

For Immediate Release
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Senator labels refusal to testify "affront to oversight"

CDFA and DPH urged to participate in legislative review of safety of raw milk

SACRAMENTO – Labeling their actions a "disrespectful affront to the oversight function of the Senate," Senator Dean Florez, D-Shafter, today sharply criticized the leaders of the departments of public health and agriculture for their refusal to participate in an upcoming hearing on the safety of raw milk.

Florez wrote to A.G. Kawamura, secretary of the California Department of Food & Agriculture (CDFA), and Dr. Mark Horton, director of the California Department of Public Health (DPH), to express his extreme disappointment that they would not send representatives to the April 15 Senate hearing "Farm Fresh Milk: Assuring Safety & Consumer Choice." The hearing is a joint effort between the Senate Agriculture Committee and the Senate Select Committee on Food-borne Illness, which have jurisdiction over both agencies, as well as agriculture and food safety.

The two committees are scheduled to hear from food safety scientists, retailers, producers and consumers on the raw milk industry as a whole, yet the heads of DPH and CDFA are claiming they cannot participate due to pending litigation with an individual dairy which is not the focus of the hearing.

Florez suggested Kawamura and Horton stop hiding behind their litigation claim and bring legal counsel to the hearing, if they believe there are particular questions it would be inappropriate to answer, rather than deny the Senate information they need to make the best decisions on behalf of California consumers going forward.

Attached is a copy of today's letter from Florez to the leaders of DPH and CDFA.

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that CDFA and CDPH appear at the April 15 hearing to provide public testimony in this matter. I would encourage each agency to bring legal counsel to the hearing to address any legal concerns that may arise in the hearing. Your lack of participation in this hearing will be seen as a public affront to the oversight function of the Senate as an institution, and will not be well taken.

Please confirm your attendance at the hearing by 4:00pm on Monday, April 7, 2007.

Sincerely,



DEAN FLOREZ, Chairman
Senate Select Committee on Food-Borne Illness

Cc: General Public

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California State Senate

SENATOR DEAN FLOREZ

REPRESENTING KERN, KINGS, FRESNO, AND TULARE COUNTIES



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 - Appropriations
 - Banking, Finance & Insurance
 - Business, Professions & Economic Development
 - Environmental Quality
- SELECT COMMITTEES**
- California Wine Industry
 - Public Health & the Environment

Mr. A. G. Kawamura
Secretary, California Department of Food & Agriculture
1220 N Street
Sacramento, CA 95814

Dr. Mark Horton, M.D.
State Public Health Officer
Director, California Department of Public Health
PO Box 997377
MS 0500
Sacramento, CA 95899

Dear Secretary Kawamura and Dr. Horton:

I am extremely disappointed that the California Department of Food & Agriculture and the California Department of Public Health are attempting to avoid participation in a Senate joint committee hearing on "Farm Fresh Milk: Assuring Safety & Consumer Choice."

Your attempt to hide behind "pending litigation" between Organic Pastures and the State of California is not well taken. The hearing on April 15th is regarding an industry as a whole, and not a specific dairy. Furthermore, a draft agenda provided to your respective staffs clearly demonstrates that the witnesses at the hearing will address the industry as a whole. The Committees will hear testimony from well-respected food safety scientists from UC Davis, as well as retailers, producers, and consumers of farm fresh milk.

There is no question that the participation of CDFA and CDPH at this hearing is both necessary and appropriate. Each agency is intimately involved in both the regulation of, as well as the investigation of any food-borne illness outbreaks related to raw milk. Furthermore, the respective Committees have jurisdiction over the regulation of agriculture, food-borne illness, as well as your respective agencies. As public agencies you have a duty to appear before the Committees and provide testimony regarding how the Administration is handling issues related to the farm fresh milk industry.

Legislative oversight cannot be dictated, or somehow contingent, upon litigation or potential litigation that may be pending against the State of California. Accordingly, the Committees respectfully request

