and that's where we are at
10 today.

11 So public hearings are for you guys to
12 basically tell us -- voice your opinion on things
13 to do with a marketing order.

14 From that point, once we've gone through the
15 hearing, the Commissioner will call for a
16 referendum. After that occurs, if the order is
17 passed and it goes into effect, the -- the -- and
18 you'll get a budget issued for spending authority
19 to the Department of Agriculture and an advisory
20 council will then be appointed.

21 As far as the marketing order approval,
22 65 percent of the voters -- voters are handlers and
23 producers. 65 percent of the voters must approve
24 this. Of those 65 percent who approve, 51 percent
25 of the acreage must be represented within that.

1 For example, if there's 100 growers
2 representing -- and I say 100 growers, growers and
3 handlers -- and the growing area that is
4 represented is 1,000 acres, then 65 of those
5 growers and handlers must approve of this marketing
6 order. And of those growers, they must -- the
7 65 percent must own 510 acres of this.

8 So the voters, again, are handlers and
9 producers. So that's why we have -- on this list,
10 we have number of acres for you to fill out. If
11 you have zero acres and you are not considered a
12 handler, we won't count the vote.

13 And basically, it's up to the advisory council
14 to represent you, the growers and handlers, to
15 represent the industry. And they will decide the
16 scope of this marketing order. Again, it's the
17 people who are selected for the advisory council
18 and appointed to this advisory council that will be
19 representing you.

20 We can only administer this according to the
21 guideline that is set forth by the marketing order.
22 And it's 100 percent funded by the industry
23 assessment. And the assessment is determined by
24 the advisory council, which will then take it to
25 the Commissioner's office, and the Commissioner

1 must approve of that assessment.

2 So last week, we got into a lot of little
3 details on things that we probably didn't need to
4 be concerned with at that point. But I think on
5 this week's meeting, Philip has got some points set
6 forth that we can kind of -- some marks that we can
7 look at and discuss.

8 So now I'm getting crazy here. So Philip --

9 MR. RUCKS: Yes, sir.

10 MR. DENMARK: -- do you mind stepping up here?

11 MR. RUCKS: Sure.

12 MR. DENMARK: I'm kind of new to PowerPoint,
13 so bear with me on this. So --

14 Sorry about that.

15 Okay. Basically, the administrative board
16 consists of seven members. And they are going to
17 make recommendations to the Commissioner of
18 Agriculture. And these can be on a variety of
19 topics, as far as they can -- it's going to consist
20 of growers and packers. And the -- there will be
21 subcommittees that are chaired by the board
22 members. So there's -- any kind of weather events
23 like we've seen, shipping and marketing, pricing
24 issues, and research for disease issues.

25 That's some of the things that we can kind of

1 point at today and -- and discuss a little bit,
2 whether some of these issues are -- are recommended
3 in the marketing order.

4 And so let me move back on that. And so I'm
5 going to hand it back over to Philip. But do you
6 want to take questions on the marketing order?

7 Why don't we go ahead and start with questions
8 on the marketing order?

9 You want to go ahead and state your name and
10 write it on a -- the paper provided, and hand that
11 to our court reporter, Linda.

12 She's done several of the citrus marketing
13 orders, reporting, so she's probably knows a lot
14 more about this than I do today. I'm going to ask
15 her questions.

16 So are there any questions at this point about
17 the marketing committee or marketing order?

18 (No verbal response.)

19 MR. DENMARK: This is a lot easier than last
20 week.

21 If we can have you come up here and address.
22 I -- was considering riding here after last week,
23 but --

24 UNIDENTIFIED SPEAKER: It was all those
25 you-pickouts.

1 MR. DENMARK: Or you picking on me.

2 MS. PADGETT: I'm Michelle Padgett, and I'm
3 with Florida Sweet Peaches.

4 I would like you to define handler, please.

5 MR. DENMARK: Handler. A handler is a packing
6 or shipping point, usually the -- if it's set up
7 like the citrus marketing orders are, the handler
8 is the packinghouse or the first -- the first
9 handler is called the packinghouse. That is the
10 ones who handle, who would most likely be paying
11 the assessment at that point. So similar to a
12 Dundee --

13 MS. PADGETT: Would a handler fall under
14 someone that's just coming into growing peaches, or
15 does this have to be an established handler?

16 MR. DENMARK: I don't know -- I'm not sure if
17 I understand the question.

18 MS. PADGETT: In other words, if I'm just
19 coming into business and I'm considering handling
20 peaches, would I be considered a handler, as
21 someone that's been in business for X amount of
22 years? Would I get the same vote?

23 MR. DENMARK: You would be considered a packer
24 at that point; right? Is the --

25 MS. PADGETT: What if you do it all?

1 UNIDENTIFIED SPEAKER: Yes. Pack in the
2 field.

3 UNIDENTIFIED SPEAKER: That's a good question.

4 MR. DENMARK: Thank you, Milton.

5 Let me read the definition. And you all have
6 this packet, I believe, that we put together. I'll
7 pretend I can read it without glasses.

8 By definition, a handler is synonymous with
9 shipper. That means any person except a common or
10 contract carrier of agricultural commodities owned
11 by another person engaged in -- as put in this
12 statute -- or state, as a distributor in the
13 business of distributing agricultural commodities
14 in the primary channel of trade.

15 MS. PADGETT: The reason why I'm asking is, is
16 because this morning, I was doing some research.
17 And I found another marketing order, an
18 agricultural marketing order, that specifically
19 said that the handler had to be an established
20 person that has been in business, that has actually
21 traded.

22 MR. DENMARK: I don't know. I would have to
23 contact our -- our legal team at the Department of
24 Agriculture and clarify that. I can try to do that
25 this morning.

1 MS. PADGETT: I just -- yeah, it's just --

2 MR. DENMARK: But that is a very fair
3 question. I'll certainly pose that to our legal
4 team.

5 MS. PADGETT: Okay.

6 MR. DENMARK: Thank you.

7 Yes, sir.

8 MR. ROBINSON: I think you can hear me from
9 here; right?

10 MR. DENMARK: She needs to be able to.

11 MR. ROBINSON: You can't hear me? My wife
12 says I'm deaf. That's why I talk so loud.

13 I'm Jim Robinson.

14 You know, if this works like the blueberries,
15 which hopefully it could work a lot better, because
16 we're blueberry growers and we donate involuntarily
17 to the blueberry highbush fund. It would be better
18 off if we donated that money to the Salvation Army
19 because we get a tax writeoff for it, but this way,
20 we don't.

21 By the way that works and the way most of
22 these that I'm familiar with, the person who
23 ultimately sells it -- that's the wholesaler,
24 that's the Bill Rowe, he who takes your produce,
25 ships it out, but he collects the money and he pays

1 you. That's why he's the one that pays the fee.

2 If I pack my own fruit, I still don't pay it
3 unless I sell it to Publix myself, which is
4 probably not going to happen. So I think if that
5 -- that's the way most of them that I'm familiar
6 with work. It's the guy who collects the money
7 pays for that.

8 MR. DENMARK: And that could be established
9 within the marketing order.

10 MR. ROBINSON: Yeah. I mean Connie -- I mean,
11 Cammie Hinton, if she could handle peaches, which
12 she doesn't, she would take packed fruit. You pack
13 your own fruit and take it in there. You're the
14 packer, but she has a marketing company that sells
15 the fruit. So she's the one that collects. And,
16 of course, you know, then they also do the
17 reporting. Then they, of course -- and with
18 blueberries, they come back and check to see if
19 she's cheating.

20 MR. DENMARK: And in my estimation, that is
21 where the vast majority of the assessments would be
22 received from --

23 MR. ROBINSON: Right.

24 MR. DENMARK: -- in that case, the --
25 Milton?

1 MR. ROBINSON: Is that the way you see this
2 working?

3 MR. DENMARK: Excuse me?

4 MR. ROBINSON: Is that the way you see this
5 working?

6 MR. DENMARK: That's how I feel it will but,
7 again, it's at the advisory council -- at their
8 discretion as to how they set the marketing order
9 up.

10 And so Milton Raines is with the fruit and
11 vegetable inspection for the State of Florida, and
12 he has a lot of knowledge and he can impart a bunch
13 of that on us right now.

14 MR. RAINES: I think you're accurate. And
15 citrus is the same way. The handler is that first
16 person that moves it into the retail channel, like
17 it could be a shipper or handler. And usually,
18 that's considered the first handler, and that's the
19 person that's responsible for paying the fees.

20 Now, that doesn't mean that the handler is not
21 going to bill that grower back for that fee. I
22 mean, that's -- the way you're doing business, the
23 grower is probably going to pay that first fee.

24 Now, if you are a grower -- and I think
25 somebody said they're a grower -- and they're

1 selling directly to a Publix or through an
2 intermediary of some kind, then they have become
3 the first handler, and they're going to be
4 responsible for the fees. Does that --

5 MS. ADAMS: How do you -- how do you know
6 that?

7 MR. RAINES: How do I know that?

8 MS. ADAMS: Right. I mean --

9 MR. RAINES: Well, if you have a marketing
10 order in effect, it's going to apply to everybody
11 with peaches. So we're going to have to know who's
12 shipping peaches, and there's going to have to be
13 -- you're going to have to be part of the marketing
14 order.

15 And when you do that, we're going to have a
16 list of people that are -- that are handlers,
17 because that's -- on inspection, that's usually who
18 we deal with, are the handlers, not the individual
19 growers, unless it's a grower that is also a
20 handler.

21 MS. ADAMS: Right. That's what I'm asking.

22 MR. RAINES: Yes?

23 MR. OSWALT: If you would?

24 MR. CLEMMONS: My name is Marlon Clemmons.
25 I'm with the Department of Agriculture, also.

1 Milton, if you would let them know about
2 registrations and stuff like that, similar -- it
3 would be similar to citrus, is what it would be
4 like. Let them know that.

5 MR. RAINES: And I didn't -- I don't know
6 about licenses and bonds or anything.

7 Did you get a chance to check on any licenses
8 and bonds? I don't know how that would work. But
9 there would have to be a registration process.

10 MR. DENMARK: Right. And they would have to
11 be licensed and bonded with the Florida Department
12 of Agriculture, as well, as far as handlers.

13 MR. RAINES: Now, if you're a grower -- if
14 you're a grower, don't let this scare you, because
15 what we run into with citrus growers, if you're
16 only handling your own product, the bond is usually
17 minimal or waived.

18 Now, if you're buying from another grower and
19 handling somebody else's product, that's the
20 purpose of the bond. So I would say if you're a
21 grower, you probably may not even have a bond. It
22 may just be a registration. Now, I can't say that
23 for certain, but a lot of the amount of a bond is
24 based on the volume of business you're going to be
25 doing.

1 MR. DENMARK: Are there any further questions?

2 MS. NICOLE ADAMS: My name is Nicole Adams
3 with the Florida Sweet Peaches.

4 I have a question in terms of the vote that
5 you're collecting. You're saying that it has to be
6 a certain percentage of the growers or handlers and
7 a certain percentage of the acreage. But in cases
8 like Dundee, for example, he's a handler, but he is
9 fed by several growers.

10 So do those growers and the handler get a vote
11 on this same acreage? Because if that's the case,
12 then those acres are potentially voted for twice.
13 So that -- that, to me, needs to be clarified
14 before we go into a vote, because you can't vote on
15 the same -- the same trees in the ground more than
16 once. So who gets that vote then?

17 MR. DENMARK: That's another good point.

18 MS. NICOLE ADAMS: It has to be one or the
19 other; it can't be both.

20 MR. DENMARK: Correct. Let me look through
21 the statutes and find out if -- make certain on the
22 handlers, the votes of the handlers.

23 MS. NICOLE ADAMS: Because you're talking
24 about growers and packers and shippers and --

25 MR. DENMARK: We would definitely separate

1 that.

2 MS. NICOLE ADAMS: -- this fruit is
3 potentially going through five different hands
4 you're saying could vote. That can't happen. It's
5 got to be one.

6 MR. RUCKS: I think it's just the grower.

7 MS. NICOLE ADAMS: I would assume it should be
8 the grower, but that has to be established.

9 MR. RAINES: Okay. The statute says -- and
10 did they hand out the statutes?

11 It's 573.1101, if anybody needs it. It says
12 the order has been approved by a ballot by the
13 producers --

14 MS. NICOLE ADAMS: Producers, so that's
15 growers.

16 MR. RAINES: -- by the marketing order, who,
17 during a representative period determined by the
18 Department, produce not less than 51 percent of the
19 volume covered by the marketing order and who total
20 by number not less than 65 percent of the
21 agricultural commodity producers.

22 MS. NICOLE ADAMS: So if that's the case, then
23 the term handler has to be removed from this
24 conversation, and it goes back to just growers,
25 according to that statute.

1 MR. RAINES: The handler was collecting the
2 fee, because the growers --

3 MS. NICOLE ADAMS: Well, that, to me, then is
4 two entirely different topics. You know, it has to
5 be voted upon before we even determine if the fee
6 can be assessed. And once the fee is assessed,
7 it's different. Then it goes back to the handler,
8 because they're the person who's collecting the
9 checks for the fruit.

10 MR. RAINES: There you go.

11 MS. NICOLE ADAMS: But in terms of voting,
12 that has to be established first.

13 MR. RAINES: Producers, not less than
14 51 percent of the volume.

15 MS. NICOLE ADAMS: Correct.

16 MR. RAINES: So it has to be 51 percent of the
17 acreage has to be represented, and 65 percent of
18 the individual growers. So you don't get a bigger
19 vote just because you've got more acreage, so to
20 speak.

21 MS. NICOLE ADAMS: But you sort of do.

22 MR. RAINES: It still has to be 65 percent of
23 the growers.

24 MS. NICOLE ADAMS: Cumulatively.

25 MR. RAINES: Right.

1 MS. NICOLE ADAMS: But if I have 700 acres and
2 you have 2, then --

3 MR. RAINES: But if 65 percent of the voters
4 -- of the growers said, yes, we want it, and they
5 don't represent 51 percent --

6 MS. NICOLE ADAMS: It has to be both.

7 MR. RAINES: It's got to be both.

8 MS. NICOLE ADAMS: I understand.

9 MR. RAINES: It's a two-part plan.

10 MS. NICOLE ADAMS: So if that's the case, then
11 only growers are voting on this, not handlers.

12 MR. RAINES: Producers, is what this says.
13 Producers.

14 MS. NICOLE ADAMS: Producers. All right.
15 Thank you.

16 MR. RAINES: But in the structure -- and that
17 goes back to the statute, too -- in the marketing
18 order, the fee would be collected from the first
19 handlers.

20 MS. NICOLE ADAMS: Right. That's beyond the
21 voting process.

22 MR. RAINES: That's once you've got the
23 marketing order.

24 MS. NICOLE ADAMS: That's once we're there.

25 MR. RAINES: Right.

1 MS. NICOLE ADAMS: Right. Okay.

2 MR. RAINES: Does that --

3 MS. NICOLE ADAMS: Yeah.

4 MR. RAINES: Are we good?

5 MS. NICOLE ADAMS: That helps.

6 MR. RAINES: This is confusing.

7 MS. NICOLE ADAMS: It is. It is.

8 MR. RAINES: I agree it is.

9 MS. NICOLE ADAMS: Okay.

10 MR. DENMARK: All right. Further questions?

11 All right. Seeing none, I'll hand it back

12 over --

13 MR. LANIER: Hold it.

14 MR. DENMARK: I need to learn to ask that one

15 faster, I guess.

16 MR. LANIER: Got to be quick on your feet

17 there.

18 Joe Lanier.

19 Somebody explain to me -- okay. On this sheet

20 here, it says that Florida Premium, Florida

21 Select --

22 MR. RUCKS: We haven't gotten there yet.

23 MR. LANIER: Oh, okay.

24 MR. DENMARK: I'm fixing to cover that. You

25 can stand there if you want to.

1 MR. LANIER: No, I'll go sit back down.

2 MR. DENMARK: That's more of less the nuts and
3 the bolts of the actual marketing order.
4 Basically --

5 MR. LANIER: Well, did you or did you not say
6 does anybody have a question? That's a yes or no.

7 MR. DENMARK: Yes, sir. The answer is coming
8 up.

9 MR. LANIER: Remember last week?

10 MR. RAINES: And if you don't get your -- if
11 you don't get your question answered before we're
12 through, please ask it again.

13 MR. LANIER: I will.

14 MS. MARGIE ADAMS: Margie Adams, with Pampered
15 Peach.

16 Let's get back to this registration thing and
17 this bonding thing. Where is that in here? Is
18 that in here?

19 MR. DENMARK: That may be buried kind of
20 towards the back here somewhere.

21 MS. MARGIE ADAMS: I mean, is there like an
22 application someone should fill out, or is it just
23 facts that we have on this piece of paper over here
24 as to who we are and how many acres we have and
25 what our varieties are? Don't we need to know all

1 that?

2 MR. DENMARK: Yeah. And that --

3 MS. MARGIE ADAMS: If we had some sort of form
4 or some sort of information on what that process is
5 going to be.

6 MR. DENMARK: Right. The license and bond is
7 -- is undertaken by the handler --

8 MS. MARGIE ADAMS: Okay.

9 MR. DENMARK: -- portion of that, so we have
10 -- there is some wording in here that has to do
11 with that, but as far as a producer necessarily
12 having to be licensed and bonded, it is -- to my
13 knowledge, that does not exist in here, so.

14 MS. MARGIE ADAMS: What if you pack in the
15 field and then just sell your own fruit? Then you
16 would have to be; correct?

17 MR. RAINES: You become a handler at that
18 point. You're going to have to be registered. But
19 if you're only selling your own fruit, I don't
20 believe that would require a bond. I know for
21 citrus, it doesn't.

22 MR. CLEMMONS: That -- that would be
23 considered like you selling your own product, like
24 a roadside or something like that. You would not
25 have to be bonded as a roadside or something like

1 that, if you were selling your own product. Now,
2 if it was going to a second -- through a handler --

3 MS. MARGIE ADAMS: Like --

4 MR. CLEMMONS: Yes. Then you would have to
5 consider and have a bond. And like Milton said
6 earlier, don't let that scare you, guys, when it
7 says bonded and licensed. Some of them are very,
8 very small or minimal. Don't let that scare you at
9 all.

10 MR. DENMARK: We have a separate section
11 within the Department of Agriculture that handles
12 license and bond issues as well.

13 MS. MARGIE ADAMS: Well, who should be -- just
14 the packinghouse, is that what you're saying?
15 Let's say I sell mine to a broker in Florida, and
16 he turns around and sells it to --

17 MR. RAINES: You want that broker to have a
18 license and bond --

19 MS. MARGIE ADAMS: Okay.

20 MR. RAINES: -- because you want to get your
21 money.

22 MS. MARGIE ADAMS: Okay. Yeah.

23 MR. RAINES: And that broker would --

24 MS. MARGIE ADAMS: Pay me.

25 MR. DENMARK: License and bonded, that's

1 basically to protect you, the producer.

2 MS. MARGIE ADAMS: Okay. All right. That
3 answers that.

4 MR. RAINES: Yeah.

5 MR. DENMARK: Any further questions?

6 MR. RAINES: Before we go much further, we
7 were talking about -- I work for the Division of
8 Fruit and Vegetables and I worked as an inspector
9 for many years in the field.

10 And the Division of Fruit and Vegetables has
11 experience with federal marketing orders. We've
12 got several of them in the State of Florida, not
13 necessarily the state marketing orders. But it
14 looks like from the statute requirements, they're
15 very similar, very similar structure.

16 And to give you an idea what we've run into,
17 the citrus marketing order in Florida -- we've got
18 citrus, avocados, peanuts, and tomatoes.

19 The citrus marketing order restricts the grade
20 and size on different varieties of citrus --
21 grapefruit, oranges, and tangerines -- if they go
22 out of the state or if they go west of the
23 Suwannee.

24 The avocado marketing order has a grade
25 requirement for going out of state and west of the

1 Suwannee, and a different requirement for the rest
2 of the state, within the state.

3 The tomato marketing order has a grade
4 requirement if you raise tomatoes in a certain area
5 and send them out of the state or west of the
6 Suwannee, but not a restriction within the state.
7 They also have container marketing requirements and
8 size requirements and the size of the containers
9 you can pack in.

10 The state marketing order, if you read the
11 list of stuff you can do, gives you those options.
12 But we probably don't want to look at all that.
13 But there's a lot of options that you can do with a
14 marketing order.

15 From what we've seen from the last few
16 meetings, a couple meetings we've had, it appears
17 to me that the primary concern of the industry now
18 is not quality -- everybody says we don't have a
19 quality problem, nobody is complaining about the
20 grade.

21 But the problem seems to be small fruit, and
22 there's not a market for it, and also getting the
23 chain stores or the big box stores to accept
24 something that's maybe smaller than a
25 two-and-a-half-inch peach, and also promoting this

1 product and maybe creating a market for that.

2 And so Philip is going to go over this in a
3 few minutes. And if you would -- and I'm glad
4 you're looking forward to seeing what's going on.
5 After he covers this a little bit, if you have any
6 questions about that -- but please let him get all
7 the way through it, because what we've done is kind
8 of taken our experience from a couple of other
9 meetings, which, like I said, were pretty positive
10 -- it was a learning process -- and kind of
11 condense it down to what we think the industry may
12 be looking for.

13 This is not saying that this is the only thing
14 you can have. This is like going to the buffet.
15 You can go down through there and pick out
16 different types of salads and whatever you want.
17 It's pick and choose, whatever you think will work
18 for your industry.

19 Having said that, I think what the board --
20 the majority of the board is producers, four of the
21 seven. So even on the board, which is appointed by
22 the Commissioner, the recommendation of the
23 Commissioner, and he appoints the board, it's
24 heavily represented by producers. But you also
25 want to have shippers and handlers in there because

1 the guy that's selling to the Publix or selling to
2 the big box, he may know something the grower needs
3 to know about size or maybe they like a certain
4 container or a certain size or something that's not
5 bigger than a certain size.

6 So you need to have someone from every aspect
7 of your industry involved with this, so that you --
8 so that you can decide what the best way is to
9 spend this money that you're going to get
10 collecting -- or paid, however you look at it. But
11 if you would, let Phil go through this real quick,
12 and then we'll open it up for more discussion. You
13 may want to add to it.

14 MR. RUCKS: Okay. What I did is, these are
15 just examples. This isn't the way it's going to
16 be. It's all for discussion.

17 So I want to kind of list some things on this
18 size issue of maybe establishing -- and Milton told
19 us to be careful, don't call it Grade A, B, or C,
20 because what's going to happen, nobody would ever
21 want a C. And, of course, the Bs are suspects.
22 Everybody wants an A or a Grade A.

23 So I was careful not to give it that, and just
24 give it a name. But we can do whatever y'all want
25 to do. I'll just give you some examples.

1 So what I want to do is -- that's what I came
2 up with. What -- I don't have a pointer here.

3 But if you look at the Florida Premium, that's
4 2.5-inch standard peach. I guess that's what the
5 top-end stores, like not only Publix, but there's
6 maybe Trader Joe's, Whole Foods, they want a
7 2.5-inch peach diameter-wise, and they want it like
8 in the 28-count flat that's got the little bubbles
9 and you stick it in there. It's a flat. It
10 usually weighs an average around 8 pounds. Now,
11 other states, they have different poundages. This
12 is just -- I'm throwing this out for Florida, for
13 our marketing order.

14 So if it doesn't meet the 2.5-inch -- because
15 this year, a lot of us had problems with diameter
16 because we had a lot of heat early, and it just
17 didn't fully develop like we expected, so there's
18 lots more peaches that probably got thrown away
19 this year than we ever had.

20 So you've got to go down to the next grade,
21 which would be called Florida Select. Remember, I
22 said A, B, and C. So the premium would be an A,
23 but we're not going to go there today. So the next
24 size would be the Florida Select, which is a 2- to
25 2.5-inch size peach. Which that's more doable, I

1 think, for the Florida peach industry. And that
2 would go still to the retail or wholesale stores,
3 like maybe to Wal-Mart. They don't maybe want a
4 big flat. They want to have them in a bin. So
5 that bin would have the 2-inch size peaches, which
6 I'm sure a lot of us have.

7 So, of course, this all goes back to us being
8 able to convince the stores to take these things.
9 So you can't just lay this out and expect them to
10 take it. It has to be a good sales job. That's
11 where Steve comes in there. He's a good salesman.
12 He's real quiet now. But, anyway, assuming y'all
13 have good salespeople.

14 Anyway, that's where this marketing order
15 would help. It's also -- it's all about marketing.
16 The market is not going to buy your peaches.
17 That's kind of what happened at the last meeting.
18 The road -- the smaller guys were there, like the
19 roadside stand guy. They were expecting the market
20 order, that it was an opportunity to sell our
21 peaches to somebody, but that's not what this is
22 about. This is about promoting peaches by creating
23 a size and creating markets, you know, get an
24 identity, like I said, so.

25 And then you go down to the 2-inch and less

1 peach. And I just threw out a name, Florida
2 Peachettes or Peachy Babies or something like that.
3 And y'all can come up with any name you want, but I
4 just use that as an example. That would go to like
5 the roadside stands, the farmer markets, flea
6 markets, that sort of thing. Of course, those are
7 what we consider eliminations. I hate to use that
8 word because they're really a good quality peach.
9 Brix-wise, they're probably a 14 brix. They're
10 sweet as sugar, but these big retail guys cannot
11 get over this phobia, of this size issue.

12 Remember, I said they still hold us to the
13 standard of the Georgia or the California guys, and
14 that shouldn't be. We should not be held
15 accountable for that size. We're a Florida peach.
16 That's where we hope that later on, this Fresh From
17 Florida campaign, they'll have billboards all over
18 the North. You won't see hardly any in Florida,
19 because that's for a different entity. But that's
20 where the promoting will come in, to help. But
21 they're not going to promote something unless it
22 has some type of size standard they can -- they can
23 promote. So that's an example of this.

24 I will move on to -- there's going to be some
25 exemptions. We thought it might be a good idea,

1 just talking to some of you guys at the last
2 meeting, especially the small guy, the guy that
3 will have 500 trees, and they're right next to I-75
4 to an exit, so that would be considered a roadside
5 stand. So the roadside stand people would be
6 exempted from this because they're not really going
7 out of state, and they're not really going to
8 benefit from a marketing order to go to the
9 domestic market. They're a localized small market.

10 And I'm not saying their peaches aren't any
11 good. I think what it would do is create a lot
12 more of a red tape, how to inspect those guys when
13 they're really -- I'm not saying they're not
14 significant, they're not really competing against
15 what we're trying to get done here, is to have the
16 domestic market.

17 And there's a time period, too, for when an
18 inspection can occur. And that can change from
19 year to year. Some years will come in really
20 early, and some guys will pick peaches in the
21 middle of February. You know, not too frequently,
22 but that could happen. So I just did a time period
23 between March 1st and May 31st as a period that the
24 inspection would occur.

25 Then we had a zone. And we don't really know

1 what's up in North Florida. Just -- I'm sure at
2 one time, there was a lot of peaches that were
3 grown up there, and the eighties' freezes kind of
4 wiped them out, like it did with citrus.

5 But I just drew a line and said anything east
6 of the Suwannee would be in this market, where
7 anything west of the Suwannee would not be. That
8 can change, too. There might be 1,000 acres right
9 now on the other side of Tallahassee we don't even
10 know about. At least, I don't know about. So they
11 could be included later, with that legitimate
12 amount of acres.

13 And the assessment, I just threw a penny a
14 pound out. Tomato guys kind of work off something
15 like that. They see more of that. But if it's a
16 penny a pound -- and I did a little figure here,
17 the penny a pound and you have a four- or
18 five-year-old peach tree, per acre, you average
19 about 35 packable pounds, it would equivilate to
20 about \$35 an acre, is what it would be. So a penny
21 a pound.

22 And this is stuff that's only getting packed.
23 It's not what you have hanging on the tree. It's
24 what actually gets packed and goes out the door.

25 And all that goes into supporting this

1 inspection process and supporting the marketing
2 order. You know, the guys on the administrative
3 board, which are you guys, the growers, are not
4 getting paid anything. It's just a service you
5 provide to help promote your business and have a
6 say-so.

7 So that's what it's all about, is we've got to
8 create our own identify of the Florida peach. You
9 guys have been growing it. I know y'all get tired
10 of Publix telling you that you've got to have this
11 2.5-inch peach. That's the way it is with peaches
12 from other states. And, you know, we've got --
13 we've got some uniqueness because, remember, we're
14 the only ones that have peaches in the month of
15 March and April in the whole world. We're the only
16 one that generally get our peaches picked
17 tree-ripe.

18 You go to California, California has these
19 huge peaches, but they have to sit on the shelf for
20 about a month before you can eat them. And then
21 when you do eat it, it's pretty dry.

22 So we're unique, but we have to convince other
23 states and other marketing orders for people, that
24 we have a different product. It's just like at the
25 last meeting, these Cuties, the little tangerines

1 Cuties or Halos, they call it. Who would have ever
2 thought 25 years ago, those things would have sold?
3 I mean, they wouldn't have even been thrown in the
4 roadside stand.

5 It's just that it's a small, little citrus.
6 It's seedless. But they developed a market for it.
7 It cost a lot of money, I'm sure, to do that. But
8 this is something I'm comparing it to, where we
9 could develop a market for that and educate the
10 buyer.

11 And, of course, if a load of peaches show up
12 there in mid March, up in New York City, more
13 likely, they came from Florida. Nowhere else they
14 could have come from. So when they start getting
15 some exposure and people see these peaches in these
16 markets up north, they'll make space in their store
17 for those peaches, the 2-inch peaches. That's just
18 what the Florida standard is.

19 And that's what we'll tell them. That's the
20 Florida standard. Well, you know, we're expecting
21 2.5, 3. Well, that's another state's peaches.
22 That's not ours. You know, so we have to create
23 this identity crisis that we have and not have
24 these comparisons.

25 It's all about quality, like I said. We've

1 got a good quality of product, it's just a little
2 smaller peach. Like I said, it's going to increase
3 the markets.

4 This size issue, I kind of want to have some
5 discussion about. You know, I need to -- you know,
6 we need to give the Department of Ag -- that's what
7 we're here for first today. First, let them know
8 if we're interested in even doing a marketing
9 order.

10 Second is that, okay, if we do, we need to
11 start having some discussions. Of course, I'm
12 assuming, Chris, that the administrative board that
13 gets selected will come up with these finalized
14 names or grades or whatever; is that correct?

15 MR. DENMARK: Correct.

16 MR. RUCKS: Maybe it won't happen at this
17 meeting, but that's kind of where this is going, is
18 this is just for discussion points to where the
19 board will come up with the name or the grades and
20 the sizes in this marketing order. And that's
21 where the Department of Ag will take that over and
22 have that inspection process. And then that's
23 where the promotion will come in with the marketing
24 and the Fresh From Florida campaign.

25 So this is kind of an open forum. So I just

1 need some feedback from y'all, just kind of what
2 y'all -- what direction you want to go. Or if you
3 want to think about it, we've got another meeting
4 scheduled in June. What's that date? In Dade
5 City.

6 UNIDENTIFIED SPEAKER: We were thinking about
7 the week --

8 MR. RUCKS: The 9th or 10th?

9 MR. DENMARK: The week of the 9th --

10 UNIDENTIFIED SPEAKER: Yeah, the week of the
11 9th, is the date.

12 MR. RUCKS: Yeah, the 9th, 10th, or 11th,
13 Tuesday, Wednesday, or Thursday, we're going to
14 have another meeting like this in Dade City,
15 another public-held meeting. And if you would like
16 to wait and come back then, that's fine.

17 Or you have your e-mail, don't you, in that
18 packet that you passed out?

19 MR. DENMARK: I don't have it.

20 MR. RUCKS: Well, if you don't, most of you
21 know me. You can just tell me, and I'll forward it
22 to him, to Chris.

23 But we need to have some feedback on what the
24 concerns are, and see if it's something that's even
25 doable. So that's what we're here for today.

1 I know some of you guys have been in it a
2 while. You've got your own markets, and you might
3 not necessarily want to give up any territory.
4 But, you know, I want everyone to kind of think
5 about the future and the long-range planning here
6 down the road. You know, five, six years from now,
7 we're still going to be fighting this size issue
8 and this identity crisis that we have. Regardless
9 of how long you've been in it, we're always going
10 to be compared to these other states' peach size,
11 always, if we don't get a marketing order
12 developed.

13 MR. ROBINSON: Phil, to that point, how are
14 they graded or marketed in South Carolina or
15 Michigan or New Jersey, three big peach states, as
16 well as Georgia? Because my -- my impression,
17 especially the northern peaches, Michigan and New
18 Jersey, most of those are packed 2-inch and up,
19 half bushel, U.S. Number 1, or --

20 MR. RUCKS: Right. So your question is?

21 MR. ROBINSON: My question is, is that we have
22 a size issue, but we're still 2 inches and up. How
23 does that compare to a Michigan or New Jersey
24 peach, not a California. Leave California out of
25 it. That's a horse of a different color. If you

1 want those -- that's like buying the baby
2 watermelon or the 80-pounder.

3 MR. RUCKS: Right.

4 MR. ROBINSON: That's a different issue.

5 When we go -- you know, for the rest of this
6 year, if you're a Publix shopper, you're going to
7 see more Eastern peaches than you are California
8 peaches --

9 MR. RUCKS: Right.

10 MR. ROBINSON: -- in another 30 days. They're
11 not 2.5 inches and up peaches.

12 MR. RUCKS: No. But it's also the internal.
13 I think the brix, which is the sugar level, is
14 probably a little higher.

15 MR. ROBINSON: Yeah.

16 MR. RUCKS: Don't you agree? But they don't
17 know that until they bite into it.

18 MR. ROBINSON: You're talking about a
19 non-melting versus a freestone. That is a
20 difference there, to begin with.

21 MR. RUCKS: Right.

22 MR. ROBINSON: I mean, that is a major
23 difference right there.

24 To me, I think that -- that from the marketing
25 standpoint of peaches, especially in the north,

1 that may be a bigger issue than size. I'm not sure
2 you couldn't sell 2 inches and up. I'm not sure
3 how well they like the cling characteristics of our
4 peaches versus a Red Haven freestone.

5 MR. RUCKS: Well, they're not -- they don't
6 use cling and cling-free anymore.

7 MR. ROBINSON: You're not 75 years old.

8 MR. RUCKS: No, I understand that, but they've
9 changed the classification.

10 MR. ROBINSON: I understand. But there is a
11 specific difference between our non-melting flesh
12 for Florida Best or a Red Haven. Regardless of
13 what you call it, they're two different peaches.

14 MR. RUCKS: Right. Well, and that's something
15 we'll have to work our way through and see how
16 sellable it is to these smaller-size peaches. I
17 mean, this is a startup right here.

18 So I know it's not a good answer, but there's
19 some uncertainty right now. That's why we're
20 trying to get something organized. That's the
21 whole reason why we -- I thought -- and it's not
22 just me, but it's several others.

23 Probably this marketing order is probably
24 something that needs to be established before we
25 get like a peach association, because a marketing

1 order has -- it just has more teeth in it. It's
2 got some -- a lot more -- it's kind of like a law,
3 whereas a peach association, it's -- I think it
4 would do a lot of good, but a peach association
5 doesn't carry as much weight as a marketing order
6 would.

7 MR. ROBINSON: Phil, I just want to ask a
8 question.

9 Are there any blueberry growers here? What do
10 you think? Have you been helped by the highbush,
11 your \$12?

12 I'll share this with you, from our
13 perspective.

14 UNIDENTIFIED SPEAKER: Hey, Bert -- Bert, we
15 need to get your name.

16 MR. SHEFFIELD: Sorry. Bert Sheffield, Island
17 Grove Nursery. We grow blueberries.

18 And, yes, it's helped us immensely because the
19 money that comes out from the blueberries goes into
20 not just marketing, but research as well. I think
21 the situation is a little bit different in the
22 peach industry. I think y'all have broke into the
23 marketing end of it more than the research end of
24 it at this point in time.

25 But it's been a tremendous help. I think

1 what's been learned over the last several years and
2 the monies we've spent have come back up to us
3 multiple-fold. It helps us market the berries even
4 better.

5 MR. ROBINSON: Your region?

6 MR. SHEFFIELD: All over. The demand in the
7 U.S. has climbed, if you do all the research. It's
8 climbed over the last five years.

9 So your question, though, was about how it
10 compares to the peaches up there, but our peaches
11 don't compare to the peaches up there. It's a
12 totally different peach market. So we -- it's hard
13 for us to look at those peaches and say how is our
14 market compared to their market. It's almost
15 apples and peaches.

16 MR. ROBINSON: More like a nectarine to a
17 peach.

18 MR. SHEFFIELD: Right. It's a different
19 product. It's a great product. I just don't think
20 a lot of people outside of Florida know about it.
21 That's the bigger issue.

22 MR. ROBINSON: Not a lot of people in Florida
23 know about it.

24 MR. SHEFFIELD: That's the bigger issue.

25 MR. RUCKS: And that's what we're trying to

1 do, is we're trying to not even be compared to
2 anybody. You know, we want to be the Florida
3 peach, and there's no comparison to anybody. We've
4 got our -- we're our own character. So that's what
5 we're trying to get developed here.

6 Does anybody have any suggestions on sizes? I
7 just threw these out. And then some of these
8 suggestions came from you guys, so be careful.
9 Anyway, I didn't just make this stuff up, is what
10 I'm trying to say.

11 So -- and that's what the board will do. The
12 board will address the size. It can change.
13 There's a lot -- that's why I said there's a lot of
14 flexibility built into this. Just because it's a
15 marketing order, that doesn't mean it can't change.
16 I mean, weather events change things all the time.
17 So that's -- that's what I really wanted y'all to
18 know. It's really user friendly, and you guys are
19 going to be doing the will, so.

20 MS. PADGETT: I have a question.

21 As far as this classification -- Michelle
22 Padgett -- do we just completely dismiss that most
23 retailers have spec sheets?

24 MR. RUCKS: No. That's a good point. That's
25 why I said I need some help on discussion. We need

1 to point that out. They do have spec sheets. You
2 know more about the spec sheets you have to abide
3 by than me. And I'm not saying the spec sheets
4 will be discontinued, because they want to have --
5 those guys want to have some say-so. And they're
6 the ones who have got the big hammer.

7 MS. PADGETT: Absolutely.

8 MR. RUCKS: And, you know, we're trying to
9 have a hammer, too, where we can -- you know, it
10 might be a hammer in -- so a spec sheet from a
11 retailer is an important tool they use to beat us
12 down with, so.

13 MS. PADGETT: My concern is, through my
14 experience, some of the retailers that we work
15 with, not only with their spec sheets, with their
16 audit, so on and so forth, I've called the USDA
17 myself and said, why do they have precedence over
18 the USDA?

19 There's retailers that demand their own
20 internal audits from a third party, and at -- the
21 USDA does not back us. The retailers trump the
22 USDA. And out of their mouth, yes, they can. And
23 they're going to do the same thing again this year.

24 MR. RUCKS: Okay. Well, you've got a good
25 point. That's the biggest point probably.

1 Milton, do you want to add anything on that?

2 MR. RAINES: I kind of feel like you now. I'm
3 from the government here.

4 This has been -- and this is a little off
5 topic from what we're talking about, but this is
6 what we hear from Dundee and the larger ones, we
7 hear about audit fatigue all the time. And it's
8 because the people you're selling to, they want
9 certain auditors to go do the audits, and some
10 places get three or four a year from different
11 entities.

12 There's been an effort made from the USDA
13 office to get a GAP/GHP audit. And part of that
14 was so there would be something that would be
15 universally available in all the states. But you
16 can't make somebody call and say, hey, I want a
17 USDA GAP/GHP audit. And you can't say call Publix
18 or Wal-Mart and say you've got to accept the USDA
19 GAP/GHP audit.

20 You're always going to have to meet your
21 customer -- your customer requirements. And this
22 is the guys that are in the citrus marketing
23 orders, tomato marketing orders, or anything else.
24 If your customer wants something better than that
25 marketing order, then that's between you and your

1 customer. This sets a floor. It doesn't say that
2 somebody can't require something better or in a
3 different container or in a different stage of
4 ripeness or anything like that. Or, like you say,
5 the audit stuff.

6 And, yeah, all groups, we hear about audit
7 fatigue. I mean, I understand.

8 MS. NICOLE ADAMS: Nicole Adams, Florida Sweet
9 Peaches.

10 I can get on board with a lot of what you're
11 talking about with this marketing order. I
12 understand very thoroughly the need for an identity
13 for Florida peaches. I've been at it for ten
14 years. I understand that we're selling a product
15 that people don't really know about.

16 The problem that I have is I think that we're
17 skipping, by -- by starting with a spec for
18 ourselves in this order, by creating this box, I
19 feel like we're backing ourselves into a corner if
20 we do, in fact, go forward with this marketing
21 order.

22 And the reason I say that is because I don't
23 feel like we can create an identify or an awareness
24 or, you know, a consumer awareness. Like, we
25 shouldn't start with a spec. We should start with

1 advertising and consumer awareness, and see what it
2 is that the consumers want before we say what it is
3 that we're going to give them. This, to me, seems
4 completely backwards.

5 You know, I -- I have learned about, you know,
6 in all of the different sizes in this fruit. You
7 know, I have learned that on top of a 2.5-inch
8 peach, what do you do with a 3.5-inch peach?
9 Because that's just as big a problem as the 2-inch
10 peach. That has to have a separate market, and
11 that market has value. And a 2-inch peach has
12 value also to the right market.

13 And I think that's where we have to start.
14 You have to start with pinpointing these markets,
15 pinpointing the consumers, determining what peach
16 is served best in what market, and then move
17 forward with trying to create some kind of
18 universal spec.

19 Because I think if we start here, then our
20 hand are tied. We are in a corner between, you
21 know, what we've set for ourselves and what we have
22 to live up to, when we don't really know that yet.

23 And it just looks like we're getting the cart
24 ahead of the horse with this particular page of
25 your PowerPoint. I want to be on billboards. I

1 want to be on commercials. And I'm willing to
2 throw some money at that to create some awareness,
3 but I don't want to start here.

4 I want to start with research and knowledge
5 and an understanding of people that we're selling
6 to, and then go here, yes. And a good place to
7 start with that is getting rid of the 4044.

8 4044 has got us all backed into a corner. So
9 that's a great place to start. You know, eliminate
10 that. That's our PLU that we currently use, which
11 is every tree-ripe peach on the planet, which is a
12 terrible spot to be in. That is not the number I
13 want to put on this peach. So that's -- that's a
14 good place to start.

15 You know, schools, schools like 2-inch
16 peaches. They like them in bulk fill box and they
17 like them sold cheaper. You know, kids like them.
18 They are like a Cutie. That's a wonderful market
19 for that small peach. But I don't want to be told
20 that I have to. I don't want to be told that if I
21 find a better market for that 2.5- or that 2-inch
22 peach, that I can't go to it because this agreement
23 is keeping me from that.

24 You know, if I have a market -- which I do --
25 for a 3.5-inch peach and up, I want the freedom to

1 explore those markets and to go after them where I
2 find them, because that's what I've been working so
3 hard for for the past decade.

4 So out of everything that y'all are saying,
5 this is the part that holds me up the most. This
6 is the part that makes me want to wash my hands of
7 it, because I don't want to be put into that box.
8 And I just feel like starting there is a bad way to
9 start.

10 MR. RAINES: You made a lot of good points,
11 and I can't disagree with any of them. What we
12 were trying to do, is rather than come in here and
13 having a blank slate, was giving something to shoot
14 at. And you've done that in a very good way.

15 And if everybody feels the same way, wipe that
16 out. You may want something that only targets
17 marketing or advertising. And if that's what you
18 want a marketing order to do, we can do that.

19 If you want to -- like he did, if you want to
20 call it a Peach Baby, it has to be a certain size.
21 If you want that, fine, then use that as a
22 promotional thing for everybody, sobeit. If you
23 don't feel like that's going to help you, don't go
24 into that.

25 And that's what we're talking about. Make it

1 where it's going to feel good and work for your
2 industry. And I think the options are in the
3 marketing order to do that. If you just want
4 something for advertising, promotion, developing
5 markets, you may be able to even get some help from
6 the division of marketing in doing some of that
7 stuff. I mean, that's what we're here for today.

8 MS. PADGETT: Should we -- should we develop
9 this then, develop this order first, before you ask
10 us to vote?

11 MR. RAINES: That's kind of the purpose of
12 these meetings, is to get something. I mean, if
13 you've got people that are for it but they don't
14 like this part of it, they're going to vote against
15 it, it's better to have something that everybody
16 can get on board with.

17 And then when you get your committee and your
18 industry starts growing a little bit, you can come
19 back and say, hey, we would like to designate this
20 small one as a Peach Baby. And if the industry and
21 the committee agree to it, do it at a later time if
22 you feel like it's that market.

23 No, you don't have to jump out and do that
24 right away. You may want to take smaller steps to
25 get started. And that will work. I mean, that

1 will work under this.

2 MR. RUCKS: What we did, just -- I had a
3 pretty good range. I had 2.5 inches or larger,
4 where if we go to the 3 to 3.5, I didn't put 3
5 because I just run out of lines. But, anyway, we
6 had the 2-inch and smaller, you know, inch and
7 7/8ths, so it's a pretty good range. I just threw
8 that up there as an example for discussion.

9 But, you know, if y'all feel like you're
10 cornered in, you don't want to even address the
11 size, then we can make it to where it's just
12 marketing peaches. But eventually, somebody is
13 going to hold us accountable and say, okay, what
14 size are we talking here?

15 I mean, I know y'all -- you said that you were
16 held to these size standards from these stores but,
17 you know, I just feel like at some point in time,
18 we're going to have to break that for the Florida
19 peach guys. So, I mean, that's -- I don't know if
20 it can be done or not. I'm just making an attempt.

21 MS. NICOLE ADAMS: In a lot of ways, we have
22 broken that. I mean, we've -- I've had this --
23 we've rewritten specs already for some of the
24 people that we do business with.

25 MR. RUCKS: Right.

1 MS. NICOLE ADAMS: I don't -- I'm not
2 concerned about that. But I would like to cross
3 that bridge when I get there. And, you know, if
4 this retailer wants this spec and this retailer
5 wants this spec, then it's up to me to decide which
6 one I'm going to go with; right? I'm not being
7 told by a marketing order what the best decision is
8 for my farm and my fruit.

9 MR. RUCKS: Well, one other thing, though,
10 too, remember, not everybody does as good a job as
11 what you do, what you're doing. And some people
12 are behind the eightball. They've only got a year
13 or two to get something -- a better market
14 established. So -- which might not be good for
15 you. It would be less competition. But the point
16 is, you guys have done a really good job of that.
17 So some peach growers aren't going to have that
18 ability or that connection to do that.

19 So, you know, we want to try -- we want to
20 make something that's fair to everyone. You guys
21 are out ahead of everyone because of what you've
22 done, but there's guys now just trying to even get
23 their peaches picked. And if they can't get them
24 picked, I mean, they're out of business. So that's
25 what kind of created making this conversation.

1 So -- and everyone in this room is at
2 different levels. It's like a race. Some of you
3 guys are way out there, 20 lengths ahead, but --

4 MR. CHAMBERLAIN: We've already been through
5 this and we know how Florida is. And, you know,
6 about year five, we wanted to walk away from it. I
7 can't tell you -- it's not \$100,000 a year but I
8 can say this: We've evolved. To a grower, there's
9 lot of applications out there who can improve. We
10 can improve. And we know where they've been. It's
11 real hard, but there are ways to work through this
12 as a farmer, as a grower, as a packer.

13 MR. RUCKS: Well, that's what this marketing
14 order will do. It's like Nicole said, we're not
15 worried about the size, we ought to worry about
16 other issues. The marketing order does that, too.
17 But the board is not -- you guys have got to set
18 the priority of what you want to do, not me. I'm
19 just throwing this out for discussion. So, you
20 know, I'm a good guy, too. Just the way --

21 MS. NICOLE ADAMS: I think the fear is that
22 you're saying all these things that we can do.

23 MR. RUCKS: Right.

24 MS. NICOLE ADAMS: But we're one of seven
25 potentially on there. You know, so you vote yes or

1 you vote no, and then you're just sort of throwing
2 it into the laps of the other people on that board
3 to determine what is best for all of us as a whole.
4 And there's where -- that's what makes this a scary
5 step, is because you're putting out there to
6 potentially be told by other people, when you
7 already have a good thing going.

8 MR. RUCKS: Right.

9 MS. NICOLE ADAMS: You know, on the other end
10 of that spectrum, yes, there are people that are
11 struggling, and I'm all for creating some -- some
12 consumer awareness and marketing and advertising
13 that will help everyone on the whole. But you
14 could potentially take people that are thriving in
15 this industry and knock them down a few steps, too,
16 if you're not careful. And that is what makes this
17 scary.

18 MR. RUCKS: Well, and it's probably good for
19 one of y'all to be on that board because of the
20 wisdom that you have, and you can share that with
21 those other members. That's why it's important for
22 people that have been in this for a while, that's
23 got the experience, to help guide and direct this,
24 because that's what it's going to take to be
25 successful.

1 MR. RAINES: You mentioned one other thing,
2 the PLU issue.

3 MS. NICOLE ADAMS: Yes.

4 MR. RAINES: It's always better if you've got
5 a big group going to ask for something, than one
6 individual. And that's another thing this gives
7 you a louder voice, a bigger voice, not just on
8 that issue, but anything else. If you can come
9 together and say collectively, we represent so many
10 acres or so much production, we would like for the
11 PLU, whoever issues those numbers, we would like
12 something designated for the Florida peach, rather
13 than y'all individually going and requesting that.

14 And like I say, not just that, in other
15 issues, also.

16 MS. NICOLE ADAMS: That PLU holds us back in a
17 lot of ways.

18 MR. RAINES: And there again, that's something
19 that I don't think you have to incorporate it in
20 the market order, but if you had a marketing order
21 and that committee recommended on a letterhead or
22 whatever to the people that issues the PLUs, we
23 would like this because, it would carry more weight
24 than just me writing a letter or you writing a
25 letter. Follow me?

1 But, yeah, customize it for yourself. I mean,
2 this -- this is some examples, because we found in
3 a couple of other meetings, when you list about 15
4 things you can do, from containers to weights, to
5 markings, to all these sizes and stuff, all of a
6 sudden, we're all over the board. And it seemed
7 like the size issue and the marketing issue and
8 marketing the small fruit seems to be the biggest
9 things we heard that were really important right
10 now.

11 MR. FUTCH: I'm Carson Futch.

12 My question is: Can we still get to the Fresh
13 From Florida money for advertising and promoting
14 these peaches without marketing a size component?
15 That was talked about in the last meeting. It was
16 kind of mentioned in that you had to have a size
17 component for you to be able to talk to people up
18 the road. I don't understand why that's absolutely
19 necessary.

20 MR. DENMARK: I explained last week, the Fresh
21 From Florida, the monies that we have is a
22 completely separate pool from a marketing order.
23 And it's diluted by every commodity out there, and
24 we have over 300 commodities in the State of
25 Florida. So we have a kind of ever-shrinking

1 budget with Fresh From Florida.

2 I wouldn't count on an overabundance of help
3 and specific help for the peach -- for the peach
4 industry from Fresh From Florida, not that it can't
5 done. It's -- it's just we are kind of at the
6 mercy of the budgets and the government. And they
7 haven't been as friendly recently with the budget.
8 And so I just -- I wouldn't count on Fresh From
9 Florida being the end-all, be-all for the marketing
10 of this.

11 Again, a marketing order, basically you set
12 the standards for it and it's your -- your little
13 bank account, and the industry sets the rules that
14 we abide by. I'm putting that forward.

15 MR. RUCKS: Questions?

16 MR. DENMARK: If I can go back for just a
17 minute? You know, I said I'm a little bit slow on
18 some of these things.

19 I finally got an answer basically as far as
20 the handler. The handlers do get a vote, yet they
21 have a zero acreage allotment with them.

22 Now, at the same time, there is another
23 stipulation in the referendum that handlers that
24 handle 51 percent or more of the -- the total
25 volume of crop, also have to approve of this

1 marketing order.

2 MR. RAINES: But that doesn't take away --
3 it's two separate parts.

4 MS. NICOLE ADAMS: You get a head count vote,
5 but you don't get an acreage vote.

6 MR. RAINES: Right. Correct. It's a volume
7 -- it's based on volume.

8 MR. DENMARK: The handlers will also get a
9 vote. They have one vote, but they do not get to
10 include any acreage within that vote. But they
11 also, by marketing 51 percent of the volume, the
12 handlers must -- that approve of this must hold 51
13 -- have handled 51 percent of the volume.

14 And that is in 57 -- or I'm sorry, 573.1101
15 referendum -- I'm sorry, it's not. I don't have
16 this page numbered, but 573.010 -- I can't read it
17 -- 1101 referendum. No marketing order or
18 amendments thereunto directly affecting the
19 regulating handlers shall become effective unless
20 the department finds that the order has been
21 approved by the valid -- by the handlers covered by
22 the marketing order who, during their
23 representative period determined by the department,
24 handled no less than 51 percent of the volume of
25 agricultural commodities produced or marketed

1 within the production or marketing area.

2 MS. MARGIE ADAMS: That's all of the volume of
3 everybody?

4 MR. DENMARK: All of the volume that has been
5 voted. Now, when the ballot goes out and that is
6 -- again, that was the reason that I went ahead and
7 had acreage put in on these sign-up sheets, just to
8 kind of get you in the idea that you do have to
9 report your acreage.

10 And so whatever is reported on the ballots is
11 the acreage that we go by. Now, if there's only
12 1,000 acres that are voted on, and the voters only
13 write down that they've got 1,000 acres, then
14 that's the number that we go by, because that's the
15 only numbers we know.

16 Yes, Nicole?

17 MS. NICOLE ADAMS: I have a question about how
18 you are planning to collect numbers and statistics
19 on the stuff that we're growing and what we're
20 selling. If you're talking about inspections and
21 exemptions and assessments on what we've sold, how
22 do you plan on getting access to that information?

23 Is it an honor system? Am I going to tell you
24 how much fruit I sold this year, or are you
25 requiring access to my books? How exactly do you

1 determine those numbers?

2 And the same goes for, you know, handlers and
3 the amount of fruit that they've handled. Is that
4 what's been sent to retail markets? Does that
5 include our cash market fruit?

6 How do you determine who's in charge of
7 enforcing that and making sure that it's accurate?

8 MR. RAINES: Well, once you've got a marketing
9 order in place, if you look at the rest of the
10 statute, there's all the provisions for proper
11 reporting and stuff like that, just like with
12 anything else where you're -- but you are kind of
13 on the honor system. We're not going to be out
14 there -- I don't think anybody is going to be out
15 there counting everything that goes on a truck.

16 But certainly -- and you're talking about
17 doing audits. And I know you're doing some kind of
18 food safety audit. Don't you have a trace back
19 component to that?

20 So, yeah, the information is available, you
21 know. And hopefully, you would render your fees
22 based on what you're shipping. You wouldn't do
23 that?

24 MS. NICOLE ADAMS: We don't provide that to
25 our auditors, not our --

1 MS. PADGETT: You --

2 MR. RAINES: No, but what I'm saying, you've
3 got it. You're just --

4 MS. NICOLE ADAMS: Of course we have, but my
5 question is: Who -- who is responsible for making
6 sure that all of that is accurate? If I'm paying
7 you a penny a pound, then who verifies the amount
8 of pounds that I sent to the market, and everybody
9 else? It just seems to me like there's a whole lot
10 of unanswered questions.

11 MR. RAINES: Well, and I can address it as far
12 as citrus. The Department of Citrus actually does
13 do some audits, but they don't go out and check
14 every person every year, to make sure that they've
15 paid every nickel, but there are provisions.

16 MR. ROBINSON: I take my fruit to Hintons.
17 She reports to the blueberries, how much they --

18 MS. NICOLE ADAMS: Because she sells your
19 fruit.

20 MR. ROBINSON: And then they send me the
21 document at the end of season for me to fill out
22 what I sent to her. So they just look at the
23 numbers. They ought to be in same ballpark.

24 MS. NICOLE ADAMS: But for someone that
25 markets their own fruit in-house, there's no

1 accountability there at all.

2 MR. ROBINSON: Well, you just get a Bill
3 Clinton pass then.

4 MS. NICOLE ADAMS: I guess so.

5 But it just seems to me like there's a lot of
6 opportunity for that within this system. It's --

7 MS. PADGETT: Per the USDA office this
8 morning, when I spoke to them, the last statistics
9 they have on peaches is 2012.

10 MR. DENMARK: Okay.

11 MS. PADGETT: There's nothing been reported.

12 MR. DENMARK: Hold on. We've got a reporter
13 here, and she's got to get everybody's name. So
14 we'll try avoid what happened the last time. We're
15 not trying to be a bully here, but if you want to
16 speak, we've got the mic here, so -- because she
17 has to have your -- for her benefit, y'all can say
18 what you want to say. Just state your name and
19 what -- what you're commenting on.

20 Sorry about that, Chris.

21 MS. TIGHE: I'm Sonya Tighe, with Florida
22 Fruit and Vegetable Association.

23 Chris, could I clarify? Are there two votes
24 then? One vote, 51 percent of the acreage, which
25 equals 65 percent of the growers, and a separate

1 vote of handlers who represent 51 percent of the
2 volume? So that's two different activities?

3 MR. DENMARK: No, it's the same ballot. It's
4 all used on the same ballot, so only one vote would
5 be taken. But it's got a three-part component to
6 it.

7 So first of all, we take the handlers'
8 portion. And if more than 51 percent of this
9 volume were to be used -- to be approved by the
10 handlers, then it would go on to the second portion
11 of it, which would be 65 percent of the growers.

12 Then we go to the point of checking against
13 the acreage and making sure that 51 percent of the
14 acreage is represented within that 65-percent
15 approval vote.

16 MS. TIGHE: And the acreage is tied to the
17 entities that are reporting it in these public
18 hearings?

19 MR. DENMARK: Correct.

20 MS. TIGHE: And for the handlers, that's based
21 on pounds sold?

22 MR. DENMARK: That would be based on them
23 reporting the number of pounds that they sold in
24 the last -- or in the most recent year.

25 MS. TIGHE: And is that the same sign-in

1 system, or is there a different method to know
2 that?

3 MR. DENMARK: We can -- we can edit the ballot
4 to ask that question --

5 MS. TIGHE: Okay.

6 MR. DENMARK: -- of those.

7 MS. TIGHE: And a quick question for Phil.

8 For your slide that's up there right now, what
9 you are proposing is that you're trying to
10 establish a classification so that buyers know what
11 they're buying, like you're buying a 2.5, as
12 opposed to a 2-inch. You're not trying to restrict
13 where people sell any particular size; correct?

14 MR. RUCKS: That's correct. Yeah, I just used
15 those as examples on sizes. It's a wide range, but
16 you've got to address it at some point, I think.

17 MS. TIGHE: Right.

18 MR. RUCKS: Ralph, did you have a question?

19 MR. CHAMBERLAIN: Could I get some more
20 verification of what you just said?

21 My name is Ralph Chamberlain.

22 So the folks not here with acreage, they don't
23 get a vote? Do I understand that correctly?

24 MR. DENMARK: Not necessarily here at this
25 meeting, no. We will -- they will be able to go to

1 the county extension offices.

2 MR. CHAMBERLAIN: Yeah.

3 MR. DENMARK: And they can pick up a ballot
4 there. Or, you know, we can -- they can be sent to
5 them, to their address. But we must know who to
6 send these to. And they -- and there will be
7 official releases as to where these ballots can be
8 picked up.

9 MR. CHAMBERLAIN: At the extension office,
10 something like that?

11 MR. RUCKS: How about extension? Would that
12 be something that maybe -- she's not here, but,
13 like, Mercy with Homestead, she might know -- we
14 just want to make sure that everybody is not left
15 out.

16 MR. DENMARK: Right. That's the difficult
17 part for me, for the department on this. And
18 that's the thing we want to make sure that you get
19 the message out to as many voters, growers and
20 handlers, as you possibly can, because it affects
21 them, too. Part of it is on them to be in touch
22 with their industry and to know that these certain
23 things are going to be happening.

24 It's not something that's going to be done
25 overnight. We have to -- we have time restrictions

1 in which we have to put into, like, newspapers and
2 within the area. We want to reach out to as many
3 growers from the Department of Agriculture as we
4 possibly can. And that's one of the things
5 Commissioner Putnam wanted to make sure, is that
6 everybody knew about this meeting and everybody
7 that we could possibly reach is reached and has an
8 opportunity to vote.

9 MR. CHAMBERLAIN: I don't think -- if you look
10 back in the history, all through -- it's actually
11 -- this is a small fruit. As you go into the
12 season, whether it's apples or cherries, and look
13 back in the records, you can look back, you know,
14 and see we don't have size. If you read our stuff
15 back into the forties, the growers had the market,
16 had a grocery chain. And it's not a new thing.

17 It's just -- you know, we have a niche. We're
18 early. And, you know, we're just doing or
19 repeating what's been done before. And I think if
20 we all work together -- about the marketing agenda,
21 I'll put all kind of money into advertising. I'm
22 worried about the parameters of the box. But I
23 want to see -- it's, I think, we all --
24 (indiscernible).

25 MR. DENMARK: Again, you know, the marketing

1 order is designed, you know, by the advisory
2 council in order to help the industry overall. So
3 several of you will very likely be on that advisory
4 council, should the -- you know, the vote for
5 approval go through.

6 Yeah. I will go ahead and I'll send my cards
7 around and give you my phone number. I'm sorry I
8 don't have it up here on this. But, certainly, by
9 all means, if you have further questions, please
10 contact me. Give me a phone call. Call me on my
11 cell phone.

12 The good thing, I don't have a lot of answers
13 but I have a lot of phone numbers. So I can
14 contact people who know these answers and who can
15 help us out on these things. So I have no problem
16 at all answering questions or finding the right
17 people to talk to, to get to your -- to your answer
18 as well.

19 MR. FUTCH: I have one more question for
20 Philip.

21 Carson Futch.

22 You talk about the size parameters, but you
23 haven't spoken about brix at all or internal
24 quality. What is the line of thinking that you're
25 looking at, Philip?

1 MR. RUCKS: Well, if you throw out there and
2 have too many standards, then we'll have to juggle
3 too many balls. So -- and I thought just from
4 hearing what you -- what all the growers that I
5 hear about all the time, what the biggest concern
6 was, was the size.

7 I don't think it never really has been the
8 internal part, the brix. Of course, there's
9 probably some varieties that have a problem I'm not
10 aware of. But I think the size was the biggest
11 issue. The internal quality -- the size -- if you
12 start making too many standards, then it gets too
13 much red tape, and now -- now we've got too much
14 intervention.

15 Personally, I don't want that. I want to have
16 it stupid simple. Maybe if the size is the biggest
17 problem, we address that. Then if it's the
18 marketing, we build a better market and address
19 that. That's it. There's nothing else that will
20 be pursued on this.

21 You can't do ten things at one time. We just
22 need to do maybe one or two, take some baby steps.
23 That might be all we need to do, anyway.

24 But, you know, I'm not a complicated guy by
25 nature. I like to keep it to one or two steps, the

1 two most important things.

2 That's what we need to ask ourselves, is to
3 prioritize what's the two most important things, or
4 if there's only one thing that's most important
5 that we need to address to sell more peaches --
6 because that's the goal here and, of course, to
7 make more money.

8 So what -- what do we have to do to do that?
9 That's what we need to address. And it might not
10 be a size issue. It could be a marketing issue,
11 and that's all we need to pursue, is the marketing
12 of fruit better through this marketing order, to
13 promoting whatever.

14 So that's what you guys need to determine. So
15 I'm just a guy throwing out these ideas and getting
16 some feedback to see if it's doable or not.

17 MR. RAINES: Why don't we see a show of hands
18 of the ones who think that size is an issue.

19 MR. RUCKS: Okay. Milton said he wants to see
20 a show of hands of who thinks what's the most
21 important.

22 Size, raise your hand.

23 MR. RAINES: Is size the issue to everybody,
24 or do you feel like you can handle size all right?

25 MR. RUCKS: Okay.

1 (Multiple speakers.)

2 MR. CALLAHAN: My name is Steve Callahan.

3 What context are you referring to size? I
4 mean, size is an issue with the Florida varieties,
5 but --

6 MR. RAINES: I'm talking about --

7 MR. CALLAHAN: -- do we need to regulate it or
8 not?

9 MR. RAINES: -- as a marketing order issue --

10 MR. CALLAHAN: Right.

11 MR. RAINES: -- would you want to say if you
12 call this peach a Peachie, it has to be in this
13 range, or if you ship to a big box store, it needs
14 to be at least 2 inches, or you can ship any size
15 or you could sell any size at a roadside stand?
16 Because we've got you-picks and, of course, it's
17 kind of hard to regulate size on a you-pick. So,
18 of course, that would be unregulated.

19 But now what we're hearing is, I'm not sure
20 the marketing order should have anything to do with
21 controlling the size. And I just would kind of
22 like to know, does everybody feel like size being
23 regulated is important, or do you think just the
24 marketing component?

25 MR. BORDERS: Wesley Borders, Neat & Sweet

1 Farms.

2 I think the whole purpose this has been
3 brought about was size originally. And what
4 happened last year was, one producer creating a
5 knee-jerk reaction with a chain store. And that's
6 what brought all this about, in a nutshell.

7 So -- and I appreciate Phil, because Phil is
8 trying to solve that problem, and we're trying to
9 do it with a marketing order. But if I understand
10 this correctly, it's up to us, do we want a
11 marketing order. And if size is not an issue
12 because of one outfit, like I said, on the East
13 Coast, they made a mistake.

14 A marketing order is intended to police the
15 industry. You can't police a man's heart or a
16 company's heart. If they're going to be -- if
17 they're not going to use integrity in their
18 operation, the marketing order is not going to fix
19 it.

20 So -- but the point is, their mistake caused a
21 major chain to make a knee-jerk reaction, move
22 their specs. As Nicole pointed out, every chain
23 store has their own spec sheet. So they moved
24 their specs up into a higher realm, took out a lot
25 of the fruit that they would normally accept. So

1 that's what's brought all this about.

2 But the advertising -- and I agree with what
3 Ralph said. Advertising is great. And the people
4 in this nation that don't know about a Florida
5 peach, they'll learn in time. But most chain
6 buyers already know. And that's the people we've
7 got to talk to, not to consumers. We're not trying
8 to talk to consumers. We're trying to talk to
9 chain buyers and wholesale buyers.

10 And I want to say one other thing.

11 We all talk about the difference in Florida
12 peaches and other peaches. I condense it when I
13 talk to people. And I talk to folks, like they
14 have, for several years. Carolina, Georgia,
15 California, and northern states, for the most part,
16 pick a shipping peach. We're picking an eating
17 peach. That's the difference.

18 So if you want to talk to the consumer or
19 chain buyer about that, that's the difference. But
20 the best way to get the message out is not a
21 marketing order, I don't think. It's send them a
22 pallet. Send them a pallet. Let them eat it.

23 So you don't have to go through advertising to
24 do that, but spending advertising dollars is good.
25 But there's a huge difference, and we all know it,

1 between Florida and other states' crops.

2 So a show of hands on size, is that going to
3 fix things? No, because every chain store's got
4 their own spec sheets, and that's not going to
5 change. We're not going to change it, sitting here
6 in this room. We've just got to abide by it, or
7 you don't get a PO.

8 MR. RUCKS: That's a good point. Thank you,
9 Wesley.

10 MR. DENMARK: I'll go ahead and pass my cards
11 out to everybody.

12 And if you could, if you did not write down an
13 e-mail on the sign-in sheet, if you would, please,
14 that's one way that I can contact you, and we can
15 certainly stay in contact that way.

16 And a phone number. I did receive a call from
17 the last meeting. So -- but I'm available. If you
18 have any questions, by all means, please ask them.

19 MR. RUCKS: There's going to be another
20 meeting. It's going to be -- you'll get -- it will
21 be advertised and sent out on the follow-up Dade
22 City meeting. It's going to be more like here, the
23 court reporter. At the last meeting, they're not
24 going to count it. Too much chaos.

25 So y'all have been really good today, a lot

1 more orderly. And thank you. It's just -- you
2 know, I'm -- I'm just concerned, because I'm part
3 of you guys as well. If you guys aren't
4 successful, then I'm not in business, either. So I
5 just want to do what's best for the grower.

6 I'm a citrus grower, and I don't grow peaches.
7 But, anyway, I -- we're going through a lot of
8 struggle in the citrus industry as well. I know a
9 lot of them have planted peaches. It's a tough
10 business right now.

11 I don't want to see peaches -- I get upset as
12 a Floridian and a guy that sells peach trees where
13 these people from other states always knock Florida
14 peaches on the size issue. And it's like Wesley
15 said, we grow an edible peach, not a shippable
16 peach. So, yeah, we can ship them, but they're not
17 going to stay on the shelf for a month like these
18 big softballs that California has.

19 But that's what I'm saying. We have to create
20 an identity. That might be through marketing and
21 promoting. Have this marketing order -- don't
22 address sizes if size is not an issue. If it
23 becomes an issue later, then we'll address the
24 size. But if it's just promoting an identity
25 crisis and then promoting an edible peach, then

1 that may be we could just go through the marketing.

2 So marketing orders aren't just about sizes
3 and standards and inspection. It's also about
4 promoting that product and get it outside of the
5 State of Florida to a domestic market. That's a
6 purpose of a marketing order, too.

7 So when you think about that -- I will -- as a
8 matter of fact, I will take the size off this up
9 there. So don't even look at the size. So,
10 anyway, that's -- that's what I want everybody to
11 think about.

12 And if you can, you can get back with Chris.
13 He's passing his card out, or attend the Dade City
14 meeting. It's -- what's a better day of the week
15 -- Tuesday, Wednesday, or Thursday -- for everyone
16 here? It's either going to be June 9th, 10th, or
17 11th, which is a Tuesday, Wednesday, or Thursday.
18 Is morning or afternoon a better time for everyone?

19 MR. CHAMBERLAIN: Where is it going to be at,
20 Philip?

21 MR. RUCKS: Dade City.

22 MR. CHAMBERLAIN: It's 100 miles one way.

23 MR. RUCKS: Right.

24 Afternoon? Morning?

25 Morning?

1 MS. NICOLE ADAMS: We have baseball on
2 Wednesday.

3 MR. DENMARK: Like at 10:00?

4 Okay. We've got a consensus. He said
5 Wednesday, 10:00. I'll clear with the Dade City.

6 Yes, Bert?

7 MR. SHEFFIELD: Just a quick comment.

8 Mercy has got a summer pruning in Dade City on
9 the 12th, so you're going to have some people that
10 are already going to be a captive audience there
11 that morning. Just food for thought.

12 MR. RUCKS: Well, we kind of piggybacked on
13 the round table meeting of last time, and a couple
14 of the speakers got bumped because of us. I don't
15 want to get a bad name for bumping people off the
16 schedule.

17 I mean, this is pretty important. I mean, I'm
18 not saying pruning is not important but, you know,
19 this is going to be the last meeting probably, the
20 Dade City meeting, so don't let it slide. If
21 there's something that you want to do, you need to
22 say we want to do it, or if you don't want to do
23 it, say we don't want to do it.

24 But the Department of Ag needs some direction
25 here, so that's where this Dade City meeting is

1 going to be monumental.

2 Or you can contact Chris, e-mail or on the
3 phone, and just tell him you oppose it. If you
4 don't even want to think about it, tell him why.
5 And if he gets a lot of nos, then it will never
6 even be brought up for a vote.

7 So -- but they've got -- that's why we have a
8 record of acreage, so they know what -- who they're
9 contacting and what representation they have.
10 Maybe we start out with 3,000 acres of peaches.
11 It's somewhere between 1,000 and 3,000, so
12 somewhere maybe in the middle. I don't know.
13 Maybe it's 1,500 acres of peaches in the state.
14 And they don't know.

15 So no one knows the exact amount. It's only
16 as good as the information that you all provide.
17 So provide your acreage and your name, and that's
18 what will be voted on.

19 And if some guy comes up that has 500 acres
20 and said he wasn't in the count, well, he had every
21 chance. This thing has been put out in the public
22 record in a lot of different entities. So, you
23 know, I'm sorry if somebody didn't find out about
24 it. So, anyway.

25 Anybody got any remarks or anything to say

1 before we close?

2 Okay. I'll make sure -- we'll target that
3 Wednesday date. I think that's the 10th,
4 June 10th, in Dade City at 10:00. So it will be
5 10-10, so that's even better. But I'll follow up
6 and see if we can get that secured for us, that
7 building.

8 So I thank y'all for coming. And like I said,
9 if you've got any comments -- I know just like me,
10 when I leave, I'll think about something an hour
11 later, the next day -- just get hold of Chris and
12 let him know.

13 Thank y'all very much.

14 (Meeting concluded at 3:46 p.m.)
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REPORTER'S CERTIFICATE

STATE OF FLORIDA

COUNTY OF POLK

I, LINDA A. MCGILL, Registered Professional Reporter, certify that I was authorized to and did stenographically report the public meeting, Pages 1 through 81, inclusive, and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with this action, nor am I financially interested in the action.

Dated this 8th day of June, 2015.



LINDA A. MCGILL, RPR

The original of this transcript was ordered by and furnished to Chris Denmark.