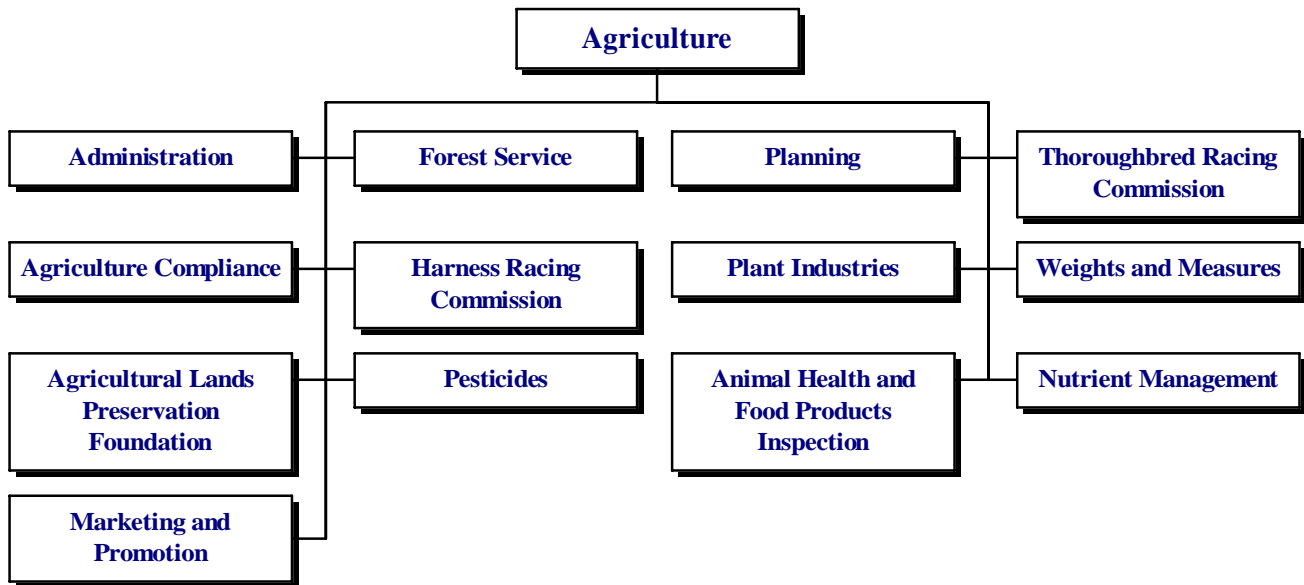


# AGRICULTURE

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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 of Agriculture 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;
- Increase participation in land management and conservation programs to support the Purchase of Development Rights (PDR) programs for forest and cropland;
- Identify and support new opportunities for expanding sales of Delaware's agricultural commodities and value-added products;
- Support Delaware's agricultural producers and producer organizations;

- 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 protect ground and surface water, while maintaining a viable agricultural industry;
- Collect data and direct policies that protect the State's natural resources and environment from adverse effects;
- 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;
- Continue to streamline operations and reorganize functional components within the department to better serve the agricultural community and general public;
- Identify and use alternate funding sources in support of the department's mission and goals;
- Strengthen programmatic relationships with the Department of Safety and Homeland Security

# AGRICULTURE

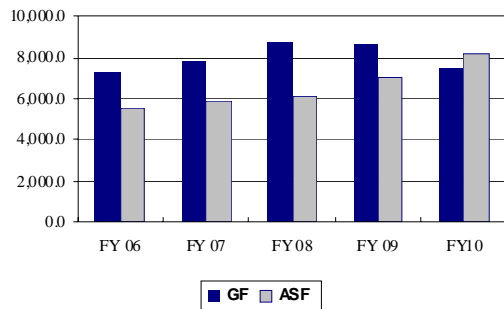
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(DSHS), Delaware Emergency Management Agency (DEMA) and Division of Public Health (DPH) in support of emergency response efforts;

- Promote and ensure the integrity of the horse racing industry;
- Ensure the integrity of weights and measures statewide in support of fair commerce for Delaware consumers;
- Ensure the safe and appropriate use of pesticides and herbicides;
- Ensure the accurate labeling and nutrient content of feed and fertilizer; and
- Conserve, protect and enhance Delaware's forests through education, management and professional assistance.

- ◆ Recommend (\$25.6) in Plant Pest Survey and Control to reduce gypsy moth survey work.
- ◆ Recommend (\$48.5) in Information, Education and Certification to reduce contract funding.
- ◆ Recommend (\$9.5) in Laurel Auction, (\$5.0) in Wildlife Damage Control, and (\$20.0) in Cooperative Advertising to reflect the elimination of pass through programs in the Operating Bill.
- ◆ Recommend (\$46.2) ASF in Personnel Costs, (\$10.0) ASF in Travel, and (\$75.0) ASF in Research and Development to reflect projected expenditures.

### Five-Year Appropriation History



### FUNDING

	FY 2009 ACTUAL	FY 2010 BUDGET	FY 2011 GOV. REC.
GF	7,954.4	7,535.8	7,344.9
ASF	5,851.5	8,205.5	8,074.3
<b>TOTAL</b>	<b>13,805.9</b>	<b>15,741.3</b>	<b>15,419.2</b>

### POSITIONS

	FY 2009 ACTUAL	FY 2010 BUDGET	FY 2011 GOV. REC.
GF	91.8	90.8	82.8
ASF	40.0	45.0	44.0
NSF	15.2	15.2	15.2
<b>TOTAL</b>	<b>147.0</b>	<b>151.0</b>	<b>142.0</b>

## FY 2011 BUDGET HIGHLIGHTS

### OPERATING BUDGET:

- ◆ Recommend (\$97.3) in Personnel Costs and (8.0) FTEs and (1.0) ASF FTE to reflect complement reductions.

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## AGRICULTURE

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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 related sectors of the economy in all facets of state government. Under the direction of the Office of the Secretary, the department conducts an aggressive program to inform the public of both contributions made by the agricultural community and services provided by the department to consumers. The department has an "educate before we regulate" policy. The department continues to enhance communication with the regulated community to obtain full compliance with the laws, rules and regulations enforced by the department before moving to administrative or criminal procedures.

The Office of the Secretary also provides the Secretary of Agriculture with administrative support in addition to the personnel and fiscal services necessary to operate the department. The Information and Education group provides outreach functions to the agricultural community, including expansion of educational programs and other communications from the department.

#### Agriculture Compliance

Agriculture Compliance regulates a variety of products under the authority of the Delaware Code, specifically the Delaware Commercial Feed Law; Delaware Commercial Fertilizer and Soil Conditioner Law; Delaware Agricultural Liming Materials Act; Frozen Sweetened Products Law; and Milk, Cream and Other Milk Products Law. Most of these laws require the registration of the above products before being offered for sale. These laws also ensure manufacturers label their products with accurate, non-misleading information to ensure consumers are able to make well-informed decisions about the products they buy. The laws authorize the inspection and testing of products to ensure nutrient claims are accurate. Laboratory services are provided to Delaware farmers for testing animal and poultry manure, feed and fertilizer for nutrient content.

#### Forest Service

Forests, both rural and urban, are a vital state resource, providing numerous benefits to all Delawareans. Delaware's rural forests comprise approximately 30 percent

(375,000 acres) of the state, approximately 85 percent of which are privately owned. Delaware's forests face many challenges, including fragmentation by development, wildfire, insects and disease, poor management techniques and non-native (invasive) species.

The mission of the Forest Service is to conserve, protect and enhance Delaware's forests through education, management and professional assistance. The Forest Conservation program helps landowners and communities improve their forest resources through education and technical assistance. The Forest Protection program strives to protect and improve forest health through wildfire prevention and suppression, watershed protection and forest health monitoring activities. The Forestry Education program educates and informs residents about the importance of forests through the management of three state forests, educational programs for children and adults and two state forest education centers.

#### Harness Racing Commission

The Secretary of Agriculture shall promulgate rules and regulations relating to the establishment of the Delaware Harness Racing Commission (DHRC) as a unit. DHRC is the body charged with regulating and providing stewardship to and for the sport and business of harness racing within Delaware.

A primary objective of the DHRC is to protect the public interest in pari-mutuel wagering contests and all aspects leading up to and following the conclusion of those races. DHRC has jurisdiction over all associations conducting and licensees participating in harness racing.

DHRC provides the opportunity for growth and regulatory oversight to the Delaware Standardbred Fund. By providing fairness and a level field of competition through objective standards, DHRC strives to ensure due process in administrative matters, respond to public concerns and provide information regarding the industry and DHRC operations.

#### Pesticides

Pesticides has authority under the Delaware Pesticide Law and Federal Insecticide, Fungicide and Rodenticide Act to regulate the sale and use of pesticides in the state.

Pesticides emphasizes education and offers a comprehensive pesticide applicator certification and training program. The educational program is complemented by an ongoing compliance assistance and enforcement program of inspections and sampling at the various levels of pesticide distribution and use.

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The section administers a groundwater protection program to ensure the use of pesticides is not degrading 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. The section also monitors the depth of the water table to help predict water supply for domestic and agricultural use.

## **Planning**

Planning is a technical enterprise within the department that includes land use planning, operational planning, agricultural land preservation, forestland and computer operations. Combining farmland preservation and planning coordination has helped stem the loss of farmland and forestland in Delaware.

## **Plant Industries**

Plant Industries is the plant and plant pest regulatory enforcement authority. Its principal mission is to protect agriculture, the environment and residents 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 harmful pests. Plant Industries also works in cooperation with the U.S. Department of Agriculture (USDA) Plant Protection and Quarantine and 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 moths and the Apiary Inspection program, which requires beekeepers to annually register their colonies and their location.

The Seed Laboratory certifies granaries, trains and licenses grain inspectors, provides seed testing services to farmers, collects and tests official seed samples, ensures the labeling conforms to the Seed Law and conducts the Seed Certification program.

## **Animal Health and Food Products Inspection**

Animal Health and Food Products Inspection is charged with preventing the introduction and spread of contagious and infectious diseases into and within the animal and poultry population of the state. This is

accomplished 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 owners of livestock, poultry and pets. Personnel visit sites, such as farms, dairies and livestock auctions, to collect biological specimens for analysis and diagnosis of disease. In most instances, staff informs the veterinarian or owner of the animal's diagnosis, control and/or treatment for the disease. However, when certain serious and highly contagious diseases are diagnosed, the State Veterinarian, through the authority of the Secretary of Agriculture, may quarantine or even destroy the animal, herd or flock to prevent the spread of that disease to other premises. Additionally, the section administers a Spay/Neuter program for dogs and cats.

Delaware is a member of the Federal-State Cooperative Inspection program. The State Meat and Poultry Inspection program maintains standards that are at least equal to the federal inspection program. The program ensures the safety and security of Delaware's meat, poultry and processed egg products to safeguard public health. This section protects consumers by using a science-based inspection system, employing recall effectiveness checks and increasing product testing through the pathogen reduction program.

Delaware also works with the USDA in cooperative grading agreements with state departments of agriculture and other agencies. Under these federal-state agreements, the licensed graders perform work throughout the state at point of origin and retail outlets grading various commodities. The Agricultural Marketing 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.

## **Thoroughbred Racing Commission**

The Delaware Thoroughbred Racing Commission (DTRC) regulates and oversees the sport of Thoroughbred and Arabian racing in the state. Its primary objectives and principles are to protect, preserve and promote agriculture and horse racing. This is accomplished through efforts to prevent and eliminate corrupt practices; ensure fairness in decisions affecting licensees and patrons; ensure due process in administrative proceedings; facilitate the promulgation of rules and regulations that allow the racing association and horsemen to remain competitive with surrounding jurisdictions; and provide information concerning the industry and DTRC operations. DTRC is responsible for ensuring the State and the betting public receive fair

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percentages of the waging dollar by overseeing periodic accounting audits.

### **Weights and Measures**

This section is responsible for regulating all commercial transactions involving weighing and measuring, regulating all devices used commercially to determine weight, measure or count and enforcing Delaware Packaging and Labeling Regulations. Major activities of this section include 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. This section provides both in-house and off-site training to businesses and service technicians. The Voluntary Serviceperson Registration program has enrolled almost 300 technicians, helping to ensure a high degree of confidence in the accuracy 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 (DNREC) and the U.S. Environmental Protection Agency (EPA) signed a memorandum of understanding (MOU), which set forth a plan to restore the quality of Delaware's impaired waters to achieve federal water quality standards. The MOU requires the development and implementation of programs to reduce non-point source water pollution. Studies indicate that excess nutrient loading of surface lands has a negative impact on the quality of both surface and groundwater.

The Nutrient Management Law (3 Del. C. § 2200 et. al.) created the Delaware Nutrient Management Commission and Nutrient Management program. The program regulates activities involving the generation, handling and application of fertilizer nutrients, including animal manure. The program administers nutrient certifications, planning, reimbursement, poultry litter relocation, farm audits, complaint resolution, concentrated animal feeding operation permitting and environmental stewardship recognition.

### **Agricultural Lands Preservation Foundation**

Since March 1996, the Delaware Agricultural Lands Preservation Foundation has enrolled 150,223 acres and 1,025 farms in agricultural preservation districts and district expansions in Delaware. Over 1,500 different families and organizations (titleholders) own these lands.

With expenditures to date of \$158.3 million, 564 properties with over 95,604 acres have been permanently

protected through the PDR program. These acres of permanently preserved agricultural land account for 16 percent of the total land in farms and 7 percent of the state's total land area. This is the highest percentage of land area preserved through agricultural PDR in the nation. Preservation partnerships have been formed with all three counties and the federal government. Currently, there are 136 farms encompassing 12,948 acres pending development rights purchase.

### **Marketing and Promotion**

The department is tasked with enhancing the economic viability of agriculture in Delaware. This section develops and implements a marketing strategy for Delaware's agricultural products and services. The section also serves various commodity boards, which increases the diversification of agriculture, promotes Delaware's agricultural products branding, recruits agricultural support businesses and markets agricultural products and services locally, regionally, nationally and internationally.

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## **ADMINISTRATION**

### **65-01-01**

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#### **ACTIVITIES**

- Oversee all aspects of plant and animal emergency response plans and activities.
- Represent agriculture on councils and committees addressing natural resource projects.
- Oversee the department's 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 input from the agricultural community in policy development.
- Serve Delaware farmers and agribusinesses with leadership and education in the areas of marketing and promotion to increase the sales and value of their products.
- Identify and capture grant and alternate funding opportunities.
- Promote both the department and the agricultural community, as well as inform the general public.
- Partner with the Delaware Economic Development Office, USDA, other state departments of agriculture and private industry to identify barriers in the promotion and marketing of agricultural

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products and offer solutions to remove those barriers.

#### PERFORMANCE MEASURES

	FY 2009 Actual	FY 2010 Budget	FY 2011 Gov. Rec.
\$ of specialty crop grant funding (thousands)	*	*	226
\$ of emergency response grant funding (thousands)	*	*	400

\*New performance measure.

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#### **AGRICULTURE COMPLIANCE**

##### **65-01-02**

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#### ACTIVITIES

- Register agricultural products.
- Collect samples from the Delaware market place for laboratory 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 dairy farms for payment purposes.
- Test fertilizer and feed samples submitted by the general public for nutrient content and contaminants.
- Test animal manures submitted by the general public for nutrient content.

#### PERFORMANCE MEASURES

	FY 2009 Actual	FY 2010 Budget	FY 2011 Gov. Rec.
# of days turnaround time from sample collection to final reports:			
official samples	89	50	50
submitted samples	14	10	10
submitted manure samples	14	10	10

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#### **FOREST SERVICE**

##### **65-01-04**

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#### ACTIVITIES

- Improve Delaware's forests by providing technical and financial assistance to landowners for activities, such as reforestation, timber stand improvement, forest management plans and timber harvests.

- Reduce the impacts of wildfire through wildfire prevention education programs and firefighting training in wildland fire suppression techniques.
- Improve Delaware's urban forest resources by providing technical assistance to communities, civic associations, developers, planners and homeowners, as well as financial assistance through the Community Forestry Grant program.
- Maintain and, where possible, improve forest health by diagnosing forest pest infestations, provide treatment advice and monitor forest pests through aerial and ground surveys.
- Educate Delawareans about the importance of forests and forest management by demonstrating proper forestry techniques at the three state forests, offer educational opportunities at the state forest education centers and provide educational programs to the public.
- Protect water quality during forest management operations by educating loggers and landowners about forestry best management practices and monitoring forestry operations.

#### PERFORMANCE MEASURES

	FY 2009 Actual	FY 2010 Budget	FY 2011 Gov. Rec.
% of timber harvests on non-industrial privately-owned lands which follow a forest management plan (FY 2009 harvest approx. 2,615 acres)	36	40	43
% of towns and cities recognized by the National Arbor Day Foundation as tree city USA communities (57 communities)	30	35	40
% of volunteer fire companies that participate in wildfire suppression education programs (61 companies)	52	60	67
% of public and private elementary schools that participate in Forest Service educational programs (233 schools)	60	62	65

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#### **HARNESS RACING COMMISSION**

##### **65-01-05**

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#### ACTIVITIES

- Accredit the Harness Racing Commission's Presiding Judge, Associate Judge and three alternate associate judges through a national racing accreditation organization.

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- Provide oversight of approximately 3,630 annual racing events for the purpose of pari-mutuel wagering during the harness racing seasons at Dover Downs and Harrington Raceway.
- Ensure honesty and integrity in the running of races by collecting post-race urine and blood and pre-race blood samples from equine contestants out of each race.
- License annually, fingerprint periodically and review background information to ensure participants in the industry are not a risk to the integrity of the sport.

### PERFORMANCE MEASURES

	FY 2009 Actual	FY 2010 Budget	FY 2011 Gov. Rec.
% accreditation of commission's judges	100	100	100
% oversight of racing events	100	100	100
# of equine samples tested for prohibitive medications	3,871	5,600	5,600
# of racing participants licensed	2,597	2,450	2,450

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

#### ACTIVITIES

- Administer a licensing program for commercial pesticide applicators.
- Provide certification and 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.
- Investigate complaints of pesticide use/misuse.
- Use large public events to educate consumers and homeowners on food safety, integrated pest management, ground and drinking-water protection and safe urban pesticide use.
- Collect and recycle high-density polyethylene pesticide containers.
- Provide compliance assistance to the regulated community and, as necessary, prosecute violations of state and federal pesticide statutes.
- Monitor and assess groundwater to ensure pesticide use does not degrade ground/drinking water quality.
- Cooperate with other state and local agencies on broad water quality and quantity issues.
- Provide laboratory services for testing of animal, plant soil and other matrices where injury or contamination from pesticides is suspected.

- Protect consumers by inspecting termite pre-treatment applications and treatments subject to the requirements set forth in the Delaware Pesticide Rules and Regulations.

### PERFORMANCE MEASURES

	FY 2009 Actual	FY 2010 Budget	FY 2011 Gov. Rec.
% of sample analysis related to priority incidents	38	50	50
# of pesticide containers recycled	27,440	30,000	40,000
% of actionable inspections	22	14	14
# of pesticide applicators certified	2,642	2,600	2,600

### **PLANNING** **65-01-07**

#### ACTIVITIES

- Review all land consumption development projects, including road improvements 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 MEASURE

	FY 2009 Actual	FY 2010 Budget	FY 2011 Gov. Rec.
% of zoning and subdivision proposals reviewed affecting agriculture	100	100	100

### **PLANT INDUSTRIES** **65-01-08**

#### ACTIVITIES

- Assist and cooperate with USDA Plant Protection and Quarantine regarding export certification of plants and plant products.
- Process permits for the interstate movement of plant pests.
- Inspect fields and facilities for agricultural biotechnology permits.
- Facilitate post-entry quarantine inspections.
- Process permits for the interstate movement of soil.
- Enforce federal and state quarantines.

# AGRICULTURE

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- Administer and conduct the Cooperative Agricultural Pest Survey program.
- 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 the implementation of compliance agreements.
- Provide specialized spray equipment to the public for the application of herbicides.
- Maintain 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.
- Register and inspect all honeybee colonies and promote the beekeeping industry.
- Maintain cooperative programs with Pennsylvania, Maryland and New Jersey to research and implement strategies to deal with the parasitic mite syndrome affecting honeybees.
- Administer the Gypsy Moth Survey and Suppression program while maintaining the infrastructure during low-level population cycles, ensuring preparation for any new outbreaks.
- Provide ongoing public education activities for all Plant Industries programs.
- Develop and administer integrated pest control programs for invasive pest species.

### PERFORMANCE MEASURES

	FY 2009 Actual	FY 2010 Budget	FY 2011 Gov. Rec.
# of certified acres inspected	7,500	8,000	7,500
% of businesses inspected for Seed Law compliance	70	85	70
% of retail nursery locations inspected	32	37	35
% of acres infested with noxious weeds treated or under a control program	65	68	65
# of registered bee colonies inspected	1,200	1,440	1,220
% of reviewed regulatory permits meeting requirements and reviewed within 10 days	94	100	95
# of key pests in statewide survey	7	5	5

### *ANIMAL HEALTH AND FOOD PRODUCTS INSPECTION*

#### *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 and backyard flocks.
- 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.
- 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.
- Provide and market spay/neuter services and collect rabies surcharge fees.



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## 65-00-00

### PERFORMANCE MEASURES

	FY 2009 Actual	FY 2010 Budget	FY 2011 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 of controlled diseases (thousands)	19	20	20
# of samples through informative hatchery sanitation program (thousands)	26	6.5	26
# of spay/neuter procedures performed	1,131	4,000	2,500
# of Coggins tests performed	3,437	4,000	4,300
Food inspected, grade verified (millions):			
Grade A poultry (lbs)	646	646	646
Grade A eggs (dozens)	0.2	0.2	0.2
fruits and vegetables (lbs)	1	1	1
Retail shell egg graded inspection (approximately 450 stores):			
# of inspections	273	140	200
# of violations	3	3	3
# of food services safety training programs/ interactive encounters with various groups	10	11	11
Meat and poultry products:			
lbs. inspected (millions)	5.7	5.8	5.9
lbs. condemned (thousands)	45.3	45.4	45.5
Compliance enforcement-trucking companies, retail stores and state agencies:			
# of reviews	501	600	625
lbs. of product condemned	995	1,050	1,100

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

#### ACTIVITIES

- Receive accreditation of the Thoroughbred Racing Commission's three full-time racing stewards through the Racing Officials Accreditation program.
- Oversight of approximately 1,110 annual racing events in the state.
- Maintain the highest standards in the Forensic Equine Drug Testing programs.
- Collect post-race urine and blood samples from equine contestants out of each race plus designated samples.

- Collect out of competition testing (OCT) samples from horses for the official laboratory to detect the presence or use of blood doping agents.
- Perform background inquiries through criminal history checks and racing sources of information.
- License annually, fingerprint applicants periodically and review background information to ensure participants in the industry are not a risk to the integrity of the sport.
- Conduct administrative investigations regarding rule violations.

### PERFORMANCE MEASURES

	FY 2009 Actual	FY 2010 Budget	FY 2011 Gov. Rec.
% accreditation of commission's stewards	100	100	100
% oversight of racing events	100	100	100
# of equine samples tested for prohibitive medications	5,868	5,500	5,500
# of pre-race blood gas samples collected to determine metabolic alkalosis	*	*	1,300
# of equine samples collected and tested for blood doping agents pursuant to OCT program	*	*	140
# of applicants licensed	6,654	5,000	5,000

*\*New performance measure.*

### **WEIGHTS AND MEASURES** **65-01-11**

#### ACTIVITIES

- Conduct inspections of 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 national standards.
- Inspect consumer packages for compliance with net weight, measure, count, labeling regulations and computerized scanning devices for accuracy.
- Inspect grain moisture meters used to determine the value of grain sold and purchased in the state.
- Inspect a statistical sampling of various timing devices in the state, including parking meters, laundromats, car washes and air pumps.
- Respond to consumers who register a complaint concerning possible violation of the Weights and Measures Law, a questionable marketing practice or an incorrect device within 24 hours.

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- 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 2009 Actual	FY 2010 Budget	FY 2011 Gov. Rec.
# of consumer complaints	82	90	90
# of small/large scales tested	3,695	4,000	4,300
# rejected	212	240	260
# of truck scales tested	267	280	280
# rejected	24	25	25
# of petroleum meters tested	9,668	10,000	12,000
# rejected	1,071	1,100	1,150
# of vehicle tank meters tested	362	365	368
# rejected	22	22	22
# of moisture meters tested	68	68	68
# rejected	2	2	2
# of DSP enforcement scales tested	20	24	26
# rejected	6	2	0
# of timing devices tested	0	500	500
# rejected	0	0	0
# of package lots tested	4,355	5,500	6,000
# of rejected lots	544	600	650
# of price verifications performed	194	250	300
# of failed inspections	78	100	120
# of technicians registered	222	225	228
# of licensed weighmasters	*	*	970
# of gas samples checked	*	*	1,500
# of rejected samples	*	*	15

\*New performance measure.

#### NUTRIENT MANAGEMENT

##### 65-01-12

#### ACTIVITIES

- Promote alternative use practices for excess nutrients generated in Delaware by developing and implementing incentive and market-based programs.
- Institute a program to develop and fund nutrient management plans according to law and program standards.
- Provide nutrient handlers with initial and continuing educational opportunities to implement nutrient management certification requirements.
- Implement the State's National Pollutant Discharge Elimination System Permitting program for concentrated animal feeding operations (CAFO) in cooperation with DNREC and according to the Clean Water Act and federal regulations.

- Develop and implement demonstration projects within the farm community for best management practices.
- Audit nutrient management activities to instill legal compliance and high quality services.
- Respond to informal and formal complaints against nutrient management practices.
- Recognize environmental stewards within the agricultural community with the cooperation and financial support of the agri-businesses and poultry companies.
- Facilitate and actively fund research projects according to priorities that will balance science-based policy development with modern and responsible nutrient management practices.

#### PERFORMANCE MEASURES

	FY 2009 Actual	FY 2010 Budget	FY 2011 Gov. Rec.
Poultry litter-manure relocated within Delaware for land application (tons)	20,107	20,000	20,000
Poultry litter-manure exported from Delaware for land application (tons)	19,396	20,000	20,000
Poultry litter-manure relocated to an alternative use project (tons)	45,146	40,000	40,000
% of cropland and nutrient applied land managed under a current plan developed by a certified consultant	95	100	100
Acres managed under an updated nutrient management plan	86,243	100,000	100,000
# of nutrient consultants	99	100	100
# of commercial handlers	64	50	50
# of private applicators	1,149	1,200	1,200
# of nutrient generators	450	500	500
# of nutrient management farm audits	23	25	25
# of constituent complaints: received	26	40	40
resolved	25	40	40
# of CAFO permits*	348	365	365

\*Increase due to new EPA requirements.

#### AGRICULTURAL LANDS PRESERVATION

##### FOUNDATION

##### 65-01-13

#### ACTIVITY

- Operate the Farmland Preservation program of agriculture districts and the purchase of development rights.

# AGRICULTURE

## 65-00-00

### PERFORMANCE MEASURE

	FY 2009 Actual	FY 2010 Budget	FY 2011 Gov. Rec.
Acres of prime farmland permanently preserved	4,446	1,500	3,000

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### ***MARKETING AND PROMOTION***

#### ***65-01-14***

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### ACTIVITIES

- Implement an agricultural marketing plan that channels Delaware agricultural products to local, regional, national and international markets.
- Contact and visit wholesale purchasers and regional outlets to increase market penetration for Delaware products.
- Increase name recognition of Delaware agricultural products regionally and nationally.
- Direct and coordinate the activities of department buildings located at the Delaware State Fair grounds.

### PERFORMANCE MEASURES

	FY 2009 Actual	FY 2010 Budget	FY 2011 Gov. Rec.
# of new agricultural business operations	*	*	1
\$ of gross receipts for Delaware farmers markets (thousands)	*	*	1,500

*\*New performance measure.*