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NEW MEXICO DEPARTMENT OF AGRICULTURE’S 2017-2019 BIENNIAL REPORT  
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NMDA
New Mexico Department of Agriculture

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76-1-2. Power and authority of board of regents. In addition to all other powers and authority that the board of regents of New Mexico state university may have in other areas, the board of regents of New Mexico state university, relative to the New Mexico department of agriculture, has power and authority to: A) administer and enforce all laws of this state over which the board of regents or its agents have been granted jurisdiction and authority; B) adopt rules of procedure for the adoption of regulations; C) adopt, and file in accordance with the State Rules Act [Chapter 14, Article 4 NMSA 1978], regulations as may be necessary to carry out its duties; D) administer or enforce, through the department of agriculture, all regulations adopted by the board of regents;

* NMSU Board of Regents serves as the Board of Agriculture
My Fellow New Mexicans:
The Land of Enchantment is also a land of chile, hemp, pecans, and more. It’s a land of dairy herds, beef cattle, and sheep. Farming, ranching, and agricultural industries are deeply rooted in many New Mexico communities. Agriculture is one of the state’s principal industries, with 23,800 farms; 43.9 million acres of farmland; and over 1.5 million head of cattle, producing cash receipts approaching $3 billion a year.

Since 1911, New Mexico Department of Agriculture has played a vital role in protecting and promoting this significant part of our culture, our heritage, and our economy. NMDA ensures our state produces quality goods for New Mexico and beyond, including new domestic and international markets. In addition, NMDA provides the research and leadership to support the next generation of farmers and ranchers, to improve and expand the agricultural supply chain, to alleviate pest and water challenges, and to ensure the continued economic viability of the agricultural sector.

I am grateful for their dedication, leadership, and continued service to the people of New Mexico.

Sincerely,

Governor Michelle Lujan Grisham

“Agriculture is the most healthful, most useful, and most noble employment of man.” These are the words of President George Washington, and I feel they ring just as true today as when he was serving our great country.

New Mexico agriculture continues to provide the healthy crops, livestock, fiber, and nutrients that keep our citizens anticipating new harvests. The rich custom and culture of our state is enhanced by our strong connections to the land. Our economy is stabilized by a diverse agriculture sector.

New Mexico Department of Agriculture (NMDA) has programs that touch every citizen every day, a responsibility that we approach with honor and do not take lightly. On behalf of our fantastic team of professionals at NMDA, I am pleased to present the 2017-2019 Biennial Report. This report highlights our activities and responsibility in consumer protection, natural resource enhancement, and market development.

We are proud of our role in the “most healthful, most useful, and most noble employment of man.” We appreciate and thank you for your continued support.

Sincerely,

Jeff M. Witte
Director/Secretary
VISION

NMDA benefits the public by promoting the viability and advancement of New Mexico agriculture and affiliated industries.

MISSION

NMDA promotes a fair marketplace, food protection, marketing, and economic development; supports the beneficial use and conservation of natural resources; and works cooperatively with the public and private sectors.
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MARKETING AND ECONOMIC DEVELOPMENT

Develop, implement, and promote global marketing and economic development to facilitate trade

GLOBAL MARKETPLACE DEVELOPMENT
NMDA supports New Mexico farmers, ranchers, and other agribusinesses through a variety of marketing, promotional, and sales activities. Foreign and domestic buyers of conventional and organic fruits, vegetables, nuts, livestock, and other products were provided with information addressing sources of supplies, prices, transportation rates, market conditions, production statistics, availability, and other data vital to developing long-term marketing strategies and increasing sales.

DOMESTIC MARKETING AND DEVELOPMENT
From 2017 to 2019, NMDA continued to expand its domestic marketing efforts in cooperation with New Mexico green chile growers and shippers. NMDA worked with new retail grocers in Texas, Idaho, and Utah in addition to other previously developed markets throughout the United States (U.S.).

Another growing component of the green chile promotion is university alumni events. Connecting New Mexico -rooted alumni groups across the country with a retailer as a source for chile and roasters is a win-win for both. Retailers can capture sales from pre-orders from ex-pats (and their friends), and the alumni groups have reliable area sources for their chile roasting events from year to year. Given the engagement between retailers, restaurants, and consumers across the U.S., the green chile promotion continues to be the largest single promotion in the history of NMDA.

Social media has allowed NMDA to promote scheduled chile roasting throughout the U.S., providing chile fanatics with an opportunity to find out when and where they may buy their chile. NMDA sponsored the NEW MEXICO–
NMDA supports New Mexico farmers, ranchers, and other agribusinesses through a variety of marketing, promotional, and sales activities.

Taste the Tradition® (NM-TTT®) Pavilion at the Produce Marketing Association (PMA) Exposition in New Orleans, Louisiana, and Orlando, Florida. The Pavilion housed up to six New Mexico produce growers and shippers each year, selling onions, chile, watermelons, pecans, pinto beans, pumpkins, potatoes, and other agricultural products. Exhibiting in tradeshows plays a critical role in New Mexico companies solidifying their relationships with existing buyers and, more importantly, meeting with and developing new markets with potential buyers.

NMDA’s Marketing and Development Division staff once again coordinated the annual New Mexico Country Store and Agricultural Pavilion at the New Mexico State Fair and Eastern New Mexico State Fair. Each year the stores showcased more than 600 New Mexico food products made by 80 New Mexico companies. Sales generated between the two stores were approximately $30,000 annually.

NMDA’s hallmark State Fair promotions made their return to the 2017 and 2018 State Fairs such as the Battle of the Salsas; Green Chile Cheeseburger Challenge; and New Mexico wine, beer, and beef happy hours, as well as several other crowd favorites. The first class of NM-TTT® Chef Ambassadors made their debut as well as the combined Homegrown by Heroes® and NEW MEXICO—Grown with Tradition® (NM-GWT®) logos made available for use by veteran farmers across the state.

Domestic marketing efforts also included the continuation of an advertising campaign that reinforced the “buy local” message through the prominent use of the NM–TTT® and NM–GWT® marks. The campaign included a combination of print ads in local and national consumer and trade publications, television ads, ads in NMDA’s Enchanted magazine, and Facebook ads.

In both 2017 and 2018, NMDA partnered with the New Mexico Farm & Ranch Heritage Museum to host Homegrown: A New Mexico Food Show and Gift Market. This event highlighted the sale of locally grown and made products to kick off the holiday season. Due to the success of the event, staff is considering replicating it in a different part of the state.

In 2018, staff coordinated and executed a business-to-business (B2B) event for buyers from a high-end grocery chain in Texas to meet with 20 New Mexico food, beverage, and health and beauty companies. The event was very successful in introducing the retailer to many of the high quality, value-added products that are available in New Mexico. Overall, there was interest in products from most of the exhibitors; and the B2B format proved to be very effective in terms of exposure and cost.

For the New Mexico food and beverage producers that are food-service ready, marketing staff assisted with connecting them with supply chain buyers such as distributors. Specialists recruited and accompanied New Mexico companies at distributor shows such as those hosted by Labatt, Sysco, Ben E. Keith, and Shamrock. (AFF) located at the National Restaurant Association (NRA) Show in Chicago, Illinois. Eight New Mexico agricultural suppliers of wine, craft beer, chile, salsa, sauces, and pecans exhibited within the New Mexico Pavilion. NM-TTT® Chef Ambassador John Hartley joined the NMDA marketing team in supporting our state exhibitors. Endorsed by the United States Department of Agriculture (USDA) Foreign Ag Service and supported by the National Association of State Departments of Agriculture (NASDA), this trade show is the foodservice industry’s largest and most comprehensive annual U.S. food and beverage showcase, attracting a broad array of industry sectors. At more than 715,000 square feet of exhibit space, NRA has grown into one of the largest U.S. based tradeshows, hosting roughly 65,000 registrants from 110 different countries. This marketing event was celebrated on multiple fronts:
Staff administered the first New Mexico Pavilion at the 2019 American Food Fair (AFF) located at the National Restaurant Association (NRA) Show in Chicago, Illinois. Eight New Mexico agricultural suppliers of wine, craft beer, chile, salsa, sauces, and pecans exhibited within the New Mexico Pavilion.

NMDA’s inaugural state pavilion at AFF/NRA, the centennial anniversary of NRA, and New Mexico Secretary Agriculture Jeff Witte as NASDA President. Through a post-event survey, reported sales as a direct result of this activity totaled $320,000 by the end of the calendar year.

Involvement in regional and national associations and shows such as PMA Foodservice, the School Nutrition Association, American Culinary Federation, and Multi-Unit Food Service Operators have also proved to be beneficial in reaching and educating large-volume, foodservice buyers.

Due in-part by staff, New Mexico was featured on Taylor Hicks’ (American Idol winner) television series “State Plate,” where Hicks visits different states to showcase their cuisine. The New Mexico segment featured NM-TTT® Chef Ambassador Rocky Durham at the Santa Fe area resort where he serves as Executive Chef. Chef Rocky enlightened the audience on the history and uses of New Mexico chile and prepared green chile stew, calabacitas, and carne adovada.

The Chefs Taste Challenge held in conjunction with the Farm and Table Conference at the New Orleans Convention and Visitors Center was another unique culinary event that featured New Mexico ingredients on a national scale during the biennium. Chefs from across the country were nominated and then selected by a committee from the New Orleans Convention and Visitors Center. Only ten chefs were selected to compete. State departments of agriculture sent products from their states for the chefs to use. The chefs then drew for the food items provided by the states and created dishes around these items. NMDA provided green chile, pecans, and blue corn. The judges were other culinary professionals, and approximately 800 other foodies attended the event.

SOCIAL MEDIA AND ONLINE MARKETING

During the biennium the Marketing and Development Division continued to create a larger online presence for the NM-TTT® and NM-GWT® logo program as well as brand awareness and demand for New Mexico agricultural products by featuring a different logo program member each day throughout the year on various social media platforms. With 365 days in a year nearly matching the number of logo program members, staff thought it fit to coin the digital campaign “Local 365.” The campaign not only brought positive attention to a variety of sectors encompassing the New Mexico agriculture industry it reinforced the “buy local” message year-round.
MARKETING AND DEVELOPMENT GRANTS AND COST-SHARE PROGRAMS

During the biennium NMDA awarded 15 projects at nearly $1.04 million through two grant programs; the state Agricultural Development and Promotion Funds Program and federal Specialty Crop Block Grant Program. Projects included:

- Improving retail engagement strategies for New Mexico-Grown foods
- Linking grassfed animal producers and consumers through online and other markets and resources
- Collaborative partnership to address the food deserts in Native American rural communities
- Mitigation of alternate bearing New Mexico pecan trees grown under deficit irrigation
- Agricultural workshops and continuing education/promotion for local farmers
- Jujube fruit processing and value-added products research and marketing
- Culinary food and beverage industry educational workshops featuring New Mexico specialty crops
- Ensuring safe and sustainable use of a new soil-applied herbicide for chile pepper production
- National retail and distributor educational workshops featuring New Mexico green chile
- Enhancing New Mexico specialty crops sales through value chain coordination
- The Southwest New Mexico Food Hub Export Initiative
- Cooking with Kids Farm to School Project
- Jujube cultivar trials and marketing in New Mexico
- Hard apple cider production and promotion in central New Mexico
- Developing the New Mexico cider industry

NMDA also provided $59,745 in tradeshow and advertising assistance funding to approximately thirty New Mexico companies.

INTERNATIONAL MARKETING AND DEVELOPMENT

During the biennium NMDA's marketing team focused on global markets in Mexico, Central America, Europe, China, Vietnam, and the Middle East. New Mexico food and agricultural products exports include nuts, dairy products, grain products, produce, livestock genetics, and consumer-ready food and beverage products. Through the Western United States Agricultural Trade Association (WUSATA), the U.S. Pecan Growers Council (U.S. Pecans), the U.S. Livestock Genetics Export, Inc. (USLGE), and a combination of USDA and industry grant funds, marketing staff continued to involve New Mexico growers and processors in international trade shows, trade missions, and promotional activities.

Outbound trade missions (New Mexico suppliers travel to buyers) and inbound trade missions (buyers travel to New Mexico suppliers) are more product- or sector-specific in comparison to some trade shows and promotional activities. Both types of missions are excellent means of connecting pre-qualified buyers through B2Bs, matchmaking sessions, site visits, farm/ranch tours, and organized educational or networking events and seminars. Other activities such as in-store retail promotions, menu promotions, technical seminars, and culinary school events take a direct marketing path. An added advantage of media exposure compounds the effectiveness of these marketing activities. All trade activities are tracked by key performance metrics, including buyer contacts, new-to-market education, and export sales. Positive survey results indicate that New Mexico companies participating in these activities are benefiting from NMDA international marketing programs.

During the biennium NMDA awarded 15 projects at nearly $1.04 million through two grant programs.

NMDA provided $59,745 in tradeshow and advertising assistance funding to approximately thirty New Mexico companies.
Through NMDA’s partnership with WUSATA, marketing staff organized a number of trade activities in FY 17-18 and FY 18-19, including:

- **Two inbound trade missions**: European Union (EU) Inbound Trade Mission and Mexico Inbound Trade Mission
- **Five outbound trade missions**: Outbound Trade Mission to Central America (Northern Triangle-Guatemala Salvador Honduras); Retail Outbound Trade Mission to Mexico City and Panama City; Hotel Restaurant Institutions Outbound Trade Mission to Mexico City and Cancun; EU Outbound to the United Kingdom and Netherlands; and EU Outbound to France and Germany
- **Three trade shows**: Food Ingredient China, Shanghai; Paris, Paris; and Gulfood, Dubai

Through NMDA’s partnership with U.S. Pecans, marketing staff organized a number of different trade activities in FY 17-18 and FY 18-19, including:

- **Three trade shows**: 2017 Food and Hotel Vietnam, Ho Chi Minh City; Food and Hotel Hanoi, Hanoi; and Bakery China, Shanghai
- **Three promotional activities**: Bakery Technical Seminar, Hanoi; Bakery Technical Seminar, Ho Chi Minh; Hotel Restaurant Bakery Promotion, Da Nang; and Culinary School Training and Competition, Ho Chi Minh City

With the use of USDA Specialty Crop Block Grant Program funds, marketing staff organized two trade shows designed to increase awareness of pecans and their many attributes and to connect New Mexico suppliers with buyers, importers, and manufacturers, including:

- **Americas Fine Food/National Restaurant Association Show, Chicago**
- **Institute of Food Technologists Tradeshow, Chicago**

NMDA marketing staff, in partnership with the New Mexico Agriculture Leadership Program, organized the first-ever New Mexico Agriculture Innovation and International Trade Mission. The “New Mexico Agriculture Innovation and International Trade Mission” occurred in the Netherlands with 24 attendees gaining exposure to various high intensity growing models that are faced with increased regulation.

Through NMDA’s partnership with USLGE, marketing staff organized a number of trade activities in FY 17-18 and FY 18-19, including:

- **Five Mexico livestock genetics inbound buyers’ missions.** The buyers participated in ranch tours and networking events at the annual stockman’s convention
- **Two trade shows**: CNOG – Confederación Nacional de Organizaciones Ganaderas, Nuevo Leon (2018) and Oaxaca (2019)
- **Five Expo Gan Outbound Trade Missions**: two in Chihuahua, one in Guadalajara, and two in Sonora

**NEW MEXICO – SONORA AND CHIHUAHUA COMMISSIONS**

Under the state’s mandate to increase trade with Mexico, the New Mexico Legislature established the New Mexico–Chihuahua Commission and the New Mexico–Sonora Commission. NMDA marketing staff worked with their Mexican counterparts to develop bilateral projects that benefit agricultural industries on both sides of the border. These projects included:

- **Binational Livestock Meeting**: NMDA staff successfully executed a binational livestock meeting with livestock industry members from New Mexico and Arizona as well as Sonora, Mexico. The meeting included discussion on issues such as beef branding, animal health, genetics, dairy assessments, and trade.
- **Trichomoniasis Seminar**: NMDA staff successfully organized a seminar that helped educate the Sonora veterinarians on Trichomoniasis (Trich). The seminar included a discussion on the diagnostics, economic impact, and hands-on training on sample collection. The Sonora livestock industry will be utilizing NMDA’s vet diagnostic lab to conduct all of its Trich testing.
- **Animal Health Meeting**: The Union Ganadera of Chihuahua hosted animal health officials from New Mexico to discuss traceability, animal health, and the rules and regulations for the exportation of cattle. The goal of the meeting was to discuss ways to make commerce and trade between both states easier, faster, and safer
- **Livestock Genetics Inbound Mission**: NMDA conducted two livestock genetics inbound missions with delegations from Sonora and Chihuahua.

NMDA’s marketing team focused on global markets in Mexico, Central America, Europe, China, Vietnam, and the Middle East. New Mexico food and agricultural products exports include nuts, dairy products, grain products, produce, livestock genetics, and consumer-ready food and beverage products.
FRUIT AND VEGETABLE INSPECTION SERVICES

Through the New Mexico Fruit and Vegetable Inspection Program – a self-supporting, fee-based program – more than 726 million pounds of produce were inspected for quality and grade. This included over 133 million pounds of imported onions from Mexico, 38 million pounds of domestic onions, 12 million pounds of potatoes, and an excess of 165 million pounds of peanuts from New Mexico and Texas. NMDA provided vegetable, pecan, peanut, potato, pistachio, popcorn, pinto bean, and onion inspections as part of a cooperative agreement with the Fresh Products Branch of USDA’s Agricultural Marketing Service. With the exception of the peanut program and imported onions, this service is voluntary and is provided on a request basis to growers, shippers, and other interested parties that handle produce in New Mexico.

ORGANIC PROGRAM

NMDA’s Organic Program provides USDA-accredited organic certification for farmers, ranchers, and processors around the state, allowing them to enter the fastest growing agricultural market in the world.

Legislation passed in 2017 to change the existing Organic Program fee structure with the intent of helping the program better cover program costs and becoming self-sustaining. The new fee structure was written into the statute and later implemented in January 2018.

During the biennium NMDA’s Organic Program inspected and certified over 325 organic operations. With the legalization of hemp production in New Mexico, staff certified over 300 acres of hemp on four operations in 2019. First-time organic certificates were issued to 12 producers during the biennium.

Agricultural Statistics Bulletin

In association with the National Agricultural Statistics Service (NASS), NMDA annually publishes the Agricultural Statistics Bulletin. NMDA has a professional services contract with NASS to compile data on crops and livestock. These activities have greatly assisted the agribusiness sector by providing a base for statistical information specific to New Mexico agriculture.

Federal-State Market News

Federal-State Market News is an ongoing cooperative program between NMDA and USDA. Operations include gathering and reporting daily market information from New Mexico and national markets and sources. Reports include the New Mexico Range and Feedlot Report and the Livestock Auction reports for Roswell, Clovis, and Belen. With an auction in Santa Teresa coming online in 2018, NMDA responded by reporting this new auction in addition to the three mature auctions.
Approximately 75 percent of NMDA’s commitment and effort goes to program activities dedicated to product safety and industry assurance. NMDA is actively engaged with industry in the development and implementation of federal and state policies and regulations. NMDA believes regulation is a tool in a collaborative industry/agency endeavor toward product security and safety. Regulation is a commitment that joins producer, processor, agency, and consumer.

STANDARDS AND CONSUMER SERVICES (SCS) DIVISION

PETROLEUM STANDARDS
NMDA is responsible for the annual inspecting and testing of all commercial petroleum measuring devices used in the state as well as ensuring product quality for gasoline, diesel, kerosene, brake fluid, antifreeze, and lubricating oil. During this reporting period, NMDA inspected and tested 46,415 petroleum measuring devices and collected 7,658 samples. As a result of the inspection process, the bureau placed 2,996 devices out of service; issued 4,454 notices of violations; and issued 99 stop sales for fuel quality violations.

WEIGHTS AND MEASURES
Routine activities under the Weights and Measures Law include inspection of commercial weighing and measuring devices, packaged commodities for correct net content and labeling, verification of pricing accuracy of retailers utilizing Universal Product Code scanners, and conducted country-of-origin labeling (COOL) inspections. Livestock scales and farm milk tanks were inspected upon request. During this reporting period, NMDA tested
13,484 weighing and measuring devices; conducted 1,679 price verification inspections; completed 2,745 package inspections (with 225 stop sales); and conducted 57 COOL inspections.

**EGG GRADING ACT ACTIVITIES**

The Egg Grading Act establishes the grades and standards for shell eggs, provides for the collection of an inspection fee paid by the egg dealer or producer on all eggs sold to the retailer or consumer, and requires that any person or firm that buys eggs for the purpose of reselling them at wholesale be licensed as an egg dealer.

Egg inspections were performed at retail outlets. During the biennium 1,169 inspections were completed and 60 stop-sale notices issued. Sixty-six firms were licensed as egg dealers.

**CHILE ADVERTISING ACT**

The Chile Advertising Act establishes the New Mexico Chile Labeling requirements for New Mexico chile and products offered for sale in New Mexico. During this period NMDA performed 833 inspections; there were 13 stop sales for noncompliance and 410 notice of violations.

**WEIGHMASTER ACT LICENSING**

The Weighmaster Act requires that anyone who conducts public weighing and charges for services or issues a signed weight certificate as a third party must have a weighmaster license. There are 121 weighmasters licensed within the state.

**WEIGHTS AND MEASURES REGISTERED SERVICE ESTABLISHMENTS**

There are 36 scale companies and 41 petroleum companies registered with NMDA. Under the authority granted by the Weights and Measures Law, prior to installing, servicing, repairing, or reconditioning any commercial weighing or measuring device in New Mexico, a service establishment and each service technician employed by or who is a part of the service establishment shall be registered with NMDA.

**DAIRY ACT ACTIVITIES**

SCS oversees the open dating requirements of dairy products in the marketplace. During this period, 281 open dating stop sales were issued. NMDA adopted the Pasteurized Milk Ordinance (PMO), which is recognized by all 50 states and Food and Drug Administration (FDA). The PMO provides uniform inspection, sampling, and analysis programs allowing for uninterrupted movement of milk and milk products. NMDA has also implemented the Retail Raw Milk Rule, which sets standards for raw milk production, providing for a safer raw milk product for the consumer.

Approximately 75 percent of NMDA’s commitment and effort goes to program activities dedicated to product safety and industry assurance.

**FEED, SEED AND FERTILIZER**

The NMDA Feed, Seed and Fertilizer (FSF) Section oversees the regulation of animal feeds, fertilizer, soil conditioners, and seed.

FSF compliance specialists have assisted many manufacturers with label creation, corrections, and reviews to ensure regulation compliance of feed, fertilizer, and soil conditioner manufacturers and an equal playing field for their products.

Each year NMDA registers approximately 21,000 feed products and 7,100 fertilizer and soil conditioner products. The seed inspection program participates in the USDA Seed Regulatory Testing Branch’s (SRTB) Trueness to Variety (TTV) program. Each year the SRTB chooses seed to inspect for its TTV such as retail seed packets (corn, melons, greens, etc.) and agricultural seeds (alfalfa, corn, milo, etc.).
NMDA investigates complaints regarding sick or dead animals with possible feed implications as well as damaged or nonproducing crops due to seed germination or improper fertilizer labeling.

Staff investigated a case concerning cattle tubs where several cattle died due to an over formulation of urea in the product. The test results were shared on Livestock Net, and it was found to be part of a lot that was under voluntary recall with FDA. Staff worked with the cattle producer and FDA to provide information to help aid in the recall.

Staff continue to sample commodities at rail sidings, dairies, and feed mills for the NMDA State Chemist Laboratory to test the presence of mycotoxins to ensure a safe food supply and animal health, along with sampling pet foods and finished feeds for label guarantees and adulteration concerns.

AGRICULTURAL AND ENVIRONMENTAL SERVICES (AES) DIVISION

AES is staffed with 26 field and office personnel. The division is comprised of two related sections: Pesticide Compliance and Entomology and Nursery Industries. Primary activities of both sections are outlined by state statutes and by federal authorizations. AES’ responsibilities encompass regulatory, consumer protection, and public service activities directed at the safe use and registration of pesticides, the sale and movement of agricultural and horticultural commodities with respect to insects and diseases, and the oversight of hemp production and testing. During the reporting years, AES conducted thousands of inspections in support of state and federal requirements. Additionally, staff continued outreach efforts to help ensure New Mexico industries were aware of current and future changes in regulations; and industry was provided necessary compliance assistance to help meet requirements.

AES staff continue to work with industries, individuals, and businesses involved with the use, sale, and registration of pesticides (including other state and federal agencies) as well as importation, production, and sale of nursery plants and companies exporting raw agricultural plant-based products. AES’ primary enforcement tool is the authority to place stop sales on products or services that do not comply with state and federal requirements.

In addition to regulatory support, AES staff provide other services, including inspection and document services that support the export of New Mexico agricultural crops; technical reviews of pesticide labels and data to ensure products sold in the state meet the needs of our citizens; programs directed at the early detection and eradication of new economic plant pests to help maximize profitability for those involved in agricultural and horticultural production; addressing regulatory concerns of the public related to pesticide; and providing oversight of the hemp production industry to ensure compliance with federal and state laws governing hemp.
AES’ responsibilities encompass regulatory, consumer protection, and public service activities directed at the safe use and registration of pesticides, the sale and movement of agricultural and horticultural commodities with respect to insects and diseases, and the oversight of hemp production and testing.
Extension Service, outreach and education efforts have been increased and directed at owners of residential pecans in an effort to determine infested areas and to work with contractors on eradication measures. Pecan cleaning and shelling plants, as well as pecan buying station inspections throughout the state, have increased aid in pecan weevil detection and enforcement of the pecan weevil quarantine.

Principal international and domestic agricultural exports supported by NMDA’s phytosanitary program included pecans, popcorn, peanuts, pinto beans, nursery stock, pepper seed, and onion seed. Mexico, Asia, and the European Union are the main recipients of New Mexico-produced agricultural commodities. State and federal certificates were issued during the report’s timeframe, including state phytosanitary certificates, federal phytosanitary certificates, and state certificates of origin. The division’s phytosanitary program provides commodity inspection and document services to ensure agricultural exports meet specific requirements established by other states or countries.

During the reporting period, staff successfully pursued USDA-sponsored cooperative agreements of approximately $250,000. These monies were directed at partial support of the state plant pest survey coordinator’s position and support for several plant pest surveys of economic importance to the state. Staff also obtained funding to conduct invasive pest outreach and education activities, directed at informing homeowners and growers of potential invasive pest pathways, reducing the movement of high-risk pests through education.

PESTICIDE COMPLIANCE

Pesticide Compliance staff reviewed and registered approximately 13,000 pesticide products annually during the reporting period, including products for industrial, agricultural, structural, public health, landscape and nursery, antimicrobials, and biological uses. Staff also issued over 500 pesticide applicator licenses annually, performed over 800 annual inspections of commercial pesticide applicators and dealers, and completed approximately 50 annual public complaint investigations. Funding was provided to support the NMSU IR-4 program, which provides food crop residue data to establish tolerance levels and supports establishment and maintenance of minor crop registrations. To assist with and enhance pollinator protection, staff provided the resources to implement the DriftWatch program, an online crop registry for sensitive crops. The program was introduced to New Mexico citizens in 2014 to promote effective communication among apiaries, producers, individuals with chemical sensitivity, and pesticide applicators. To promote DriftWatch, staff spoke at numerous meetings, including the New Mexico Beekeepers Association, and is continuing education workshops and numerous sponsored workshops in the state.

Pesticide Compliance continues to utilize Metro Institute as the platform for which applicators administer pesticide application, approval, and testing processes. The application process is completed online to provide
a convenient and efficient process for New Mexico pesticide applicators. Computer testing sites are located in college testing centers in Albuquerque, Farmington, Portales, Hobbs, Las Cruces, and Santa Fe.

Each location provides the convenience for an applicator to choose from a wide range of times and dates to take an exam. Online testing for private applicators (farmers and ranchers) was also implemented in 2015, allowing them to apply and – with approval – securely access the private applicator exam to obtain a license. This allows private applicators to complete the process without extensive travel and at a time convenient to their schedule.

Staff continued participation in the EPA Cooperative Pesticide Agreement Grant program. Approximately $1 million was awarded in this biennium, which was used to support the inspection, investigation, compliance assistance, and enforcement of state and federal pesticide laws and regulations. The base grant included additional funds to support laboratory equipment purchase (received every five years) and funding for hosting the national pesticide inspector training course. The funding also supports pesticide applicator certification and training programs, which ensure applicants stay current on their knowledge of proper pesticide use, safety, disposal, and environmental protection. Funding also goes toward worker safety, water protection, and endangered species protection activities.

NMDA assisted in informing pesticide users about potential endangered species concerns due to pesticide applications and enforces label restrictions in New Mexico. NMDA provides information on label references, descriptions, and habitats for federally listed endangered species in New Mexico and precautions for protecting endangered species when using pesticides. NMDA works closely with New Mexico Game and Fish (NMGF) and United States Fish and Wildlife Services (USFWS) to identify potential locations of concern in relation to pesticide application and assists in providing workable solutions for producers while not affecting protected species.

By providing a no-cost pesticide disposal program, NMDA continued to serve the citizens of New Mexico. The program is offered to producers, licensed pesticide dealers and applicators, and homeowners as a way to dispose of unwanted pesticide waste. The disposal program helps encourage the proper and safe disposal of unwanted, cancelled, and banned pesticide products and helps eliminate potential threats to human health and the environment. From 2017 through 2019, a total of 125,000 pounds of pesticide waste was collected under the program. Pesticides were collected at specific locations in Farmington, Roswell, Clovis, Vado, and Bernalillo. Funding for this program was provided under the state’s Pesticide Registration Fee program.
HEMP
During 2019 the division provided licensing, outreach, and inspection services to those producing hemp under a new state research pilot program. Approximately 400 licenses were issued by the division for outdoor and indoor cultivation of hemp; over 574 plant samples analyzed to determine compliance with respect to state and federal levels of THC. Division staff spoke at numerous conferences regarding hemp regulations and industry related topics.

LABORATORY DIVISION
The NMDA Laboratory Division consists of the Metrology Laboratory, Petroleum Standards Laboratory, State Seed Laboratory, and State Chemist Laboratory.

The Metrology Laboratory supports the work of SCS by maintaining custody of official state standards for mass and volume. The lab calibrates weights and measures used in department regulatory activities and performs calibration services on a fee basis for industry.

- The Metrology Laboratory completed 14,672 artifacts.
- The Metrology Laboratory spent close to eight months with construction of a new climate control system in the small mass laboratory. The old system could not hold the temperature and humidity required to conduct calibration on small and sensitive artifacts. The current climate system should allow for movement toward calibration of Echelon I artifacts, subsequently adding to the scope of accreditation for the laboratory.
- The Metrology Laboratory received a National Institute of Standards and Technology Certificate of Metrological Traceability, which includes 5 gallon to 500 gallon volumetric transfers II, and 25 gallon to 100 gallon for Liquid Petroleum Gas, in addition to the Mass Echelon II and Mass Echelon III.
- The Metrology Laboratory received national accreditation from the National Voluntary Laboratory Accreditation Program for ISO/IEC 17025:2005.
The State Chemist Laboratory performs a wide variety of tests on feeds, fertilizers, and pesticides. This includes protein, fat, fiber, moisture, ash, and aflatoxin content for animal feeds; available nitrogen, potash, and phosphoric acid content for fertilizers; and as identification and formula verification for pesticides. All these tests can be requested on a fee basis by private citizens and industry.

During the biennium the State Chemist Laboratory replaced the division director and hired a new state chemist. The laboratory was under construction due to a void under the building centered under the laboratory and the addition of a secure sample storage area to meet requirements of ISO/IEC 17025 2017. The construction and reparations to the void underneath the building lasted much of 2018 into March 2019 before laboratory analysis of animal feeds resumed. The laboratory also worked with reduced staff for a portion of the construction.

The lab tested the following:

- A total of 685 feed samples, which required performing a total of 2,265 analytical tests.
- A total of 78 fertilizer samples, which required performing a total of 275 analytical tests.
- A total of 181 pesticide samples, which required performing a total of 3,877 analytical tests.

During the biennium the following equipment was purchased:

- Spectro Analytical Instruments ICP-OES for analysis of metals and minerals in animal feed and fertilizers.
- Verder Scientific grinder for grinding feed and fertilizer samples more efficiently along with a drying unit and washing unit for grinder parts and sieves.

The Petroleum Standards Laboratory analyzes official samples for NMDA SCS to enforce petroleum product quality standards and specifications.

- The Petroleum Laboratory received 7,537 official samples with 1,100 failures.
- The Petroleum Laboratory purchased an additional Petroleum Analyzer Company OptiDist distillation instrument for ASTM D86 testing.
- A MiniScan IR Vision Pro by PetroLab Company LLC was replaced for ASTM D5845 testing.
- The Petroleum Laboratory standard operating procedure was updated and authorized in iPassport.
- The Petroleum Laboratory purchased a Carbon Blaster from Compass Instruments, Inc. for maintenance on the two knock engines.

The NMDA State Seed Laboratory supports the work of NMDA Agricultural Production Services (APS) Division by analyzing official samples collected by Feed, Seed, and Fertilizer inspectors. The laboratory analyzes samples submitted by the public, other state and federal agencies, and the seed industry on a fee basis.

- The Seed Laboratory completed 113 regulatory samples with 13 reported violations and 4,609 service samples over the biennium.

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Agricultural producers and consumers seek solutions to balance the needs of agriculture, economic development, and environmental health. NMDA monitors, investigates, analyzes, and disseminates information to influence policy decisions affecting the viability of agriculture and the sustainability of New Mexico’s natural resources. NMDA engages in many important activities including the regulation of pesticides to ensure protection of groundwater quality and endangered species habitat.

NMDA staff members were instrumental in alerting the agricultural community and constituents to various state and federal initiatives with potential implications to agriculture throughout the biennium. Staff developed and gave presentations to associations, agencies, regulated industry, and others on issues pertaining to the economic viability of agriculture.

WATER AND NATURAL RESOURCES
According to recent census estimates, New Mexico’s population of 2,095,428 has grown by nearly 15.2 percent since 2000 (estimate 1,819,046). The increase in population and development, coupled with ongoing drought, puts the state’s water and natural resources under enormous strain. NMDA has continued through the biennium to play a vital part in maintaining and protecting its natural resources (including watersheds, rangeland, and forests), which all play an important role in the state’s economic and fiscal health. As water becomes scarcer, the actions of NMDA become even more critical to the viability of agriculture.
NMDA staff maintain a seat on the Water Trust Board, which annually funds water infrastructure, conservation, endangered species, watershed restoration, flood prevention, and acequia projects from communities across the state. Projects range in size from the Ute Pipeline to the Navajo-Gallup Pipeline to Canadian River Riparian Restoration.

NMDA participates in water-related efforts such as state water planning sessions, EPA Clean Water Act webinars, Elephant Butte Irrigation District board meetings, New Mexico Water Resources Research Institute’s annual Water Research Symposium, New Mexico water law conferences, U.S. International Boundary and Water Commission Rio Grande Citizens’ forums, and the South-Central New Mexico Stormwater Management Coalition. NMDA stays informed on current issues and provides input and feedback to other water professionals in New Mexico, which helps inform policy decisions.

NMDA, by statute, maintains a voting seat on the New Mexico Water Quality Control Commission (WQCC). WQCC provides mandated oversight of water quality management through the state Water Quality Act and serves as the water pollution control agency for the state for all purposes of the federal Clean Water Act and the wellhead protection and sole source aquifer programs of the federal Safe Drinking Water Act. The duties and powers of the commission include adoption of a comprehensive water quality management program, the development of a continuing planning process, the administration of loans and grants from the federal government, the adoption of water quality standards, and the adoption of regulations “to prevent or abate water pollution in the state or in any specific geographic area or watershed of the state...or for any class of waters.” Under the Water Quality Act, water is defined as all water, including water situated wholly or partly within or bordering upon the state, whether surface or subsurface, public or private, except private waters that do not combine with other surface or subsurface water. The WQCC is also vested with enforcement of the New Mexico Utility Operator Certification Act including the adoption of regulations and the conducting of hearings on compliance orders. During a majority of the biennium, the NMDA designee served as chairman of the WQCC. NMDA's participation brings representation regarding decisions that affect water quality regulations and, ultimately, affect the agricultural economy.

NMDA assisted the agricultural industry with disaster and drought-related issues encountered during the biennium. This was accomplished through close monitoring of needs, data development, and coordination with state and federal agencies to facilitate the release of federal funding and programs designed to aid agricultural producers. NMDA, as the designee for Emergency Support Function 11 (ESF 11), responded to various agriculture and natural resource emergencies throughout the biennium leading response and recovery efforts across the state. NMDA maintained an active role in the Governor’s Drought Task Force, emphasizing the impact to agriculture to gain leverage with other state agencies. Staff also served on the Drought Monitoring Working Group established to evaluate the impact of drought to various sectors in the state, unify response effort, and identify proposed actions by agencies. This information served as one component of the state Drought Plan. NMDA worked with the Office of the State Engineer to update the state Drought Plan during the biennium.

NMDA assisted the agricultural industry with disaster and drought-related issues encountered during the biennium.
HEALTHY SOIL PROGRAM
The Healthy Soil Program was created when the Healthy Soil Act was signed into law in 2019. The purpose of the program is “to promote and support farming and ranching systems and other forms of land management that increase soil organic matter, aggregate stability, microbiology and water retention to improve the health, yield and profitability of the soils of the state.” This purpose is achieved by funding pilot projects aimed at improving soil health as well as related education and outreach efforts.

AGRICULTURAL WORKFORCE DEVELOPMENT PILOT PROGRAM
The NMDA Agricultural Workforce Development (AWD) Pilot Program offers incentives to the state’s agricultural businesses to hire interns. The AWD Pilot Program intent is to provide hands-on educational opportunities for students aspiring to careers in agriculture as well as young or beginning farmers and ranchers.

The AWD Pilot Program, signed into law in 2019, is the result of the Agricultural Workforce Development Program Act.

ACEQUIA AND COMMUNITY DITCH FUND (ACDF)
ACDF grants monies for the purpose of adjudicating water rights. NMDA chaired the ACDF committee, which allocates and oversees the monies appropriated by the New Mexico Legislature.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Funding Distributed to ACDF Associations</th>
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<tr>
<td>2018</td>
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<tr>
<td>2019</td>
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<td>$628,039</td>
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<tr>
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FARM AND RANGE IMPROVEMENT FUND (FRIF) ACTIVITIES
The FRIF Act directs NMDA to work with county commissioners to expend funds returned from the state’s share of Taylor Grazing Act fees paid to the Bureau of Land Management (BLM). NMDA serves as liaison between the director/secretary and the county commissioners with an annual accounting of expenditures ranging from $984,777 and $1,041,005 for FY18 and FY19, respectively.

WILDLIFE SERVICES’ COOPERATIVE PROGRAM
The USDA Animal and Plant Health Inspection Service Wildlife Services program in New Mexico is a cooperatively funded program that provides state and federal leadership and expertise to resolve wildlife conflicts that threaten agriculture, human health and safety, and property in New Mexico. Cooperative funding includes federal, state, and local monies from cooperative service agreements in 25 participating counties. Local funding includes county general funds, livestock associations, FRIF funds, and livestock head tax monies.
WATERSHED PROTECTION

NMDA participated in the Resilience in New Mexico Agriculture process facilitated by New Mexico First and NMSU’s Cooperative Extension Service, along with the Thornburg Foundation, W.K. Kellogg Foundation, McCune Charitable Foundation, and the Santa Fe Community Foundation. The outcome is the Resilience in New Mexico Agriculture Strategic Plan, which can be found at www.nmfirst.org/library.htm.

NMDA staff provided support for the Canadian River Riparian Restoration Project (CRRRP) through information and outreach as well as new employee training, budgeting, and protocol for partnering with subdivisions of state government. The CRRRP has treated more than 79,300 acres of watershed on the Canadian River and Ute Creek, improving water quantity as well as quality. This project has brought $10,020,000 in matching federal dollars into the state for watershed restoration.

SOIL AND WATER CONSERVATION DISTRICTS (SWCDS)

NMDA provided support for all SWCDs and watershed districts by the following:

- Provided one-on-one training at each local district.
- Provided statewide operations training and statewide District Supervisor Certification training for new employees and newly elected supervisors.
- Helped districts build capacity by locating possible resources (financial, technical, or otherwise).
- Provided statewide trainings on the Water Quality and Conservation Grant (operations training with presentations from the New Mexico Department of Finance, Office of the State Auditor, and Attorney General).
- Urged district supervisors to stay informed by furnishing them a monthly report on current issues and funding opportunities.

NMDA helps coordinate collaborative efforts between SWCDs and other agencies in order to get conservation efforts on the ground.

NMDA continues to provide technical support where needed to ensure success of projects related to natural resources, including Land Use Plans (LUP). The LUP process provides landowners, as locally elected officials, a role in shaping plans and environmental analysis rather than merely commenting on such documents through the National Environmental Policy Act process. SWCD supervisors are landowners who hold the custom and culture as well as economic and social values of the land as a priority for land use; therefore, they are invaluable in the LUP drafting process. NMDA sponsored several land-use planning workshops throughout the state, providing every attendee with tools and resources to construct a land-use plan for their district.

This biennium NMDA worked on ongoing compliance assistance related to risk management, liability coverage issues, audit and budget reporting requirements, and Open Meetings Act compliance as well as the Soil and Water Conservation District Act and the Watershed District Act. NMDA has collaborated with other state agencies that interact with the SWCDs in an effort to coordinate oversight of and interactions with the districts.

NMDA facilitated efforts to create partnerships to promote the responsible use of natural resources. These partnerships were effective in accomplishing on-the-ground natural resource projects related to riparian restoration, noxious weed management, endangered species management, and land-use planning.

NMDA staff supported individual districts by assisting with district boundary modifications and establishing mill levy authority to stabilize funding. NMDA also provided administrative services to the Soil and Water Conservation Commission, which administered the Water Quality and Conservation Grant as well as point-system funding.

The following table shows funds received by NMDA to benefit SWCDs with technical assistance and on-the-ground natural resource conservation during the biennium from the various programs including the Technical Service Provider program (TSP).

<table>
<thead>
<tr>
<th></th>
<th>Operations (SWCD)</th>
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</table>
GEOGRAPHIC INFORMATION SYSTEM (GIS)

GIS is an ideal tool for monitoring, preserving, and studying natural resources. Global positioning system technology expands the usefulness of this application. Staff have undergone technical training and frequently collaborate with other agencies on projects as exemplified:

1. Provided maps of wildfire progression to assess the potential need for livestock evacuations.
2. Provided analysis of potential impacts to federal grazing allotments from Endangered Species Act (ESA) proposals.
3. Maintained geospatial data for SWCD boundaries and provided support to districts, as needed.
4. Created and distributed departure-from-average NDVI (normalized difference vegetation index) maps to agencies and producers for use in monitoring drought conditions.
5. Analyzed special land-use designation proposals for potential impacts to agriculture and natural resource management.
6. Analyzed land-use decisions and other aspects of the Forest Plan Revision process for multiple national forests.

FEDERAL RANGELANDS AND FORESTS

Range and forest lands constitute a significant portion of New Mexico’s 78 million-acre land base. Federal agencies manage and control approximately 34 percent of the land mass of New Mexico. Federal lands are intermingled with Native American land (10 percent), state trust land (12 percent), private land (44 percent), and miscellaneous lands withdrawn as military reservations, national parks, monuments, and wildlife refuges. The resulting checkerboard land ownership pattern and the predominance of nonprivate grazing lands presents unique challenges to New Mexico’s livestock industry. In accordance with NMDA responsibilities, staff members maintain close contact with federal and state land management and conservation organizations, other state agencies, and auxiliary organizations. On behalf of NMDA’s director/secretary, staff attended numerous meetings and provided analyses, comments, and briefing documents exemplified by the following efforts:

1. Participated in the state Forest and Watershed Health Coordinating Group, whose purpose is to initiate implementation of the Forest and Watershed Health Plan and coordinate long-term ecological restoration efforts throughout New Mexico.
2. Participated in meetings of the Natural Resources Conservation Service (NRCS) State Technical Committee, a committee that advised NRCS on the expenditure of funds for various conservation programs.
3. Participated in meetings of the Otero County Grazing Advisory Board, which deals with issues affecting both public and private grazing lands in Otero County.
4. Worked with agencies and industry groups to mitigate impacts of large wildfires on affected range livestock operations.
5. Participated in the New Mexico section of the Society of Range Management.
6. Cooperated with producers and federal agencies to address range management and other natural resource-related challenges on federal grazing allotments.
7. Participated in federal land management planning efforts at the project and programmatic levels to ensure impact to and benefit from production agriculture are considered. NMDA is a cooperating agency for the BLM TriCounty Resource Management Plan revision and the Cibola, Carson, Santa Fe, and Gila national forest plan revisions.
8. Participated in federal land management planning revisions and amendments for the Carson, Cibola, Gila, Lincoln, and Santa Fe national forests, which will be a multiyear effort.
9. Worked with policy staff from other Western states to address common issues related to federal land management.
10. Analyzed and commented on multiple documents concerning agriculture and natural resource management.

Range and forest lands constitute a significant portion of New Mexico’s 78 million-acre land base.
The federal ESA has the potential for widespread impact on agricultural land uses. NMDA worked to identify ways to make species protection/recovery activities compatible with agricultural production and protection of water rights. To this end, NMDA:

1. Applied for USFWS grant monies for Mexican wolf depredation compensation and nonlethal mitigation measures. Grant monies were paired with nonfederal match and paid to New Mexico livestock producers impacted by Mexican wolves.

2. Provided comments to USFWS regarding proposed policy changes, listing determinations, critical habitat designations, and recovery plans for the jaguar, Mexican gray wolf, lesser prairie chicken, New Mexico meadow jumping mouse, Northern Mexican gartersnake, narrow-headed gartersnake, yellow-billed cuckoo, Rio Grande cutthroat trout, Jemez Mountains salamander, Zuni bluehead sucker, and North American wolverine.


4. Participated in meetings with NMGF regarding issues surrounding furbearer trapping in New Mexico.

The Noxious Weed Management Act directs NMDA to maintain the state’s noxious weed list to identify methods of control for designated species and to develop and publish methods of educating the public about noxious weeds. In addition, NMDA coordinates weed management efforts among local, state, and federal land managers and private landowners. Cooperative Weed Management Areas (CWMAs) are local organizations that integrate noxious weed management resources across federal, state, and local governmental jurisdictional boundaries. In the last two years, the number of CWMAs in the state has remained at 15. The success of New Mexico’s CWMAs comes from their ability to build working relationships among governmental agencies and the general public. These relationships allow local CWMAs to overcome jurisdictional obstacles, combine resources, eliminate duplication of effort, and effectively achieve on-the-ground results. During the biennium NMDA:

1. Conducted multiple trainings for the New Mexico Parks and Recreation Association, New Mexico Department of Transportation, NMSU’s Cooperative Extension Service, SWCDs, the City of Albuquerque, the City of Las Cruces, and several private citizens’ groups.

2. Worked with federal, state, and local governmental agencies, tribes, individuals, and stakeholder groups to generate interest in creating two new CWMAs in eastern New Mexico.

3. Worked to secure funding from foundations, government agencies, and the private sector to carry out noxious weed management in New Mexico.

4. Maintained an active role in statewide coordinated watershed planning efforts, including the State Watershed Health Coordinating Committee and the Statewide Watershed Forum Planning Committee.
FOOD PROTECTION

NMDA ensures a safe and secure food supply through practice and by helping others with strong and practical biosecurity practices.

Food protection includes three important elements:

*Food Safety – Protecting against unintentional incidents*
*Food Defense – Protecting against intentional incidents*
*Food Security – Promoting a wholesome, nutritious, and available food supply for all residents of the state*

During this reporting period, NMDA began the coordination process with its partners at the New Mexico Environment Department, New Mexico Department of Health (NMDOH), and others to create a Rapid Response Team (RRT) for New Mexico. In an animal feed or human food emergency, this team would be dispatched to investigate and mitigate the issue. RRT members meet on a quarterly basis to cultivate relationships and discuss events occurring in each jurisdiction. This is also a time for each agency to understand the authorities of one another in an effort to efficiently mitigate food and feed borne emergencies.

Preparedness is planned around the Federal Emergency Management Agency’s five critical mission areas: prevention, protection, mitigation, response, and recovery. NMDA and the Southwest Border Food Protection and Emergency Preparedness Center (Center) work diligently together to prepare through training and exercise to be able to respond effectively to agricultural emergencies.
FOOD SAFETY
The Center helps train tens of thousands of people each year on food safety issues. Such issues may include something as simple as proper cooking and refrigeration temperatures to something as complex as handling biologic agents safely. The Center is a unique partnership between NMDA and NMSU College of Agricultural, Consumer and Environmental Sciences.

Through inspections, sampling, and testing equipment, the NMDA Dairy Bureau ensures safe milk and milk products are provided to the consumer.

NMDA staff conducts contract inspections under FDA authority at feed mills, feedlots, and feed distributors across the state for compliance with Title 21 Code of Federal Regulations (CFR) Part 589.2000 and 21 CFR Part 589.2001 (the bovine spongiform encephalopathy [BSE] rules). NMDA inspects mills, mixers, and transporters of livestock feeds to ensure compliance with the rule and maintains surveillance for potential BSE problems in bovine feeds. Staff meet annually with FDA’s Denver District Office staff to plan the yearly inspections and discuss programmatic issues. During the biennium staff conducted seven BSE inspections per year.

NMDA continues to implement the Animal Feed Regulatory Program Standards (AFRPS) through a cooperative agreement with FDA. The 11 standards allow each state implementing them to tailor their program with written documentation regarding how to handle enforcement, inspection, and sampling to meet the basis of the standard. Implementation of the AFRPS provides the FSF program with a framework for continual improvement and helps identify strengths and gaps in implementation. Implementation of the standards involves cooperation between both the FSF regulatory programs and the State Chemist Laboratory. The FSF section completed the self-assessment prior to the 60-month audit and is anticipating full implementation at the 60-month audit with FDA AFRPS audit staff.

The NMDA Produce Safety Section oversees the federal minimum standards set forth by FDA related to produce production. The FDA’s Produce Rule is a part of a larger reform to the Food Safety Modernization Act (FSMA) Foreign and Domestic Food Supply Chain. The FSMA is the largest overhaul to the nation’s food safety system in 70 years. This act is comprised of seven foundational rules, the Produce Rule being one of them. NMDA entered into a cooperative agreement with FDA to implement the Produce Rule into New Mexico; currently there are 46 other states participating with similar programs.

NMDA’s Produce Safety Section’s first year of produce inspections were conducted in 2019. Large farms were required to be in compliance by January 1, 2019, with FDA’s Produce Rule. These farms have sales of $500,000 and greater of produce annually. Staff conducting these regulatory inspections were well received by the operations they inspected; staff encountered zero conditions with the potential to cause a foodborne illness or a potential threat to public health.

FOOD DEFENSE
On an international border, NMDA recognizes the potential for those who wish to cause harm through the human food supply or animal feed supply. Food often times transfers through several countries before being consumed. That is why NMDA frequently coordinates and participates in face-to-face meetings, trainings, and potential exercises with Mexico, as well as with partners in neighboring border states. NMDA is the coordinating entity for the state ESF 11, which encompasses the agricultural component in all hazards events. Staff establish a department operations center and respond to the state emergency operations center to help mitigate the event.
FOOD SECURITY
NMDA recognizes that many New Mexico residents simply do not have enough to eat, so it often connects producers and food banks to help ease that hunger. NMDA participates in mass care preparation at the state level to assist in an all-hazards event.

PARTNERSHIPS
The New Mexico Food Protection Alliance continues the annual conferences featuring training in food protection. The conference is now held over two days with training preceding the conference, and it sometimes incorporates a tabletop exercise. In addition, local food protection alliances have been created to help distribute food-related information when necessary. NMDA also partners with other state and federal agencies to collaborate on food and feed safety issues.

NMDA worked routinely with FDA and USDA on initiatives related to food safety and food defense. Continual monitoring of recall notices provides a mechanism to inform consumers at the state level to avoid or minimize public health ramifications. An ongoing dialog with industry allows for minimizing economic losses at the production and processing levels.

Training and exercises are mainstays of NMDA's efforts. Social science research shows we respond in a crisis as we have trained. NMDA works very closely with the United States Department of Homeland Security consortium to create and deliver training that prepares responders in New Mexico, nationally, and around the world, in some cases. In July 2018, a multiagency full-scale exercise took place in Albuquerque exercising the various roles each agency would play in an animal-related emergency. The next day the training was put to the test. Everyone knew their roles, and the situation was handled exceptionally well with very little loss.

An NMDA FSF staff member served as an instructor for the Association of American Feed Control Officials (AAFCO), Pet Food and Specialty Pet Food Labeling Workshop as well as presented at the AAFCO Pet Food and Specialty Pet Food Labeling Workshop directed at helping manufacturers and the regulatory control office with pet food labeling.

NMDA's Produce Safety cooperative agreement with FDA has two core components; (1) education and outreach and (2) compliance. Through outreach efforts, we reach stakeholders throughout the state to inform them of these new food safety laws. These outreach efforts create awareness not only to those who will be required to comply with the regulation but also to consumers and buyers of regulated produce. In the space of education, NMDA relies heavily on its long-established and strong relationships with NMSU’s Cooperative Extension Service to deliver the required educational component of the FSMA Produce Rule.

NMDA recognizes that many New Mexico residents simply do not have enough to eat, so it often connects producers and food banks to help ease that hunger.
This curriculum is taught through a face-to-face format by a cadre of instructors who cover the details and requirements in depth of the Produce Rule and potential microbiological hazards associated with growing, harvesting, packing, and holding of raw produce.

NMDA has collaborated with NASDA to implement the use of the On-Farm Readiness Review program. This federally funded program allows educators, regulators, and producers the opportunity to meet on a farming operation in a nonregulatory visit to provide guidance, solutions, and information to the producers to ensure they are meeting compliance requirements prior to any regulatory inspection being conducted. This aligns with FDA’s mantra, “educate before and while we regulate.”

In preparation for approaching compliance dates in which farms were required to comply with the Produce Rule, NMDA staff actively participated in numerous trainings learning how to conduct produce inspections. Since the Produce Rule is the first of its kind and requires staff to conduct regulatory inspections, FDA spearheaded the development of a training curriculum and benchmarks. NMDA had the opportunity to build upon that. The Produce Safety Section developed and held the first mock training exercise. This exercise took the skills and knowledge inspectors learned and allowed them to test in a controlled environment. There were 31 inspectors from 13 states and FDA in attendance at the training held at the NMSU Leyendecker Plant Research Center. Inspectors conducted inspections of the facility and planted crops. This training was a great success and created a format that other states followed suit with and held their own training.

**DAIRY REGULATION**

As part of the NMDA APS, the Dairy Bureau regulates the production of milk and milk products within New Mexico. The bureau oversees dairy farms, milk processing plants, hauler/samplers, and milk hauling tankers to ensure the public is consuming safe milk and milk products (including cheeses, dried milk, dried whey, and whey protein concentrates). When compared nationally, New Mexico ranks third for milk production per cow, first for cows per farm, fourth in total cheese production, and ninth in the nation for total milk production. In the past biennium, the Dairy Bureau regulated over 16.5 billion pounds (16,570,000,000) of Grade A milk for human consumption. NMDA enforces the Drug Residue Testing and Surveillance program, which safeguards the public from consuming milk containing antibiotics. This program requires every tanker load of milk be tested and found negative for traces of antibiotics before it is offloaded for further production. During the past two years, nearly 363,000 tanker loads of milk were screened, resulting in only 13 loads (or a mere 0.000036 percent) confirmed as positive for antibiotics. These positive loads were then excluded from food production.

The Dairy Bureau routinely collected 3,700 raw milk samples from every permitted dairy farm, 1,000 samples of finished products, and 800 water samples from dairy farms and processing plants. Additionally, 3,500 on-site inspections were conducted on farms and in production facilities, hauler/samplers, and milk tankers.

Protecting milk during transportation from farms to processing plants is vital. Therefore, NMDA staff also educates hauler/samplers through a “Milk Hauler” course in the field. This course covers proper sanitation, sampling of milk, and sealing the milk tanker. After the drivers have completed the course and passed a written examination, they are issued a milk hauler permit card displaying their photograph and identification. This means processing plants can easily identify credentialed haulers when delivering loads of milk.

In the past biennium, the Dairy Bureau regulated over 16.5 billion pounds (16,570,000,000) of Grade A milk for human consumption.
VETERINARY DIAGNOSTIC SERVICES (VDS) DIVISION

Since 1979 the primary function of VDS has been to provide efficient and accurate diagnosis of diseases in New Mexico livestock, companion animals, exotics, and wildlife. This function was achieved throughout the biennium due to the efforts of several dedicated individuals within NMDA and VDS. The average yearly number of submissions was approximately 36,000 per year. Most of the diagnostic submissions continue to be from veterinarians within New Mexico and those along the state lines of Arizona, Colorado, and Texas. VDS is fortunate to continue diagnostic partnerships with NMSU Cooperative Extension Service, New Mexico Livestock Board (NMLB), NMGF, NMDOH, New Mexico Racing Commission (NMRC), USDA, the Federal Bureau of Investigation (FBI), Albuquerque Bio Park, Navajo Nation, Bernalillo County Animal Control, Albuquerque Animal Welfare Department, and several other animal welfare departments throughout the state.

During the biennium VDS increased its diagnostic capability, advancing from a National Animal Health Laboratory Network (NAHLN) tier three lab to a tier two lab. As an NAHLN certified laboratory, VDS is better able to serve the public by providing diagnostics for diseases such as highly pathogenic avian influenza, foot and mouth disease, virulent Newcastle disease, classical swine fever, African swine fever, equine piroplasmosis, vesicular stomatitis virus (VSV), chronic wasting disease, and scrapie. As a tier two NAHLN lab, VDS has proven capabilities in providing Health Level-7 messaging of several high consequence diseases, which equates to sharing diagnostic results with the National Veterinary Services Lab in a near real-time fashion.

Along with becoming an NAHLN tier two lab, staff continued leadership roles by serving on the NAHLN Coordinating Council and several of the NAHLN working groups.

Because of NAHLN status, VDS was one of six labs in the United States activated to perform VSV diagnostics during the 2019 VSV outbreak. As a VSV activated lab, VDS was able to provide diagnostic results to producers, state veterinarians, and USDA very quickly, establishing quarantines swiftly which aided in controlling the spread of the disease.

New Mexico also exported numerous products within the United States and globally. Approximately 1,000 export documents were issued during this reporting period. Raw milk and cream are exported to Mexico; and dried milk products and cheese are shipped as far away as Europe, Asia, and South America. Dairy staff also continue to implement the use of a database allowing tested sample results from the NMDOH to be electronically transferred into the Dairy Bureau database. The shared information saves time and minimizes the chances of error when transferring data.

The Dairy Bureau is an active member in the National Conference on Interstate Milk Shipments. This conference has delegates from all 50 states and Puerto Rico collaborating to develop or change regulations that ensure a safe national milk supply. The APS director is the voting delegate and serves on Council I. This delegate also participates on the Technical Equipment Committee and is the Vice Chair of the Liaison Committee.
A major accomplishment that led the way for VDS to become an NAHLN tier two lab was becoming a fully certified ISO/IEC 17025 laboratory. Due to a dedicated staff and significant efforts, VDS was able to attain ISO/IEC certification for the first time since its existence. In support of the New Mexico poultry producers, VDS maintained its certification as a National Poultry Improvement Plan (NPIP) laboratory. NPIP certification required the successful completion of multiple diagnostic proficiencies.

During the biennium staff served on several committees, such as the NMLB Tritrichomonas foetus advisory committee, the Central New Mexico Community College Veterinary Technology advisory committee, NMRC Medication and Rules committees, and several United States Animal Health Association and American Association of Veterinary Diagnosticians (AAVLD) committees. VDS hosted a wildlife disease investigation workshop for attendees of the Wildlife Society annual conference and presented papers at the annual AAVLD conferences. Also, through participation in the College of American Pathologist proficiency testing, VDS became the only recognized veterinary sentinel lab for select agents in the United States.

Providing continuing education maintained a central theme for VDS during the biennium. VDS continued its relationship with Central New Mexico Community College by providing laboratory experience in the form of externships for the schools’ veterinary technology students and tours. VDS hosted evening veterinary roundtables for area veterinarians and technicians, a quarterly animal health update meeting during which representatives from agencies such as NMDA, NMSU Cooperative Extension Service, USDA, NMLB, NMGF, Navajo Nation, FBI, NMDOH, and New Mexico Department of Homeland Security and Emergency Management gave reports pertinent to the livestock industries. VDS also participated in outreach by sponsoring Joint Pathology Center rounds, participated in New Mexico Veterinary Medical Association meetings, presented information at multiple producer meetings, and provided multiple tours of the laboratory.

VDS maintained its leadership role with the New Mexico Agriculture Livestock Incidence Response Team (NM–ALIRT). During the biennium NM–ALIRT organized and participated in trainings via conferences and a full-scale exercise. The trainings included multiple local, county, state, and federal agencies. The full-scale exercise, “When Cows Fly,” may be the only multiagency agriculture themed exercise in the United States to take place at an international airport.

Special projects for the biennium included a joint effort between the NMDOH and VDS to develop instructional material for proper packaging and shipping of diagnostic specimens. The project entailed both NMDOH and VDS logging for several weeks how specimens were packaged and shipped by submitters. The logged information was then used to develop an educational specimen packaging and shipping booklet that continues to be distributed to submitters. Another special project involved VDS assisting the University of Illinois Veterinary Diagnostic Lab in a chronic wasting disease surveillance program.

**VDS was able to attain ISO/IEC certification for the first time since its existence.**
NMDA STATUTORY APPOINTMENTS OF THE DIRECTOR/SECRETARY

Acequia and Community Ditch Fund
  • Acequia and Community Ditch Fund Act, 73-2A-3

Executive Cabinet
  • Creation of Department of Agriculture, 76-1-3

New Mexico Beef Council
  • New Mexico Beef Council Act, 77-2A-3

New Mexico Chile Commission
  • Agriculture Commodity Commission Act, 76-21-10

New Mexico Peanut Research Board
  • Agriculture Commodity Commission Act, 76-21-10

New Mexico Dry Onion Commission
  • Agriculture Commodity Commission Act, 76-21-10

New Mexico Farm & Ranch Heritage Museum Board
  • Farm and Ranch Heritage Museum Act, 18-11-5

New Mexico Seed Certification Agency Committee
  • New Mexico Seed Law, 76-12-17

New Mexico Sheep and Goat Council
  • New Mexico Sheep and Goat Act, 77-8A-3

Water Quality Control Commission
  • Water Quality Act, 74-6-1

Water Trust Board
  • Water Project
### NMDA CONTACTS

**Office of the Director/Secretary**

MSC 3189, P.O. Box 30005, Las Cruces, NM 88003-8005

<table>
<thead>
<tr>
<th>Department/Program</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>Director/Secretary</td>
<td>575-646-5063</td>
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<tr>
<td>Deputy Director</td>
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<tr>
<td>Agricultural Biosecurity</td>
<td>575-646-3007</td>
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<td>Budget and Support Services</td>
<td>575-646-3007</td>
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<td>Governmental and Legislative Affairs</td>
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<td>Human Resources</td>
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<td>Public Affairs Director</td>
<td>575-646-2804</td>
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<tr>
<td>Agricultural and Environmental Services</td>
<td>575-646-2220</td>
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<td>Entomology and Nursery Industries</td>
<td>575-646-3207</td>
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<td>Pesticide Management</td>
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<tr>
<td><strong>Agricultural Production Services, 505-841-9425</strong></td>
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<td>Dairy</td>
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<td>Feed, Seed, and Fertilizer</td>
<td>575-646-3107</td>
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<td>Produce Safety</td>
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<td><strong>Agricultural Programs and Resources, 575-646-2642</strong></td>
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<tr>
<td>Laboratories</td>
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<td>State Chemist Laboratory</td>
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<td>State Seed Laboratory</td>
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<td>Petroleum Laboratory</td>
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<td><strong>Marketing and Development, 575-646-4929</strong></td>
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<td>Organic Program</td>
<td>505-361-2840</td>
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<td>Peanut Grading Station</td>
<td>575-356-8393</td>
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<td><strong>Standards and Consumer Services, 575-646-1616</strong></td>
<td><strong>721 East Lime Street, Portales, NM 88130</strong></td>
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<td>Consumer Services</td>
<td>575-646-1616</td>
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<td>Petroleum Standards</td>
<td>575-646-1616</td>
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<tr>
<td><strong>Veterinary Diagnostic Services, 505-383-9299</strong></td>
<td><strong>1101 Camino de Salud, NE, Albuquerque, NM 87102</strong></td>
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NMDA ORGANIZATIONAL CHART

* The Director/Secretary is the only political/exempt appointee in the department (appointed by the NMSU Board of Regents).
“There shall be a department of agriculture which shall be under the control of the Board of Regents of New Mexico State University---State Department of Agriculture.”
New Mexico Constitution, Article XV, Agriculture and Conservation, Section 1. [Department of Agriculture]
The original New Mexico Constitution, ratified in 1911 and the basis for statehood in 1912, created the state department of agriculture. In 1955 NMSU Board of Regents unified a number of regulatory services and the individuals responsible for them under a single administrative organization; the New Mexico Department of Agriculture. Since March 1978, the director of NMDA has served as the secretary of agriculture on the Governor’s Cabinet. As such, the director/secretary is the agricultural industry’s official representative to state and federal government. In addition, the director/secretary serves on NMSU’s Executive Committee and Administrative Council.
NMDA is a producer-consumer service and regulatory department and is responsible for certain statutes legislated over the last half century. NMDA’s mandate has changed over the years since its creation by the State Constitution. Services have expanded in reaction to changes in population, needs of agribusiness, and dynamic economic conditions.
Dallas Rierson, the first director of NMDA, served from 1955-1971. Charlie Whigam served as acting director from June 1971 until January 1972 when NMSU President Gerald Thomas appointed Dr. William P. Stephens. In February 1988, Frank A. DuBois was named and served in this capacity until his retirement in June 2003. Dr. I. Miley Gonzalez was appointed July 2003 and served until his retirement in December 2010. Thomas J. Bagwell served as acting director/secretary from January 2011 until May 2011. The NMSU Board of Regents appointed Jeff M. Witte in May 2011.
COLLABORATION WITH BOARDS, COMMISSIONS, AND NATIONAL ORGANIZATIONS

Academy of Veterinary Consultants
Accredited Certifiers Association
American College of Veterinary Pathologists
American Culinary Federation
Association of American Pesticide Control Officials
Association of Structural Pest Control Regulatory Officials
American Association of Veterinary Laboratory Diagnosticians
Association of American Feed Control Officials
Association of American Plant Food Control Officials
Association of American Seed Control Officials
Association of Official Seed Analysts
American Society for Testing and Materials International
American Veterinary Medical Association
Border Governors
Bureau of Land Management
Central New Mexico Community College- Culinary Programs Advisory Board
Communications Officers of State Departments of Agriculture
Dairy Producers of New Mexico
Entomological Society of America
Farm to Table New Mexico
International Organic Inspection Association
Mexican Wolf Interagency Management Advisory Group
Middle Rio Grande Endangered Species Act Collaborative Program and Steering Committee
National Agricultural Statistics Service
National Animal Health Laboratory Network
National Association of Dairy Regulatory Officials
National Association of State Departments of Agriculture
National Conference of Interstate Milk Shippers
National Conference on Weights and Measures
National Farm to School Network
National Grocers Association
National Society for Histotechnology
National Organic Program
Natural Resources Conservation Service
National Restaurant Association
National School Nutrition Association
New Mexico Agricultural Aviation Association
New Mexico Association of Conservation Districts
New Mexico Beef Council
New Mexico Brewers’ Guild
New Mexico Cattle Growers’ Association
New Mexico Chile Association
New Mexico Hay Association
New Mexico Livestock Board
New Mexico Pro Start
New Mexico Natural Lands Protection Committee
New Mexico Racing Commission
New Mexico Restaurant Association
New Mexico School Nutrition Association
New Mexico Sheep and Goat Council
New Mexico Veterinary Medical Association
New Mexico Wine and Grape Growers Association
New Mexico Wool Growers, Inc.
NMSU College of Agricultural, Consumer and Environmental Sciences
NMSU Cooperative Extension Service
NMSU Range Improvement Task Force
North American Agricultural Marketing Officials
North American Farm Direct Marketing Association
Northern New Mexico Stockmen’s Association
Paso del Norte Watershed Council
Peanut Research Board
Produce Marketing Association
Resource Advisory Council
Rocky Mountain Farmers Union
Southwest Border Food Protection and Emergency Preparedness Center
Texas Regional Exchange Group
Texas Restaurant Association
The Joint Pathology Center
Tri-National Agricultural Accord
United States Animal Health Association
United States Department of Agriculture
United States Environmental Protection Agency
United States Food and Drug Administration
United States Livestock Genetic Export
U.S. Fish and Wildlife Services
U.S. Pecans
Water Quality Control Commission
Water Trust Board
Western Association of State Departments of Agriculture
Western Governors’ Association
Western Horticultural Inspection Society
Western Plant Board
Western States Livestock Health Association
Western Sustainable Agriculture Research and Education
Western United States Agricultural Trade Association
Western Weed Coordinating Committee
Western Weights and Measures Association