

Sunset Public Hearing Questions for  
**Pork Promotion Board**  
Created by Section 43-29-119, *Tennessee Code Annotated*  
(Sunset Termination June 2021)

*Enabling Statute, Purpose, and Rules and Regulations*

1. Provide a brief introduction to the board, including information about its purpose, statutory duties, staff, and administrative attachment.

The Tennessee Pork Producers Association (TPPA) was organized in 1985. The Secretary of State recognized the organization as a 501 (c) (5) on July 9, 1985. The TPPA promotes including pork a healthy diet to consumers and organizes educational meetings for producers/farmers. U.S. pork producers and importers pay \$0.40 per \$100 of value when pigs are sold and when pigs or pork products are brought into the United States. The U.S. pork industry has had a 100 percent legislative checkoff program since 1986. Congress created the Pork Checkoff as part of The Pork Promotion, Research and Consumer Information Act of 1985. Pork producers had requested the legislation so they could take advantage of having all producers and importers participate in a checkoff program designed to strengthen the position of pork in the marketplace. (from Pork.org website – National Pork Board)

The TPPA operates with the national checkoff is a primary source of revenue for the Tennessee Pork Producers Association. The Association operates under the USDA Agricultural Marketing Service Guidelines for pork promotion and education programs conducted in the state. Checkoff is remitted to the National Pork Board, and a portion/percentage is sent to Tennessee to administer state programs. The Executive Committee (elected board) determines programs and priorities to spend the checkoff monies. There is one part time staff person to organize Executive Committee meetings, promotion activities, and communicate National Pork Board information to pork producers in the state.

Currently, there is not a state Pork Promotion Board. The TPPA seeks to keep the provision in place if ever the national checkoff changed or was eliminated.

2. Has the board promulgated rules and regulations? If yes, please cite the reference.

*Board Organization, Oversight*

3. Provide a list of current members of the board. For each member, please indicate who appointed the member, statutory member representation, the beginning and end of the member's term, and whether the member is serving a consecutive term.
4. Are there any vacancies on the board? If so, please indicate how long the position has been vacant and explain steps that have been taken to fill any vacancies.

5. How many times did the board meet in Fiscal Years 2018, 2019 and 2020? How many members were present at each meeting? Please note meetings where the board did not have a quorum.
6. What entities oversee the board's activities? Provide links to any oversight reports and recommendations.

*The following information is provided for your information only:*

The National Pork Board performs a review of policy and procedure every five years. Tennessee Pork Producers Association completed the last review in 2016. Additionally, the TPPA completes a financial audit with a local accounting firm. This is sent to the National Pork Board to be voted on by the Board of Directors for the National Pork Board. This review is to make sure the state association is in compliance with the Pork Checkoff order.

#### *Financial Information*

7. What were the board's revenues and expenditures for Fiscal Years 2018, 2019 and 2020? Does the board carry a reserve balance?
8. What per diem or travel reimbursements do board members receive? How much was paid to board members in Fiscal Years 2018, 2019 and 2020?
9. Has the board developed a process to assess pork producers for financing a program of promotion, advertising and research to increase the consumption, use and sale of pork products in domestic and foreign markets? If not, does the U.S. Department of Agriculture operate a mandatory assessment program for Tennessee pork producers?

#### *Sunshine Law, Public Meetings, and Conflict of Interest Policies*

10. Is the board subject to Sunshine law requirements (Section 8-44-101 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedures does the board have for informing the public of meetings and making minutes available to the public?
11. Does the board allow for public comment at meetings? Is prior notice required for public comment to be heard? If public comment is not allowed, how does the board obtain feedback from the public and cattle industry members?
12. Does the board have a conflict of interest policy?
13. Does the board have a website or information on the Department of Agriculture's website? If so, please provide the web address. What kind of public information is available on the website?

#### *Reports, Major Accomplishments, and Proposed Legislative Changes*

14. What were the board's major accomplishments during Fiscal Years 2018, 2019 and 2020?

15. Please describe any items related to the board that require legislative attention and your proposed legislative changes.
16. Should the board be continued? To what extent and in what ways would the absence of the authority affect the public health, safety, or welfare of the citizens of Tennessee?

The hog farmers in Tennessee have a very active Pork Producer Association that would like to keep a TN Pork Promotion Board in statute. Currently there is promotion funding coming from a National Check-off, however, their concern is that if the National program were to go away, our TN producers would need a state promotion program.

17. Please identify the appropriate agency representative or representatives possessing substantial knowledge and understanding of the responses provided to the sunset review questions.

Phyllis Ferguson, TN Pork Producers Executive Vice President, part time staff person and Ray Weaver, TN Pork Producer's Association President, farmer

18. Please identify the appropriate agency representative or representatives who will respond to the questions at the scheduled sunset hearing.

Ray Weaver, TN Pork Producers Association President and Phyllis Ferguson, TN pork Producers Association Executive Vice President

19. Please provide the office address, telephone number, and email address of the agency representative or representatives who will respond to the questions at the scheduled sunset hearing.

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