

**DRAFT MINUTES**

Board of Agriculture and Consumer Services  
Patrick Henry Building  
East Reading Room  
1111 E. Broad St  
Richmond, Virginia

Thursday, December 12, 2024

The meeting of the Board of Agriculture and Consumer Services (Board) convened at approximately 9:03 a.m. on Thursday, December 12, 2024, at the Patrick Henry Building. President Horsley called the meeting to order.

**ROLL CALL**

The Board Secretary called the roll:

**PRESENT**

Donald Horsley  
Raymond Keating  
Cecil Shell  
Margaret Ann Smith  
Jacquelin Easter Link  
Tyler Wegmeyer  
Richard Sellers  
Ginny Barnes  
Charles Church  
Lonnie Johnson

**CONGRESSIONAL DISTRICT**

2<sup>nd</sup>  
3<sup>rd</sup>  
5<sup>th</sup>  
6<sup>th</sup>  
7<sup>th</sup>  
10<sup>th</sup>  
11<sup>th</sup>  
Pesticides – Commercial Agricultural  
Pesticides – Commercial Structural  
Representing Dr. Timothy D. Sands, President,  
Virginia Tech

**ABSENT**

Keith Harris 1<sup>st</sup>  
Brittany Jones 4<sup>th</sup>  
Kailee M. Tkacz Buller 8<sup>th</sup>  
James S. Huffard, III 9<sup>th</sup>  
Dr. Robert Corley Representing Dr. Makola Abdullah, President,  
Virginia State University

**STAFF PRESENT**

Joseph Guthrie, Commissioner, Virginia Department of Agriculture and Consumer Services (VDACS)  
Kevin Schmidt, Secretary, Board of Agriculture and Consumer Services  
Nicolas Robichaud, Policy Assistant, VDACS

**APPROVAL OF MINUTES**

Ms. Link noted a spelling error in her report. With that revision, Mr. Sellers moved that the draft minutes of the July 31, 2024, meeting be approved. Mr. Church seconded the motion. The Board voted unanimously to approve the motion.

**REPORTS FROM BOARD MEMBERS**

**Lonnie Johnson**

## **Board of Agriculture and Consumer Service**

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Mr. Johnson conveyed newly appointed Dean of the College of Agriculture and Life Sciences (College) Mario Ferruzzi's regret for not being able to attend the meeting. Virginia Tech continues to fill key executive vacancies. The College will be undergoing a civil rights review in the coming weeks and has made a preparatory hire to proactively ensure compliance. Virginia Cooperative Extension (Extension) played a critical role in Hurricane Helene recovery efforts and continues to work diligently in effected areas. In 2024, Extension has hired 52 new agents, with 13 currently in process.

### **Richard Sellers**

Mr. Sellers shared his experience attending the State Fair, at which his wife won a blue ribbon for her blueberry dark chocolate fondant. The event seemed well attended, with many children and families taking part in the festivities. He stated that vegetable gardens in his district have died, finishing what was a relatively fair year for gardening despite volatile weather.

### **Tyler Wegmeyer**

Mr. Wegmeyer reported strong sales seasons in the summer and fall, with a lack of rain bringing very high turnout for agritourism activities and u-pick operations. This also meant weaker crops, especially for farms without center pivots or drift irrigation. Corn yields were low, though soybeans fared slightly better. Roughly 90 percent of fir Christmas tree seedlings were lost. Overall, tree farmers lost young tree seedlings at a high rate, which will mean low supply in the coming years. In August, a stock of strawberries from Canada infected with *Neopestalotiopsis* crown was propagated and distributed to Virginia growers, which had devastating effects on local strawberry crops. Various chemical applications have been applied in an effort to build resistance, though these efforts have not yet been successful. Mr. Wegmeyer expressed concern that many older Virginian strawberry farmers are leaving the industry in large part due to this outbreak.

### **Jacquelin Easter Link**

Ms. Link updated the Board on the activities of poultry growers in southern Virginia, with several operations considering converting their broiler facilities to egg-laying facilities. It is a costly procedure, though smaller family operations may not have an option considering Tyson's departure. Drier conditions have helped with harvesting in her district, though late frosts have slowed soybean harvests. The lack of rain also led to several fires in the area. Farm vehicle safety continues to be a major issue, despite education efforts. Ms. Link took part in a recent pesticide recertification class hosted by Extension and noted that, while well attended, there was a lack of younger farmers. She also noted that attendees voiced concerns with the customer service of pesticide container disposal contractors.

### **Margaret Ann Smith**

Ms. Smith noted that the hot and dry summer made grazing difficult. There have been several fires in her district, so the more recent wet conditions have been helpful. Hay supplies were volatile, with production yielding roughly 50 percent at the first cutting and vastly improved at the second, leading to unpredictable hay prices. Fall rains also helped slow cattle runs. Sales have ended much earlier than usual, as cattle numbers are down. Cattle prices are staggering, with a significant hike compared to last year's prices.

### **Cecil Shell**

Mr. Shell reported that weather in his area has been incredibly volatile and had a negative impact on soybean crops. Soybean prices are roughly 25 percent less than last year, and many

producers are facing difficult financial situations. Tobacco prices are slightly up, though still low. Timber is doing well in terms of production, though some prices are lower than they were a decade ago. Corn yields vary greatly from farm to farm. Pastureland is growing well. Mr. Shell shared his hope for 2025 to bring more stable weather conditions.

**Raymond Keating**

Mr. Keating conveyed that the export market is going along strong, with soybean meal and corn likely to be shipped through March. Regarding beans, corn, and wheat, Virginian export markets are healthy due to the strength of the Port of Virginia. Demand is coming from countries that typically do not show interest, which should turn into higher prices for Virginian producers.

**Ginny Barnes**

Ms. Barnes introduced herself to the Board as a multi-generational grain, sheep, and vegetable farmer from the Northern Neck of Virginia. She attended both Mary Baldwin College and Virginia Tech, where she received a Master's degree. Previously employed as an agent with Extension, she has worked with Coastal AgroBusiness for seven years. She echoed sentiments regarding the volatility of the weather in her district and its effect on yields.

**Charles Church**

Mr. Church shared that the Virginia Pest Management Association (VPMA) finished the year strong with the annual State Technical Meeting in November and Admin Conference in December. He extended his welcome to the new Office of Pesticide Services manager, Nicole Wilkins. At 13 events throughout the year, VPMA trained over 900 pesticide applicators. Through extensive marketing efforts, more non-members have been attracted to attend these events.

**Brittany Jones**

Secretary Schmidt shared a written report submitted by Ms. Jones. Corn, soybean, and tobacco yields in her district were down due to fluctuating weather conditions, though conditions have been ideal for harvesting. Cotton and peanut yields were steady. Fall small grain planting quality has been inconsistent, with some areas reporting ideal conditions and others reporting dry weather. Lastly, Ms. Jones shared news of her son, Paxton Henry Jones, who was born the day before Thanksgiving.

**Donald Horsley**

Mr. Horsley echoed reports of dry weather, though crops in his district were about average. Production was generally strong, with soybean crops particularly high. Fall harvests for small grains were not as strong, though cover crop has been successful. Producers struggled with grain prices this year, though Mr. Horsley expressed his hope for a rebound in the coming year. Mr. Horsley worked closely with the Youth Livestock Shows at the State Fair, sharing his gratitude for Commissioner Guthrie and Governor Youngkin's engagement with youth at the event.

**COMMISSIONER'S REPORT**

Before beginning his report, Commissioner Guthrie shared with the Board that Dr. Robert Corley was absent from the meeting due to a family emergency that demanded his immediate attention. Additionally, he reiterated Mr. Wegmeyer's concern regarding *Neopestalotiopsis* crown and emphasized VDACS's ongoing collaboration with strawberry growers in Florida to grow

crop resilience in Virginia. He also acknowledged Ms. Link's concern regarding customer service in pesticide container disposal contractors.

During Commissioner Guthrie's presentation of his report, he briefed the Board on recent events and other matters relating to VDACS. A copy of the written report on which his presentation was based was included in the Board meeting agenda and materials and projected for the audience to read.

Mr. Horsley asked Commissioner Guthrie to clarify whether newly opened indoor strawberry growing facilities were impacted by *Neopestalotiopsis* crown. Mr. Wegmeyer and Commissioner Guthrie both answered that these facilities have not been impacted, though extra precautions should be taken considering the increased risks of spread in an indoor facility. Mr. Horsley also remarked on the section of the report regarding the sword bean.

Ms. Easter commented on the section of the Commissioner's report concerning H5N1 influenza testing in dairy cattle, which made the local news in her area. Commissioner Guthrie reiterated the safety of drinking pasteurized milk and that there has been no detection of the disease in meat in Virginia.

Mr. Shell asked Commissioner Guthrie for an update on the hemp production industry, which Commissioner Guthrie provided.

#### **PESTICIDE CONTROL FUND REPORT**

President Horsley called on Larry Nichols, Director, Division of Consumer Protection, to introduce Nicole Wilkins, Program Manager, Office of Pesticide Services, to deliver a report on the Pesticide Control Fund.

Following the report, Mr. Church asked several questions regarding large changes in the budget areas of Information Technology, Equipment, and Salaries between fiscal year (FY) 2023 and FY 2024, which Ms. Wilkins and Mr. Nichols addressed. Mr. Wegmeyer also asked a question regarding potential changes in United States Environmental Protection Agency private applicator categories and the impact on pesticide recertification costs.

#### **MEETING RECESS**

At 10:32 a.m., President Horsley recessed the meeting.

At 10:42 a.m., President Horsley resumed the meeting.

#### **PROPOSED FAST-TRACK ACTION TO AMEND 2 VAC-5-425 (VAPOR PRESSURE REQUIREMENTS FOR GASOLINE ETHANOL BLENDS)**

President Horsley called on Gary Milton, Program Manager, Office of Weights and Measures, to brief the Board on the proposed fast-track action to amend 2 VAC 5-425.

Following Mr. Milton's presentation, Mr. Sellers moved that the Board of Agriculture and Consumer Services amend 2 VAC 5-425, Vapor Pressure Requirements for Gasoline Ethanol Blends, as presented by staff today, and that the Board authorize staff to take any and all steps necessary to amend this regulation through a fast-track regulatory action. Mr. Shell seconded the motion. The Board voted unanimously in favor of the motion.

**OFFICE OF HEMP ENFORCEMENT: INSPECTION AND COMPLIANCE ACTIVITY UPDATE**

President Horsley called on Dr. Charles Broaddus, State Veterinarian and Director, Division of Animal and Food Industry Services, to provide an introduction to the topic and introduce Nikeya Thomas, Program Manager, Office of Hemp Enforcement.

Following the presentation, Board members asked several questions regarding the function and specific regulations of the Office of Hemp Enforcement, which were addressed by Ms. Thomas, Dr. Broaddus, and Commissioner Guthrie.

**NEW BUSINESS**

Ms. Smith brought to the Board's attention a press release from the Governor's office announcing an Agriculture and Forestry Industry Development Grant given to Duchess Dairy, operated by Mr. James Huffard, III.

**FUTURE BOARD MEETINGS**

President Horsley announced that the Board will hold its 2025 Richmond meetings on March 20, May 22, and December 11. The Board is currently looking for a summer meeting host.

**PUBLIC COMMENT PERIOD**

President Horsley invited public comment, though none was given.

**ADJOURNMENT**

There being no further business, the Board adjourned at approximately 11:38 a.m.

Respectfully submitted,

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Donald Horsley  
Board President

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Kevin Schmidt  
Board Secretary