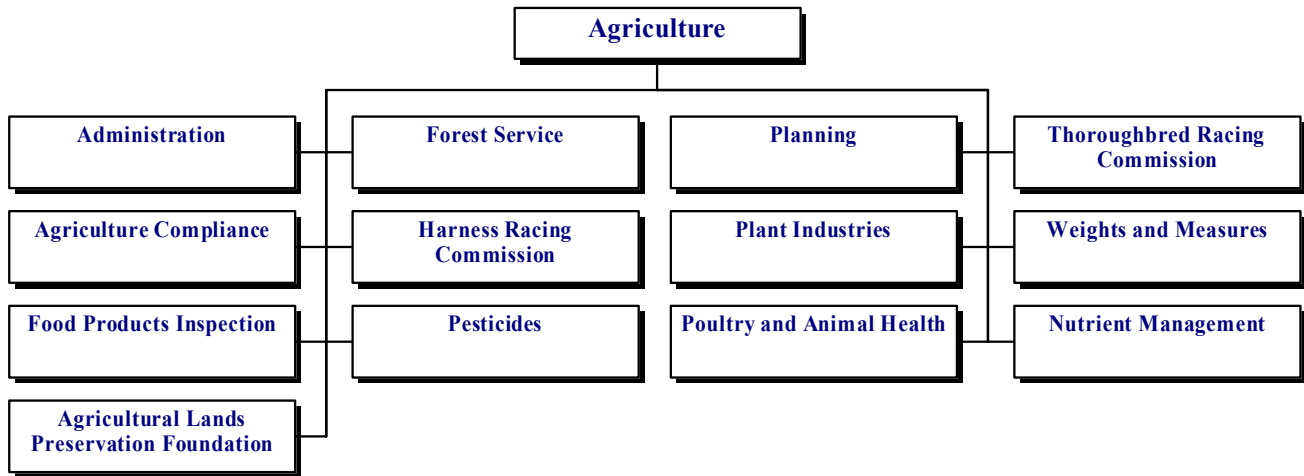


AGRICULTURE

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MISSION

To sustain and promote the viability of food, fiber, and agricultural industries in Delaware through quality services that protect and enhance the environment, health, and welfare of the general public.

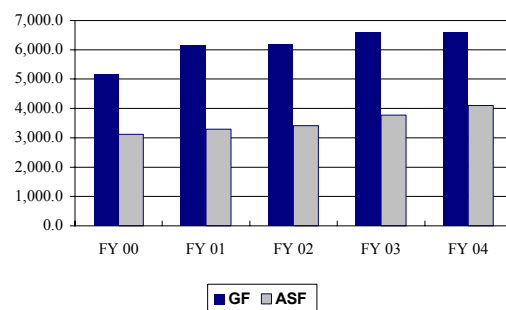
KEY OBJECTIVES

The department works to ensure the most efficient use of limited resources to carry out mandated responsibilities that include, but are not limited to:

- Maintain same-day response to all human, animal, and plant health emergencies.
- Reduce residues, pathogens, and contaminants in the food supply and reduce the risk of food borne illness due to intentional sabotage of the food supply in support of homeland security.
- Reduce the non-compliance of commercial transactions involving regulated articles and activities.
- Increase participation in land management and conservation programs to support the Purchase of Development Rights (PDR) program.
- Identify and support new opportunities for expanding sales of Delaware's agricultural commodities and value-added products.
- Ensure the integrity of Delaware agricultural products through zero tolerance of quarantine pests and diseases for interstate and international certification.

- Increase the number and diversity of people participating in agricultural education, information, and training programs.
- Develop and implement nutrient management practices that help protect ground and preface water while maintaining a viable agricultural industry.
- Collect data and direct policies which will serve to protect the state's natural resources and environment from adverse effects.
- Regulate the movement of plant pests to prevent the introduction of dangerous organisms, and facilitate research by state institutions and private interests.
- Maintain agricultural productivity and natural resources preservation by assisting land owners in controlling noxious weeds and non-native invasive plant species.

Five-Year Appropriation History



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FUNDING

| | FY 2003 ACTUAL | FY 2004 BUDGET | FY 2005 GOV. REC. |
|-------|-------------------|-------------------|----------------------|
| GF | 6,223.7 | 6,599.0 | 6,726.8 |
| ASF | 3,057.3 | 4,097.0 | 4,376.8 |
| TOTAL | 9,281.0 | 10,696.0 | 11,103.6 |

POSITIONS

| | FY 2003 ACTUAL | FY 2004 BUDGET | FY 2005 GOV. REC. |
|-------|-------------------|-------------------|----------------------|
| GF | 86.8 | 84.8 | 85.3 |
| ASF | 34.0 | 35.5 | 35.5 |
| NSF | 16.2 | 15.7 | 16.2 |
| TOTAL | 137.0 | 136.0 | 137.0 |

FY 2005 BUDGET HIGHLIGHTS

OPERATING BUDGET:

- ◆ Recommend one-time funding of \$600.0 in the Budget Office's contingency for Crop Insurance to provide cost share assistance to farmers.
- ◆ Recommend enhancement to the Nutrient Management Commission (65-01-12) of \$20.0 in Personnel Costs, 0.5 FTE and 0.5 NSF FTE for a Concentrated Animal Feeding Operations (CAFO) Coordinator to implement Delaware's CAFO program as required by the U.S. Environmental Protection Agency.
- ◆ Recommend enhancement of \$14.6 for maintenance and service on lab equipment.
- ◆ Recommend enhancement of \$25.0 ASF to develop a forestry inventory and analysis program to measure plots and estimate total forestland.
- ◆ Recommend enhancement of \$80.0 ASF to replace a dump truck and trailer at Redden State Forest.

CAPITAL BUDGET:

- ◆ Recommend \$8,900.0 for continuation of the Farmland Preservation program.
- ◆ Recommend \$700.0 for the Conservation Reserve Enhancement program. This program provides incentives for landowners to mitigate nutrient runoff from their lands into waterways.

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BACKGROUND AND ACCOMPLISHMENTS

Administration

The Office of the Secretary serves as the contact point between the largest industry in the state—agriculture—and state government. The Secretary of Agriculture represents the agricultural community and the related sectors of the economy in all facets of state government. Under the direction of the Office of the Secretary, the department continues to conduct an aggressive program to inform the public of both the contributions made by the agricultural community, and the services and protection provided by the department to the consumers of the state. The department has an “educate before we regulate” policy. The department continues to develop better lines of communication with those that are regulated in order to obtain full compliance with the laws, rules, and regulations enforced by the department before resorting to administrative or criminal hearing procedures.

The Office of the Secretary also provides the Secretary of Agriculture with administrative support plus the personnel and fiscal services necessary to operate the department. The Information, Education, and Marketing Section provides outreach functions to the agricultural community, including the development of programs on agriculture market development and expansion, educational programs, and other communications from the department.

Agriculture Compliance

The Agriculture Compliance Section regulates a variety of products under the authority of the Delaware Code, specifically the Delaware Commercial Feed Law, the Delaware Commercial Fertilizer and Soil Conditioner Law, the Delaware Agricultural Liming Materials Act, the Frozen Sweetened Products Law, and the Milk, Cream, and Other Milk Products Law. These laws require the registration of the above products before being offered for sale. They also ensure that manufacturers label their products with accurate, non-misleading information so that consumers are able to make well-informed decisions about the products they buy. The laws also authorize the inspection and testing of products to ensure that label claims are true and accurate.

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Food Products Inspection

Delaware is a member state in the Federal-State Cooperative Inspection Program. The state meat and poultry inspection program maintains standards "at least equal to" the federal inspection program.

Delaware also cooperates with the USDA in cooperative grading agreements with state Departments of Agriculture and other state agencies. Under these federal-state agreements, federal-state licensed graders perform their work throughout the state at point of origin, grading various commodities. The federal Food Safety and Quality Service establishes basic grading policies and procedures. The grade standards describe the quality requirements for each grade of a commodity, giving the industry a common language for selling and buying.

Forest Service

Forests, both rural and urban, are a vital resource of the state, providing numerous benefits to all Delawareans. Delaware's rural forests comprise approximately 30 percent (375,000 acres) of the state, approximately 90 percent of which are privately owned. Delaware's forests face many challenges, including fragmentation, wildfire, insects and disease, poor management techniques, and non-native (exotic) species. The Delaware Forest Service offers programs to help citizens address these challenges.

The problems facing Delaware's rural and urban forests are diverse. In order to address these challenges, the Delaware Forest Service cooperates with the U.S. Forest Service, State and Private Forestry (S&PF) Program. The S&PF program provides grants to the Forest Service as well as technical assistance. Funding for approximately 20 percent (4.5 positions) of the Forest Service's staff, including 4.0 forester positions, and 29 percent (\$620,000 in federal Fiscal Year 2003) of the operating budget was provided by the S&PF program.

Harness Racing Commission

The Delaware Harness Racing Commission regulates and oversees the sport of harness racing in the state. Its primary objective is for the protection of the betting public. The commission is also responsible for ensuring that the state and the betting public receive their fair percentages of the wagering dollar by overseeing periodic accounting audits. In addition, the commission monitors the conduct of the entire racing industry and may, from time to time, hold hearings to thoroughly investigate any perceived wrongdoings.

Pesticides

The Pesticide Section is delegated authority under the Delaware Pesticide Law and the Federal Insecticide, Fungicide, and Rodenticide Act to regulate the sale and use of pesticides in the state.

The Pesticide Section emphasizes education, and offers a comprehensive pesticide applicator certification and training program. The educational program is complemented by an on-going compliance assistance and enforcement program of inspections and sampling at the various levels of pesticide distribution and use.

The section also administers a groundwater protection program to ensure the use of pesticides is not degrading the state's ground/drinking water quality. The centerpiece of the program is a statewide shallow groundwater monitoring network comprised of over 60 domestic and agricultural wells, and 108 dedicated monitoring wells owned by the state. In addition to testing the wells for pesticides and other contaminants, the section also monitors the depth of the water table to help predict water supply for domestic and agriculture use.

Planning

Planning is a technical enterprise within the department that includes land use planning, agricultural land preservation, and computer operations. Combining farmland preservation and planning coordination has helped to stem the loss of farmland in Delaware. The 1997 Census of Agriculture indicates the past five-year loss of agricultural land is one half the loss of the previous five-year period. The work of this section is closely tied to the Governor's Livable Delaware Agenda.

Plant Industries

Plant Industries is the plant and plant pest regulatory enforcement authority in the state. Its principal mission is to protect agriculture, the environment, and the citizens from the damaging effects of plant and honeybee pests and noxious weeds while facilitating domestic and international trade of plants, plant products, grain, seed, and agricultural commodities.

Plant Industries has the authority to quarantine certain products, plants, and/or pests as necessary to carry out the task of preventing the spread of economically or environmentally important pests. Plant Industries also works in cooperation with USDA Plant Protection and Quarantine and the University of Delaware Cooperative Extension Service to conduct surveys for non-native pests and pests of export significance.

Plant Industries is also responsible for the Gypsy Moth Suppression Program, a cooperative program with the USDA Forest Service to help landowners deal with impacts caused by gypsy moth; and the Apiary Inspection Program which requires anyone who plans to keep bees to annually register their colonies along with their location with the department.

The Seed Laboratory certifies granaries, and trains and licenses grain inspectors; provides seed testing services to

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farmers; collects official seed samples from stores offering seed for sale throughout the state to test and ensures the labeling conforms to the Seed Law and that the seed meets minimum standards; and conducts the Seed Certification Program.

Poultry and Animal Health

Poultry and Animal Health is charged with preventing the introduction and spread of contagious and infectious diseases into and within the animal and poultry population of the state. It accomplishes this by maintaining a diagnostic laboratory, as well as cooperating with the poultry diagnostic laboratory of the University of Delaware. Section personnel respond to reports of actual or potential disease problems from veterinarians and from livestock, poultry, and pet owners. Personnel visit farms, dairies, livestock auctions, etc. to collect various biological specimens for analysis and diagnosis of disease. In most instances, the veterinarian or owner is informed of the diagnosis, control, and/or treatment for the disease. When certain serious, highly contagious diseases are diagnosed, however, the State Veterinarian, through the authority given to the Secretary of Agriculture, may quarantine or even destroy the animal, herd, or flock to prevent the spread of that disease to other premises.

Thoroughbred Racing Commission

The Delaware Thoroughbred Racing Commission regulates and oversees the sport of thoroughbred and Arabian racing for the protection of the betting public. The commission is also responsible for ensuring that the state and the betting public receive their fair percentages of the wagering dollars by overseeing periodic accounting audits. In addition, the commission oversees the conduct of the entire thoroughbred racing industry and may hold investigative hearings.

Weights and Measures

This section is responsible for regulating all commercial transactions involving weighing or measuring; regulating all devices used commercially to determine weight, measure, or count; and enforcing the Delaware Packaging and Labeling Regulations. Inspection of retail packages, gas pumps, fuel oil and propane meters, scales, grain moisture meters, point of sale scanning systems, parking meters and other timing devices, and field testing standards are the major activities of this section. This section provides both in-house and off-site training to businesses and service technicians throughout the state. The Voluntary Serviceperson Registration Program has enrolled almost 300 technicians, helping to ensure a higher degree of confidence in the accuracy and correctness of weighing and measuring devices used in Delaware.

Nutrient Management

Pursuant to provisions of the 1972 Clean Water Act, the Delaware Department of Natural Resources and Environmental Control and the U.S. Environmental Protection Agency signed a Memorandum of Understanding (MOU), which sets forth a plan to restore the quality of Delaware's impaired waters in order to achieve federal water quality standards. The MOU has made it necessary to develop and implement programs to reduce non-point source water pollution to bring water quality into compliance with legal standards. Studies have indicated that excess nutrient loading of surface lands has a negative effect on the quality of both surface and groundwater. The Nutrient Management Law (3 Del. C. c. 22) authorized the Delaware Nutrient Management Commission and the State Nutrient Management Program. The commission is charged with regulating those activities involving the generation and application of nutrients, establishing a certification program for best management practices, and providing general direction to the State Nutrient Management Program. DDA is designated as the agency with staff responsibilities and goals that support a livable Delaware atmosphere.

Agricultural Land Preservation Foundation

Since March of 1996, the Delaware Agricultural Lands Preservation Foundation has received nearly 900 applications to preserve farmland. There are now 130,722 acres and 533 farms in Agricultural Preservation Districts and District Expansions in Delaware. About 700 different families and organizations (titleholders) own these lands.

With the initial expenditures to date of \$75.6 million, 349 properties with over 70,000 acres have been permanently protected through the Purchase of Development Rights. The Delaware Agricultural Lands Preservation Foundation recently appraised another 103 properties and some will be permanently protected in the near future.

ADMINISTRATION

65-01-01

ACTIVITIES

- Participate in and monitor strategies designed to protect agricultural lands in Delaware through the creation of Agricultural Districts and the purchase of development rights.
- Represent agriculture on councils and committees addressing natural resource projects, such as Livable Delaware Advisory Council, the Governor's Cabinet Committee on State Planning Issues, Open Space Council, Center for the Inland Bays, Delaware

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Nutrient Management Commission, and the Water Supply Coordinating Council.

- Oversee department budget development, presentation, and administration, as well as personnel management.
- Develop, present, and provide information for various legislative initiatives that affect agriculture in Delaware.
- Provide direction and leadership to the department and seek the input of the agricultural community in policy development. Act as a focal point for the discussion of topics from various groups and organizations representing segments of the agricultural community.
- Serve Delaware farmers and agribusinesses with leadership and education in the areas of marketing and promotion, in order to increase the sales and value of their products.

PERFORMANCE MEASURES

| | FY 2003 Actual | FY 2004 Budget | FY 2005 Gov. Rec. |
|---|-------------------|-------------------|----------------------|
| # of students directly impacted by DDA Agriculture Education Presentations and Outreach | 2,367 | 2,500 | 2,600 |
| # Delaware agribusinesses/ associations impacted by marketing programs/services | 340 | 370 | 400 |

AGRICULTURE COMPLIANCE

65-01-02

ACTIVITIES

- Register agricultural products.
- Collect and submit samples from the Delaware Market Place to the laboratory for analysis.
- Issue Violations and Withdrawal from Distribution Orders for non-registered products, mislabeled products, and nutrient deficiencies/excessives.
- License milk dealers who purchase milk from dairy farms across the state for employees who pick-up, measure and test milk from the dairy farms for payment purposes.
- Test fertilizer and livestock samples submitted by the general public.

PERFORMANCE MEASURES

| | FY 2003 Actual | FY 2004 Budget | FY 2005 Gov. Rec. |
|---|-------------------|-------------------|----------------------|
| # of manure and fertilizer samples tested for nutrient content* | 216 | 600 | 1,000 |
| Turnaround time for final reports- # of days | 8 | 7 | 5 |
| Response time for registration requests – # of days | 1.5 | 1.0 | 1.0 |
| Turnaround time from sample collection to final report: Official samples - # of days Submitted samples - # of days) | 26 7 | 20 6 | 15 5 |

FOOD PRODUCTS INSPECTION

65-01-03

ACTIVITIES

- Inspect meat and poultry and submit samples for laboratory analysis.
- Conduct systematic statewide monitoring of businesses in food marketing and distribution of both domestic and imported products for freshness, adulteration, and labeling.
- Conduct statewide commodity grading at product point of origin.
- Provide food service safety training programs.

PERFORMANCE MEASURES

| | FY 2003 Actual | FY 2004 Budget | FY 2005 Gov. Rec. |
|--|-------------------|-------------------|----------------------|
| # food services safety training programs* | 17 | 19 | 18 |
| Meet and poultry products inspected/condemned ** | | | |
| Inspected (millions lbs) | 4.6 | 5.0 | 5.5 |
| Condemned (thousands lbs) | 15.2 | 40.0 | 40.0 |
| Compliance enforcement: trucking companies, retail stores, state agencies ** | | | |
| # reviews | 721 | 860 | 950 |
| Product condemned (thousand lbs) | 56.1 | 21.0 | 25.0 |
| Processed poultry and shell eggs graded* (million lbs.) | 360.1 | 364.0 | 374.0 |
| Retail shell egg inspection and violations** | | | |
| # reviews | 332 | 547 | 598 |
| # violations | 5 | 6 | 10 |

* Voluntary

** Mandatory

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FOREST SERVICE ***65-01-04***

ACTIVITIES

- Help private forest landowners and communities to better manage forest resources by providing advice, recommendations, and supervision, free of charge, to landowners for such activities as reforestation, timber stand improvement, forest management plans, and timber harvests.
- Oversee the community forestry grant program, funded through the U.S. Forest Service, and provide tree planting and tree care recommendations to cities, towns, communities, homeowners, planners, engineers, and developers throughout Delaware.
- Provide educational (Smokey Bear) programs to first-grade students (over 5,300 students in Fiscal Year 2003) and work with the Delaware Fire School, fire companies, and the U.S. Forest Service to train firefighters in wildland fire suppression techniques.
- Diagnose forest pest populations through annual aerial surveys and plot measurements, as well as periodic ground inspections.
- Assist loggers and landowners through site visits and educational programs to help ensure forest management activities follow best management practices, and thus comply with the Delaware's Forest Practices Erosion and Sedimentation Law and Seed Tree Law (3 Del. C.c. 10).
- Educate Delawareans about the importance of forests through activities on the state forests and visits to schools and other organizations.

PERFORMANCE MEASURES

| | FY 2003 Actual | FY 2004 Budget | FY 2005 Gov. Rec. |
|--|---------------------------|---------------------------|------------------------------|
| % of timber harvests on non-industrial privately-owned lands which follow a forest management plan (acreage basis) (FY 1999 harvest approx. 4,000 acres) | 22 | 25 | 30 |
| % of communities provided urban forestry assistance (ed. activity, technical assistance, financial assistance, etc.) (83 communities total) | 95 | 95 | 95 |
| % of fire company districts provided wildland fire assistance (equipment, training, suppression assistance, etc.) (62 fire districts total) | 81 | 85 | 85 |
| % increase in number of participants in Forest Service educational programs compared to FY 2001. (12,800 participants in FY 2001) | 2 | 5 | 10 |

HARNESS RACING COMMISSION ***65-01-05***

ACTIVITIES

- In accordance with the Delaware Harness Racing Commission and United States Trotting Association guidelines, issue licenses in order to maintain a complete database on all participants at Delaware harness racing meets.
- Hold public meetings in order to better serve the harness racing industry, and to keep abreast of current racing changes, including proposed changes to the Delaware Rules of Racing and the operation of Harness Racing at the state's two harness tracks.

PERFORMANCE MEASURES

| | FY 2003 Actual | FY 2004 Budget | FY 2005 Gov. Rec. |
|--------------------------------|---------------------------|---------------------------|------------------------------|
| Investigative cases | >100 | >100 | >100 |
| % of background investigations | 100 | 100 | 100 |

PESTICIDES ***65-01-06***

ACTIVITIES

- Administer a licensing program for commercial pesticide applicators; provide certification and

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training for restricted use pesticide users; issue permits to dealers of restricted use pesticides sold in Delaware; register pesticide products sold or distributed in Delaware; and investigate complaints of pesticide use/misuse.

- Utilize large public events (i.e. State Fair) to educate consumers and homeowners on such topics as: food safety, integrated pest management, ground and drinking-water protection, and safe urban pesticide use. Maintain an active role in the U. S. EPA Urban Initiative to ensure safe pesticide use in urban environments.
- Increase opportunities for the certification and training of maintenance applicators (around schools, day-care centers, hospitals, apartment complexes), and pest control service technicians.
- Provide compliance assistance to the regulated community, and, as necessary, prosecute violations of the state and federal pesticide statutes. Cooperate with the U.S. EPA on pesticide cancellations; enforcement of 40 CFR, Part 170, Worker Protection Standards, producer establishment inspections; and other federal pesticide program initiatives.
- Monitor and assess the state's groundwater to ensure pesticides use does not degrade ground/drinking water quality. Cooperate with other state and local agencies on broad water quality and quantity issues.
- Collect samples of local fresh-market fruits and vegetables to determine if pesticide residues are present.
- Protect consumers by inspecting termite pre-treatment applications, and termite treatments subject to the requirements set forth in Section 22 of the Delaware Pesticide Rules and Regulations.

PERFORMANCE MEASURES

| | FY 2003 Actual | FY 2004 Budget | FY 2005 Gov. Rec. |
|---|-------------------|-------------------|----------------------|
| # of pesticide use investigations resulting in enforcement | 18 | 20 | 20 |
| % of total laboratory analyses supporting environment or health | 68 | 65 | 65 |
| % of total laboratory analyses supporting investigations | 32 | 35 | 35 |
| Certified Pesticide Applicator training events monitored | 55 | 55 | 55 |
| # of pesticide containers recycled | 6,000 | 6,000 | 6,000 |

PLANNING

65-01-07

ACTIVITIES

- Review all land consumptive development projects in Delaware, assess the impacts to agriculture, and advocate for mitigation of negative impacts.
- Provide strategic planning consultation to the department.
- Provide reliable, current agricultural statistics and analysis to a variety of customers.

PERFORMANCE MEASURES

| | FY 2003 Actual | FY 2004 Budget | FY 2005 Gov. Rec. |
|---|-------------------|-------------------|----------------------|
| % zoning and subdivision proposals affecting agriculture reviewed | 100 | 100 | 100 |

PLANT INDUSTRIES

65-01-08

ACTIVITIES

- Provide on-going public education activities for all of Plant Industries programs.
- Continue biological control programs for invasive pest species.
- Administer the Gypsy Moth Survey and Suppression Program while maintaining the infrastructure during low-level population cycles, making certain DDA is prepared for any new outbreaks.
- License and inspect all nursery businesses and conduct certification inspections for nursery stock shipped interstate or for export.
- Detect and control noxious weed infestations through implementation of compliance agreements. Provide specialized spray equipment to the public for the application of herbicides.
- Register and inspect all honeybee colonies and promote the beekeeping industry.
- Assist and cooperate with USDA Plant Protection & Quarantine regarding: export certification of plants and plant products; processing permits for the interstate movement of plant pests; inspections of fields and facilities for agricultural biotechnology permits; post-entry quarantine inspections; processing permits for the interstate movement of soil; enforcement of federal and state quarantines;

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and administer and conduct the Cooperative Agricultural Pest Survey Program.

- Maintain state grain inspection standards for all certified granaries, and provide training to inspectors.
- Operate the Seed Certification Program and test all types of seed offered for sale to determine compliance with the Seed Law.
- Maintain cooperative program with Pennsylvania, Maryland, and New Jersey to research and implement strategies to deal with the parasitic mite syndrome affecting honeybees.

PERFORMANCE MEASURES

| | FY 2003 Actual | FY 2004 Budget | FY 2005 Gov. Rec. |
|--|-------------------|-------------------|----------------------|
| Certified acres inspected | 11,610 | 12,000 | 12,000 |
| % of businesses inspected for Seed Law compliance | 60 | 70 | 70 |
| % of retail nursery locations inspected | 71 | 76 | 76 |
| % response to quarantined pest violations at retail locations | 100 | 100 | 100 |
| % of acres infested with noxious weeds treated or under a control program | 73 | 73 | 73 |
| # of registered bee colonies inspected | 1,077 | 1,077 | 1,077 |
| % of USDA Biotechnology Notifications meeting DDA requirements and reviewed within 10 days | 100 | 100 | 100 |
| % of approved regulatory permits meeting DDA requirements and reviewed within 10 days | 100 | 100 | 100 |

POULTRY AND ANIMAL HEALTH ***65-01-09***

ACTIVITIES

- Prevent the spread of infectious and contagious diseases, including those transmitted from animals to people and ensure the safety of the general public by accepting suspect animals, recording all pertinent information and collecting proper specimens for the accurate diagnosis of diseases (rabies, West Nile Virus, encephalitis, psittacosis, etc).
- Protect the health status of the poultry industry by collecting avian influenza monitoring samples at live poultry auctions.
- Assist Delmarva broiler companies in placing healthier and less contaminated baby chicks in the field by collecting and completing hatchery sanitation samples.

- Provide competent diagnostic services for the detection of animal and poultry diseases by performing diagnostic procedures.

PERFORMANCE MEASURES

| | FY 2003 Actual | FY 2004 Budget | FY 2005 Gov. Rec. |
|--|-------------------|-------------------|----------------------|
| % of human exposure rabies specimens with same-day turnaround time | 100 | 100 | 100 |
| # of interactive encounters with state, federal or industry groups aimed at the prevention and/or mitigation of a Foot and Mouth Disease outbreak in Delaware herds or flocks* | 10 | 12 | 14 |
| # of contacts through informative hatchery sanitation program, thereby keeping local poultry industry Salmonella isolations to a minimum number** | 22,666 | 25,000 | 25,000 |

**These encounters would include meetings, tabletop or field exercises or video conferencing lectures where there is active sharing of ideas, standard operating procedures and national policy guidelines aimed at the exclusion of FMD from this country.*

***Hatchery sanitation program provides hatchery operators with "early warning" information on the cleanliness of their operation. By limiting the exposure of baby chicks to Salmonella infection in the hatchery, the amplification of this infection in a broiler house is minimized, thus leading a safer end product for human consumption.*

THOROUGHBRED RACING COMMISSION ***65-01-10***

ACTIVITIES

- Hold public meetings in order to better serve the thoroughbred racing industry, and to keep abreast of current racing changes, including proposed changes to the Delaware Rules of Racing and the operation of Thoroughbred Racing at Delaware Park.
- Review appeals of stewards' rulings.
- Issue licenses in accordance with recently passed legislation, to eventually be included in a complete database system for use by the commission.

PERFORMANCE MEASURES

| | FY 2003 Actual | FY 2004 Budget | FY 2005 Gov. Rec. |
|--------------------------------|-------------------|-------------------|----------------------|
| Investigative cases | >100 | >100 | >100 |
| % of background investigations | 100 | 100 | 100 |

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WEIGHTS AND MEASURES

65-01-11

ACTIVITIES

- Conduct inspection activities such as gasoline, diesel, and kerosene pumps; small and medium commercial scales commonly found in supermarkets or medium scales used for livestock and feed; large capacity commercial scales; and commercial home delivery fuel oil and propane trucks to ensure compliance with the national standards.
- Inspect consumer packages for compliance with regulations and computerized scanning devices for accuracy.
- Inspect grain moisture meters used in determining the value of grain sold and purchased in the state.
- Inspect a statistical sampling of various timing devices to serve consumers in the state including parking meters, laundromats, car washes, and air pumps.
- Respond to consumers, within 24 hours, who register a complaint concerning a possible violation of Weights and Measures Law, a questionable marketing practice, or an incorrect device.
- Administer the Delaware Voluntary Serviceman Registration Program for approved servicemen that demonstrate proficiency in their field and fulfill program requirements.
- Provide resources and materials to consumers and businesses to increase awareness of Weights and Measures issues.

PERFORMANCE MEASURES

| | FY 2003 Actual | FY 2004 Budget | FY 2005 Gov. Rec. |
|----------------------------------|-------------------|-------------------|----------------------|
| # of large scales | 272 | 280 | 300 |
| # of large scales tested | 262 | 257 | 275 |
| % of total | 97 | 92 | 92 |
| # of motor truck scales | 204 | 225 | 230 |
| # of vehicle scales tested | 194 | 220 | 2250 |
| % of total | 95 | 98 | 98 |
| # of petroleum devices | 8,356 | 9,000 | 9,900 |
| # of devices tested | 8,214 | 8,000 | 8,500 |
| % of total | 99 | 89 | 86 |
| # of moisture meters | 67 | 90 | 95 |
| # of devices tested | 67 | 90 | 95 |
| % of total | 100 | 100 | 100 |
| # of wheel load weighers | 17 | 25 | 30 |
| # of devices tested | 0 | 25 | 30 |
| % of total | 0 | 100 | 100 |
| # of timing devices | 8,000 | 8,000 | 8,000 |
| # of devices tested | 0 | 0 | 0 |
| % of total | 0 | 0 | 0 |
| # standard packages tested | 1,434 | 2,500 | 2,300 |
| # of cash register scanner tests | 21,770 | 20,000 | 25,000 |
| # of scale technicians licensed | 139 | 170 | 200 |
| # of liquid technicians licensed | 86 | 100 | 120 |

NUTRIENT MANAGEMENT

65-01-12

ACTIVITIES

- Prepare and submit to the Environmental Protection Agency a state National Pollution Discharge Elimination System program.
- Establish and implement the Nutrient Management Certification and Education Program according to standards established by law (3 Del. C. 22) in order to increase the awareness of nutrient management issues and ultimately improve ground and surface water quality.
- Implement a program to assist in developing nutrient management plans according to law and program standards with an overall goal of preventing over application of nutrients in the protection of Delaware's ground and surface water.
- Promote alternative use practices for excess nutrients generated in Delaware by developing and implementing an incentive and market-based program that promotes the exportation of manure from areas overloaded with nutrients.

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PERFORMANCE MEASURES

| | FY 2003 Actual | FY 2004 Budget | FY 2005 Gov. Rec. |
|---|---------------------------|---------------------------|------------------------------|
| Annual tons of manure transported within the Delmarva Peninsula | 25,159 | 30,000 | 30,000 |
| Annual tons of manure exported from the Delmarva Peninsula | 25,123 | 25,000 | 30,000 |
| % of nutrient applied land managed under a nutrient management plan | 55 | 70 | 80 |
| # of current certified nutrient management consultants | 76 | 75 | 75 |
| # of current certified nutrient generators | 445 | 500 | 550 |
| # of current certified nutrient handlers | 1,104 | 1,200 | 1,200 |
| # of certification and educational events | 150 | 85 | 50 |
| # of Continued Animal Feeding Operation permits issued and administered | 1 | 2 | 3 |

***AGRICULTURAL LANDS PRESERVATION
FOUNDATION
65-01-13***

ACTIVITIES

- Operate the Farmland Preservation program of Agriculture Districts and the purchase of development rights.

PERFORMANCE MEASURES

| | FY 2003 Actual | FY 2004 Budget | FY 2005 Gov. Rec. |
|--|---------------------------|---------------------------|------------------------------|
| Acres of prime Delaware farmland permanently preserved | 5,886 | 4,500 | 4,500 |