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October 8, 2020

Ms. Jennifer Jones
Executive Director
Sunset Advisory Commission
P.O. Box 13066
Austin, Texas 78711

RE: Sunset Review of Texas Department of Agriculture

Dear Ms. Jones:

Texas Farm Bureau (TFB) appreciates the opportunity to comment on the Sunset Advisory Commission Staff Report of the Texas Department of Agriculture (TDA).

TFB is a grassroots membership organization representing more than 526,000 member families in Texas. Our goal is to benefit all Texans through the promotion of a prosperous agricultural sector capable of producing a viable and affordable, long-term domestic source of food, fuel, and fiber.

Our positions on the Sunset Staff's recommendations are guided by policy developed from our grassroots members.

TFB supports the continuation of TDA in its role of partnering with producers to help promote and protect production agriculture in Texas, providing safeguards for consumers, economic development and healthy living assistance to rural areas, and educating the public on agriculture.

TFB Comments on Recommendations and Issues identified in the Sunset Staff Report

Issue 1: The GO TEXAN Program Lacks the Guidance and Direction Needed for a Successful Program

TFB supports the GO TEXAN program and agrees it should be re-established and all recommended management actions be incorporated including developing a clear purpose and direction for the program, performance measures to evaluate progress, and policies to ensure the integrity of the program is maintained. Further, we were encouraged to learn in TDA's comments of their efforts to review similar state-branded marketing programs and collect information useful to improving policies for GO TEXAN.

Issue 4: Key Elements of the Department's Statute and Rules Do Not Conform to Common Regulatory Standards

We agree with Sunset Staff's recommendation on directing TDA to collect and analyze data from its regulatory programs to increase their effectiveness. Analyzing program data is a common-sense approach to improving program efficiency and efficacy. Using relevant data to make informed decisions on program operations and resource allocation is especially

crucial given the past fee increases that have been passed down to producers and service providers. Every effort should be made to ensure TDA's regulatory programs operate as efficiently as possible to avoid any deficiencies of the department being shouldered by the regulated community.

Issue 5: Texas Has a Continuing Need for TDA

As previously stated, TFB supports the continuation of TDA as an independent state agency. As the third-largest agricultural producer in the United States – leading the nation in cotton, sorghum, hay, and livestock production – we appreciate that Texas takes a vested interest in protecting and promoting production agriculture. Further, we agree that all information produced or promoted by TDA, on its website and elsewhere, should be accurate and up-to-date with sources cited and appropriately credited.

Issue 6: TDA's Statutes and Processes Do Not Reflect Some Standard Elements of Sunset Reviews

TFB agrees that TDA needs a more meaningful process for reviewing department rules. TDA should initiate proactive measures to engage stakeholder groups to collect input from the regulated communities for whom the rules apply. A more meaningful review process could result in the modification of rules for cost savings and potentially avoid fee increases.

Similarly, TFB supports a process of alternative rulemaking and dispute resolution for the purposes outlined by Sunset Staff – to “increase opportunities for the department to engage with stakeholders...” TFB believes stakeholder engagement is generally lacking under TDA's current administration but can be easily improved through proactive communication and by adopting the recommendations outlined by Sunset Staff.

Issue 7: Texas Has a Continuing Need for the Texas Boll Weevil Eradication Foundation

TFB fully supports the continuation of the Texas Boll Weevil Eradication Foundation (TBWEF). The continued eradication and control of the boll weevil is critical to the Texas economy and Texas cotton producers. Cotton producers throughout the 16-state cotton belt also depend on TBWEF efforts to keep the pest out of their respective states as well.

Comments on Additional Issues Not Included in the Staff Report

Privatization of Seed Certification

TFB's policy no longer supports a seed certification program facilitated through a state agency. Instead, we support the privatization of Texas seed and plant certification services through a non-profit crop improvement association sanctioned by the Association of Official Seed Certifying Agencies (AOSCA) that operates under guidance of AOSCA and USDA. With decreasing program participations and increases in fees, privatizing this non-regulatory marketing program would enable the program to operate at a lower cost with greater flexibility but maintaining the same minimum standards.

Other Sunset Staff Recommendations

TFB has no specific policy on the additional recommendations provided in the Sunset Staff Report for TDA. However, our internal policy development process is currently underway and will conclude in December. Should our members adopt policy that impacts our positions

detailed above we will provide updated comments to the Sunset Commission as soon as possible – likely in early January 2021.

We appreciate the opportunity to provide stakeholder input in the Sunset Review process for important agencies to Texas agriculture and our rural communities. We look forward to continuing to work with the Sunset Commission members, staff, and the Texas Legislature throughout the process.

Sincerely,

A handwritten signature in black ink that reads "Marissa Patton". The signature is written in a cursive, flowing style.

Marissa Patton
Associate Legislative Director