

## Newsom sides with anti-pesticide activists in a CalEPA directive. But what does it mean?

Gov. Gavin Newsom is calling for strong regulatory enforcement to “protect children from pesticide exposure” in a new directive to agencies and directors this month. Yet his letter, which carries no regulatory weight, is raising confusion among county agriculture commissioners while also giving a boost to an anti-pesticide group with ties to Newsom and his family.



The guidance issued by CalEPA’s Department of Pesticide Regulation (DPR) on Thursday directs agriculture commissioners to continue enforcing pesticide restrictions near schools.

“Schools are being used for all kinds of things: food pantries, emergency shelters, places where residents are gathering, for instance, homeless residents,” CalEPA Secretary Jared Blumenfeld told [Agri-Pulse](#), explaining why the administration delivered this guidance. “We have a close and effective working relationship with the ag commissioners. They fully are on board and understood the need for this at this time.”

**Yet commissioners contacted by *Agri-Pulse* were actually unsure why the guidance was needed and worried it dismissed the work they have already been performing.** While the state pesticide regulations have remained the same, there have also been no pesticide incidents reported and commissioners have continued enforcement, even as it puts them at further risk of exposure to COVID-19.

**“That (guidance) is telling my board I wasn't doing my job,” said Riverside County Agricultural Commissioner Ruben Arroyo. “And that's the farthest from the truth.”**

Several questions are emerging about the new guidance and how it came about.

A letter to Newsom was sent on April 22 by nine residents of the Ventura County city of Ojai who are part of an activist movement called Regenerate Ojai. They asked the governor to expand the state's current restrictions on pesticide applications near schools. An additional 3,500 signatures were collected by a national organization, the Environmental Working Group, which also advocated on behalf of this issue.

Since 2017, the state has been prohibiting applications within a quarter mile of schools when children are present, requiring annual notifications of the applications to schools, as well.



Riverside County Agriculture  
Commissioner Ruben Arroyo

As a result of the COVID-19 pandemic, children are now home during the emergency lockdown and the Ojai group wanted the regulation to now apply to all homes where children may be present, because “every home is a schoolhouse right now.” They also requested homes be notified three days ahead of every pesticide application.

In a move with potential legal ramifications, the group has also been encouraging its members to register with the state as beekeepers in order to receive notifications of pesticide applications in their area. The group is also encouraging members to take photos and video of any

spraying they see.

**"Please use caution as these are toxic chemicals and you do not want to get close to them. Take a screenshot of your phone's weather app at that time to get the wind speed and direction, and then notify us," the group noted on their site. There is no mention of the pesticides being regulated and safe as properly applied.**

Regenerate Ojai has ties to the wealthy Getty family. An heiress to the Getty oil fortune, Anna Getty is listed on the letter as a concerned parent and “childhood health advocate who works on multiple environmental community issues.” She also describes herself as an “activist, philanthropist, investor and healthy lifestyle spokesperson.”

Getty is the adopted daughter of John Paul Getty III, made famous by his kidnapping in 1973. His grandfather, J. Paul Getty, was considered the richest man in the world during much of his career in the oil business. Newsom's father, who was close to the Getty family, delivered the ransom money. Another family member, Gordon Getty, later seeded the money for Gavin Newsom's first business. Newsom himself was “informally adopted by the Gettys,” according to Dan Walters at CalMatters.

As Newsom's political career advanced, his Plumpjack chain of restaurants and wine shops grew into a corporation. It now brands its three wineries around sustainable farming and organic agriculture. One winery is certified organic while publicly available pesticide use reports show its flagship winery is not using conventional pesticide products.

Organic interests are the first to be represented in the letter to Newsom. Patty Pagaling leads the advocacy group Transition to Organics, which is tied to the Regenerate Ojai movement. A couple who owns a local organic winery is also part of the group.

The activists fear the valley acts as a bowl, trapping dangerous pesticides that can be blown towards homes – a claim the county agriculture commissioner’s office has not experienced in its investigations.

**Notably, Newsom’s directive does not call for the school pesticide regulations to be applied to homes. It instead stresses agriculture commissioners must continue enforcing existing regulations and to work with communities.**

Commissioner Arroyo explained that “literally nothing has changed” as a result of the letter and it would take the Legislature and a legal process to change those laws.

Yet advocacy groups interpreted the guidance as a victory. In a news release by the Environmental Working Group, which supported the letter to Newsom, “Jurassic Park” actress Laura Dern – as well as her mother – spoke in support of Newsom’s action.

**“His policy pledges would reduce the use of harmful chemicals in agriculture, and charts a hopeful, sustainable future that balances the needs of California’s farms with the health concerns of millions of people in nearby communities,” said Dern.**



First Partner Jennifer Siebel Newsom

The Environmental Working Group also recognizes Newsom issued his directive exactly one year after he levied a ban on the insecticide chlorpyrifos.

The agriculture community, however, saw this as a reprimand.

**“We’re already enforcing the school regulations according to the law, and we’re spending an extraordinary amount of time in the Ojai area,” said Ventura County Agriculture Commissioner Ed Williams.**

After receiving several inquiries about how the code would apply to homeschooling, Williams checked with DPR in April to ensure he is accurately reading the requirements of the Health Schools Act and that it only applies to K-12 public schools and daycare centers.

Concern from residents coalesced to the point that pest control advisors have asked Williams’ staff to accompany them during applications in the Ojai Valley. Williams noticed a number of residents there have joined the regenerative ag movement, calling for farmers to transition away from conventional pesticides, though the calls are a bit late for the valley.

**“We already have more organic producers in that area than most of the other areas of the county,” said Williams.**

One specific “bone of contention” here is the use of pesticides to combat the invasion of Asian citrus psyllid, he added. The insect and its accompanying disease have been threatening the citrus industry across this region of Southern California.

When it comes to enforcement, Williams maintains his office is doing everything it can to ensure growers are meeting the law.

“If we find an egregious situation, we will respond appropriately to that situation,” he said. “Up to this point in that area, we have not had a drift incident (during the pandemic).”

Ventura County Farm Bureau CEO John Krist has noticed the movement becoming increasingly active over the last year.

“Ultimately, their objective is to prohibit the use of pesticides in the valley,” he said. “This time, they’re trying to use as leverage the pandemic to force the state to take action.”

Krist pointed out that DPR Director Val Dolcini had visited the region earlier in the year and met with Williams, Krist and others on the agriculture side. He also met with the activist community,



who requested Dolcini add special requirements for buffer zones and notifications just in the Ojai Valley specifically. Dolcini mentioned this when discussing the new DPR recommendations with *Agri-Pulse*.

**“Part of this guidance really encourages ag commissioners to have the kinds of community dialogue that I've seen in my relatively short time at DPR and that I've been a part of,” he said.**

Krist said the conversations the ag community has had with the group, however, have continually led to dead ends, since the activists see only one solution: an end to the use of all chemical pesticides in the Ojai Valley.

Ventura County Farm Bureau CEO John Krist

“We've had incidents where applicators had to stop orchard sprays because trespassers in the orchard showed up to disrupt it and document it,” he said. “It's just a matter of time until one of these folks actually puts themselves in danger by trespassing and getting inadvertently sprayed due to their own behavior.”

Krist also noted that two of the activists leading the Ojai movement are Josh and Rebecca Tickell. The documentary filmmakers are known in the community to have ties to First Partner Jennifer Siebel Newsom, who is herself a documentary filmmaker, with a successful acting career as well.

The Tickells moderated a town hall event on the topic of pesticides in September 2019. State Sen. Hannah-Beth Jackson, D-Santa Barbara, spoke at the event, along with a local UC Cooperative Extension Director Annemiek Schilder and farmers advocating for regenerative agriculture.



As Newsom steps into the debate as well, his message is a missed opportunity for educating the public on what agriculture commissioners do on a daily basis and that they are still at work during the crisis, said Arroyo. He noted the state has 450 inspectors in the field every day specifically for tracking pesticide applications, while thousands more inspect other parts of the food supply chain.

“COVID hits and we're still doing the same thing,” he said. “Whether or not people are at home because of COVID doesn't change any of the laws pertaining to the regulations for schools or even regulations to protect homeowners.”

He said the state – and not agriculture commissioners – has the authority to change those laws. Usually it is a collaborative process, with commissioners working closely with DPR on implementing policies and on educating the public about the laws.

“I don't understand why and how that relationship that we have with our state partners wasn't conveyed in the letter,” he said. “It's just disheartening to hear.”

## **‘More work to be done’: State remains behind on testing for farmworkers**

California is racing to ramp up coronavirus testing in rural counties as thousands of farmworkers travel throughout the state and stay in shared living spaces.

Gov. Gavin Newsom on Tuesday said 76 of over 80 planned rural testing locations are now in operation, with the other four soon to be as well. He also announced another six sites will “go even deeper into rural California,” specifically Lake and Mendocino Counties. The administration has committed to setting up enough centers for residents to be able to travel 60 miles or less in rural areas to access free testing.

For the more remote regions, Newsom said they will soon launch “roaming tests” to expand their range and capacity. The state is also working with pharmacies on additional testing sites.

Yet some counties are already facing outbreaks within agriculture communities. In Monterey County, 40% of the 288 known cases are among agricultural workers.



Representing this region, State Sen. Anna Caballero, D-Salinas, stressed the need for more testing, more housing and more personal protective equipment (PPE) for workers during a Senate committee hearing on the COVID-19 crisis last week.

**“In many of the parts of my district, housing overcrowding is significant,” she said. “And in agriculture, many times people are working on machines, and they require you to stand shoulder to shoulder.”**

She added that each of the six counties she represents varied in their requirements for PPE, training workers on safety standards, spaced seating on commutes and taking temperatures

before work. She said it would have been beneficial to have statewide standards in place already. The Public Health Department has since issued new statewide guidance for the agriculture industry.

The department's assistant director, Dr. Charity Dean, was sympathetic to Caballero's concerns on testing.

**“There simply hasn't been enough testing capacity to do the level that we would like to do,” she acknowledged. “We don't have all of that solved today with the supply chain issue. But we're working on it.”**

Dean said her team has been in conversation with local health offices on establishing more testing sites in farmworker communities, “especially for those that live in close quarters with each other.”

Sen. Mike McGuire, D-Healdsburg, reiterated that the amount of testing sites to date in rural counties was not enough.

“To be able to get from the testing site in Sonoma County to the closest testing site up north, it's a four-hour drive on Highway 101,” he said.

Madera County Public Health Director Sara Bosse agreed with Caballero that housing is an issue exacerbated by the crisis.

**“The rural poor, as well as communities with a large farm workforce, are often underhoused,” she said. “We likely will need state support in being able to identify adequate housing through hotels for some counties.”**



Sen. Anna Caballero, D-Salinas

On the PPE front, trade groups and the Newsom administration have made inroads lately. On Friday, the state provided an additional 4.2 million surgical masks to the ag community, according to Newsom.

Rupal Patel, a farm labor contractor who runs California Harvesters, Inc. in Bakersfield, elaborated on the unique challenge of having to both protect workers while also adhering to guidelines that vary by county. She was part of a panel discussion on Thursday hosted by the labor rights organization Stronger Together US.

“We are learning as we go, and there's no precedent for how we should be managing this in our fields,” she said. “We're having inconsistent processes and procedures among the various farming operations throughout the state.”

Coupled with the high turnover of the workforce and farmworkers following harvests across counties, the virus could spread like wildfire among the community, she added.

Patel also noted the financial hurdle for contractors and farmers supplying PPE, thermometers and other protective supplies for workers. She said her company has been trying to establish a fund to cover bulk purchases of PPE, as well as healthcare, childcare and food assistance for its farmworkers during the crisis. This will help them prepare resources for “unfortunately, what the system is going to bring, which is a haphazard approach of managing the crisis.

## Scientists look at a new way to boost bee health

New research indicates that a microscopic algae ("microalgae") could provide a complete and sustainably sourced supplemental diet to boost the nutrition and health of managed honey bees. [Agricultural Research Service](#) entomologists Vincent Ricigliano and Michael Simone-Finstrom recently published their results in the journal [Apidologie](#). They found the microalgae *Arthrospira platensis* (commonly called spirulina) has a nutritional profile that is rich in essential amino acids and lipids required by bees, with levels matching those found in tested pollen samples, and also contains prebiotics that support the growth of healthy gut bacteria.

"Our work is a pioneering first look into the nutritional and functional properties of a single microalga and how well it corresponds to what is needed in a complete pollen substitute for the honeybee," explained Ricigliano.



Spirulina is a part of family of blue-green algae, which are single-celled organisms that exist individually or in chains or groups. Microalgae can be sustainably grown on a large scale with a minimal amount of water and few chemical inputs, the researchers noted.

"All it takes are shallow ponds, nutrient salts and sunlight to produce highly nutritious microalgae," said Ricigliano.

Poor nutrition in honeybees is often an underlying factor in colony losses because malnutrition amplifies the detrimental effects of parasites, pathogens, and pesticides, they note. Commercial beekeepers have become increasingly reliant on artificial pollen substitute diets to nourish colonies during periods of pollen scarcity as well as to bolster colony size before they fulfill pollination service contracts.

Currently available commercial diets for bees usually incorporate a variety of ingredients such as soy, yeast, wheat, lentils and milk proteins in an effort to supply balanced nutrition. These artificial diets are sometimes deficient in essential macronutrients, micronutrients, or antioxidants.

"So the need to scientifically improve the efficacy of pollen substitutes can be considered vital to modern beekeeping and we need to think about how we can do it in a sustainable way," Ricigliano said.

Now, the researchers are testing the microalgae diet in a field setting to make sure the diet is attractive to bees and supports colony growth. The excellent nutrition profile of spirulina suggests that there are likely other microalgae that could serve honeybees well, Simone-Finstrom pointed out.

"We have also begun development of new microalgae strains to address other aspects of bee health, including targeted nutrition strategies," Ricigliano added

"Our work is a pioneering first look into the nutritional and functional properties of a single microalga and how well it corresponds to what is needed in a complete pollen substitute for the honeybee," explained Ricigliano.

## **Demand for fresh produce remains high**

Following a stellar last week of April, fresh produce sales remained highly elevated during the first week of May. That's according to an analysis by 210 Analytics, IRI and the Produce Marketing Association.

Fresh produce growth for the week of May 3 versus the comparable week in 2019 increased 17.2%, noted Anne Marie Roerink, principal and founder of 210 Analytics. Fresh vegetables continued to easily outperform fruit, but both achieved double-digit increases. Meanwhile, consumer interest in all three fruit and vegetable offerings continued, with dollars split between fresh, frozen and shelf-stable. Frozen once more had the highest gains, up 43.1%.

- Fresh produce increased 17.2% over the comparable week in 2019.
- Frozen, +43.1%
- Shelf-stable, +32.9%

Source: IRI, Total US, MULO, % growth vs. year ago week ending April 26, 2020

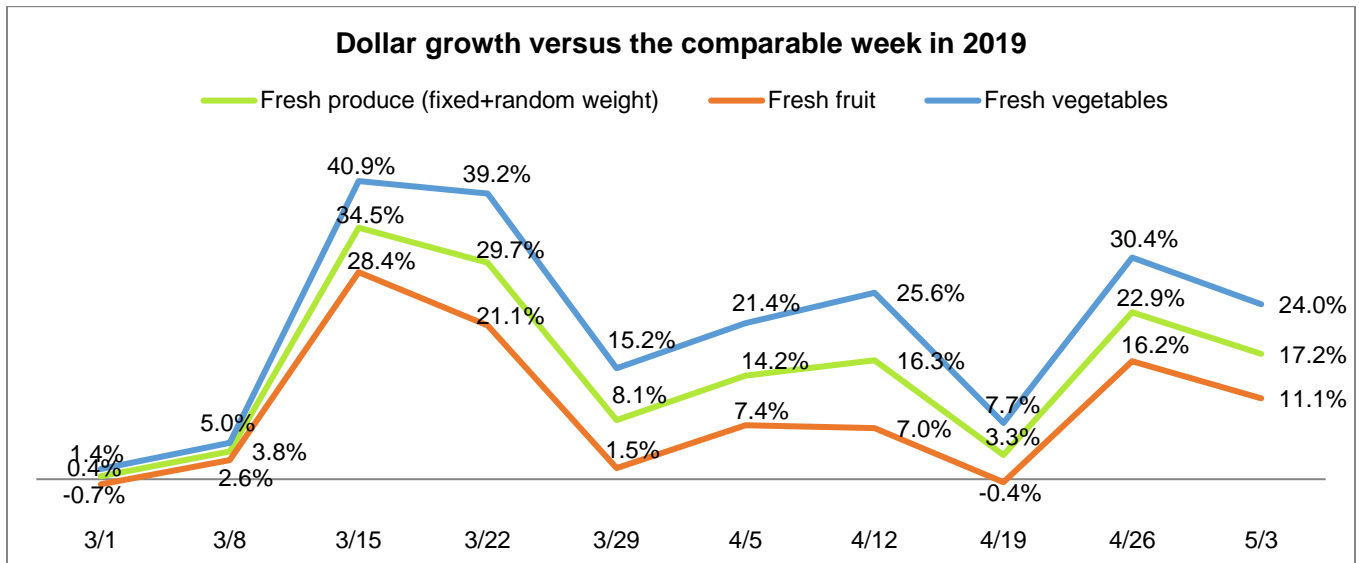
"I am very encouraged with the early May fresh produce performance going into the summer months," said Joe Watson, VP of Membership and Engagement for the Produce Marketing Association (PMA). "As an industry we are working hard to keep the supply moving, putting employee safety and food safety front and center, and consumers are rewarding our efforts with their dollars. Additionally, foodservice trucks loaded with fresh produce hitting the roads once more was a very welcome sight this week and I am confident we will see strengthened overall produce demand in weeks to come."

Compared with the same week in 2019, fresh produce generated an additional \$205 million in sales during the week of May 3. Growth rates were in line with the levels seen during late March and early April. Fresh vegetables, at +24.0%, continued to easily outperform fresh fruit and boasts double-digit increases for seven out of the last eight weeks.

The changed everyday demand is driving sizeable sales but the where and when is significantly different as well," said Jonna Parker, Team Lead, Fresh for IRI.

"Grocery stores have greatly increased their share of fresh dollars in recent weeks, jumping from 60.2% the week of March 8 to 64.2% the week of April 12, for instance. This is directly related to shoppers wanting to reduce the number of trips. Likewise, after a few years of stagnant engagement, grocery e-commerce jumped years ahead on its growth trajectory. In a way, it is 2025, now."





Source: Source: IRI, Total U.S., MULO, 1 week % change vs. YA

IRI data shows that fresh foods have enjoyed double- and triple-digit growth in weekly spending versus year ago since the week of March 8.

“The gains in fresh foods e-commerce are accelerating, driven by two factors. First, many retailers and third-party grocery delivery companies had to very quickly ramp up their online capacity, which resulted in great pressure on slot availability early on during the pandemic. Second, there are many shoppers who ordered online for the first time as a result of the pandemic. They may have started off with smaller baskets and avoided fresh. But as their comfort with online ordering grows, it is very likely we will see order frequency, basket size and inclusion of fresh items, grow along with it,” Parker adds.

An early April consumer survey by the American Frozen Food Institute (AFFI) and [210 Analytics](#) found that 15% of frozen food shoppers pointed to their concerns over buying fresh fruit and vegetables during COVID-19 as a reason to purchase frozen fruits and vegetables rather than fresh. Some consumers commented about their concerns that other buyers might have touched or coughed on the fresh produce.

## House aid bill includes key ag provisions, sets up battle with GOP

It’s not everything that farm groups wanted, but the broad array of agricultural provisions in a \$3 trillion coronavirus relief bill that the House is expected to vote on Friday are likely to find many supporters in the Senate.

The [HEROES Act](#), as the 1,815-page House bill is called, lacks a proposal backed by the American Farm Bureau Federation to raise USDA’s Commodity Credit Corp. spending authority from \$30 billion to \$68 billion.

But the legislation does authorize \$16.5 billion in additional direct payments, building off of rules for \$16 billion in payments that the department is expected to release later this month or in June under the Coronavirus Food Assistance Program. Recipients of those payments will include fruit and vegetable growers who have been hammered by the loss of sales following the closure of restaurants, schools and universities and the slowdown in other food service business.



**“The food and agriculture value chain has been strained to the breaking point by this pandemic and thousands of producers across the country are facing catastrophic losses through no fault of their own. This is particularly true for livestock, dairy and specialty crop producers and the provisions in the HEROES Act will help provide a lifeline to them in this time of dire need,”** said Chuck Conner, president of the National Council of Farmer Cooperatives.

The bill also would compensate producers who have to dispose of livestock and poultry that can't be sold because of processing disruptions. That's a top priority for the National Pork Producers Council.

**"U.S. pork producers are facing an unprecedented financial and animal welfare crisis,"** said NPPC President Howard "A.V." Roth.

*House Agriculture Committee Chairman Collin Peterson*

**"These provisions represent a critical lifeline for hog farmers struggling to weather this storm."**

And the bill also would provide special assistance targeted toward dairy producers, including additional sweeteners for the Dairy Margin Coverage program, and aid directed to biofuel plants, fruit and vegetable growers and local agriculture.

**The bill would provide \$100 million in Specialty Crop Block Grants to states to address supply chain issues. For the dairy industry, the bill would authorize a program for donating dairy products to feeding programs. Milk used for donated products would be reimbursed at fluid milk prices. The bill also would authorize a recourse loan program to help dairy processors, wholesalers and others manage their marketing.**

Biofuel plants would be eligible for payments of 45 cents a gallon for fuel produced from Jan. 1 to May 1. For plants that were unable to produce for a month or more, they could get payments of 45 cents on half their production during the corresponding period in 2019.

Growth Energy CEO Emily Skor said the bill “offers a sorely needed beacon of hope for biofuel workers, our farm partners, and thousands of rural communities struggling to stay afloat.”

**The bill's instructions for dispensing the \$16.5 billion in direct payments reflect House Agriculture Chairman Collin Peterson's insistence on restricting Agriculture Secretary Sonny Perdue's spending authority and a desire on the part of Democrats to address groups of producers that feel they are being shortchanged by CFAP. Perdue used USDA's**

CCC spending authority to develop the CFAP payments as well as the 2018 and 2019 Market Facilitation Program payments that were intended to offset the damage caused by the trade war with China.

Under the House bill, recipients of the upcoming CFAP payments would get additional payments to cover 85% of their losses in the second quarter of the year. Producers who aren't eligible for CFAP payments could get payments under the House bill for 85% of their losses for the first half of 2020.

USDA also is directed to account for price differences among commodities based on location, specialized varieties and farming practices, including commodities that are certified organic.

The \$68 billion limit in CCC authority that AFBF is supporting is the level the cap would be if the \$30 billion cap originally set in the 1980s had been adjusted for inflation. "We're asking for that \$68 billion. ... if we can get \$50 (billion) it would be a win for the farmers and for the USDA," AFBF President Zippy Duvall told reporters recently. It's too soon to know how much relief farmers will ultimately need, he said.

**Senate Minority Leader Chuck Schumer, D-N.Y., quickly signaled support for the bill. Senate Republicans should “heed the lessons of U.S. history and not repeat the mistakes made by President Hoover that helped lead to the Great Depression,” he said.**

But many of the bill's far more expensive provisions will be difficult if not impossible for Republicans to swallow, and Senate Majority Leader Mitch McConnell, R-Ky., insisted again Tuesday that it was too soon to pass another massive aid bill.

**“We’ve taken a look at what we’ve already done. We’ve added about \$3 trillion to the national debt and assessing the effectiveness of that before we go forward,”** McConnell said. “We’re having discussions ... with the administration. If we reach a decision, along with the administration, to move to another phase, that will be the time to interact with the Democrats.”

The House bill would authorize a new round of stimulus checks worth \$1,200 to individuals and up to \$6,000 to families and \$875 billion in fiscal relief to states and local governments. Other Democratic priorities in the legislation include a \$10 billion increase for the Supplemental Nutrition Assistance Program, \$3 billion in additional funding to provide emergency financial relief to school meal providers and USDA's Child and Adult Care Food Program, aid to pension funds, an elimination of the cap on deductions of state and local taxes, and an extension of expanded unemployment benefits. *Read the bill text [here](#) and a summary [here](#).*

## **Ag issues central in US-UK trade talks**

U.S. farm groups are looking for big wins as U.S. negotiators push the U.K. to abandon European barriers to agricultural trade in the countries' first round of trade talks, according to officials aware of the proceedings.

**At the root of U.S. demands in the ag trade talks is that the U.K. agree to divorce itself from the European Union's global quest to restrict the use of some food names — think Asiago cheese — as well as convince the British to accept U.S. poultry.**

The U.S. Trade Representative has not yet commented on results of the ongoing talks being held virtually across the Atlantic, but U.S. dairy and poultry leaders are confident their concerns are being fought for.

This is the second week of talks between about 200 negotiators on both sides who are meeting via videoconference out of COVID-19 precautions.

**“These negotiations are a great opportunity for American agriculture,” says International Dairy Foods Association President and CEO Michael Dykes.**

The U.K. will remain beholden to EU policies through December 2020, but on Jan. 1, the U.S. dairy sector and lawmakers want Britain to abandon Europe’s quest to restrict what it calls geographic indications.

**“It is imperative that the U.S. government seizes the opportunity ahead of us in the U.S.-U.K. negotiations,”** said Jaime Castaneda, executive director of the Consortium for Common Food Names and an executive with the U.S. dairy industry. “The U.K. doesn’t have to abandon the GI system entirely, it just needs to establish reasonable, trade-friendly rules for handling them and to safeguard the use of common names so U.K. and U.S. producers and consumers can take advantage of new market opportunities.”

**The EU has been successfully inserting GI protections for food names like black forest ham and feta, Gorgonzola, fontina and Roquefort cheese into free-trade agreements across the globe with countries like Mexico, Japan and Canada.**

The damage can be extensive to U.S. companies that sell food under those names to countries, only to find out they have to call the products something else that consumers don’t recognize.

**So, getting a former EU member country to at least partially turn its back on GIs would be a satisfying accomplishment, Dykes told *Agri-Pulse*.**

**“It would be a breach in the dam,” he said.**

But it would also ensure the U.S. could sell products to British importers that it can’t now.

“For far too long U.S. food and beverage producers have been barred from selling their accurately labeled products to the U.K. by virtue of its adherence to protectionist EU GI policies,” the Consortium for Common Food Names said in a statement provided to *Agri-Pulse*. “This agreement must put an end to that in order to create a level playing field for competition and create a model for dealing with GIs that does not give short shrift to the rights of companies relying on widely used, everyday food names to market their products.”



*Michael Dykes, IDFA*

The U.K. imports about \$3 billion worth of cheese, butter and skim milk powder annually, but only about \$9 million worth of the products come from the U.S. because of EU tariffs and GI restrictions.

Another EU policy that U.S. negotiators are addressing in talks with their counterparts at the British Department of International Trade is the country's barrier to U.S. poultry.

It's still common in the EU for government officials and the public to express opposition to importing "chlorinated chicken" from the U.S., but that's a fiction, says Jim Sumner, president of the USA Poultry and Egg Export Council. While it is common for U.S. producers to use antimicrobial rinses to prevent salmonella contamination, chlorine is not used, he and other officials stress.

Getting the U.K. to acknowledge the safety of U.S. poultry is intrinsic to any FTA, Sumner tells *Agri-Pulse*.

**"If our industry is going to be supportive of the FTA, they're going to have to come up with a way of dealing with this issue and recognizing that both systems are safe and effective," he said.**

Sumner is not alone. He has dozens of U.S. lawmakers behind him. A group of 47 House members wrote to USTR Robert Lighthizer in March, demanding that negotiators fight to open up the British poultry market.

"As the second largest exporter of chicken and largest exporter of turkey, the U.S. sends poultry products to more than 120 countries around the world," the lawmakers said in the letter. "Lifting this ban will set the stage for future agreements, such as with the EU and reinforce the (Trump) administration's stance that U.S. farmers and ranchers are an integral part of the American economy that should not be left behind."

National Chicken Council President Mike Brown lauded the support from Congress.

"With almost one of five pounds of chicken being exported, a robust and expanding overseas market is extremely important to the economic health and well-being of the U.S. chicken industry," he said. "Including U.S. chicken is critical in any new trade agreement with the U.K. — an agreement that should not be hampered by artificial trade barriers."

## **Could Kenya FTA open new biotech potential in Africa?**

Anti-biotech activists and sentiment are entrenched throughout Africa, but U.S. farm groups and businesses are hoping a free-trade agreement with Kenya will help the country break through its GMO barriers and provide an example to other nations of what the science can do for farmers and food security.

The U.S., home to an agriculture sector that heavily depends on biotechnology to produce soybeans, corn, cotton and sugar, announced on March 18 that it would begin negotiating an FTA with the East African country that still bans the technology despite a growing interest in using it.



Many African countries still look to Europe, with its open distrust of genetically modified food, as a policy role model, but desires to use biotechnology are gaining ground in countries like Ethiopia and Kenya.

And Kenya, for its part, appears ready to take on the role. Scientists there have been developing genetically modified crops to fight off disease, pests and survive drought conditions for years, but the ban and the strength of activists have been holding the country back.

Biotech advocates are now hoping that will all soon change as the East African country draws closer to cementing new ties with the U.S.

**“We certainly expect to see a lifting of the ban,” said Andrew Conner, senior manager for international affairs at the Biotechnology Innovation Organization.**

A full acceptance of biotechnology and a modern system to approve biotech crop traits would protect Kenya’s farmers from pests and bolster food supplies in a country that still accepts international aid, say U.S. industry and government officials.

**The country is already on its way. Kenyan farmers are for the first time ever planting Bt cotton this year as the country hopes to save its textile industry.**

Bayer Science and the Kenya Agricultural & Livestock Research Organization (KALRO) developed the cotton — which is resistant to the African bollworm — that is going into the field from March through April.

**“Cotton is a commercial venture there and they just recently approved Bt cotton, and it's gone into the hands of about 1,000 farmers in Kenya,” said John McMurdy, director of emerging markets & development partnerships for CropLife International.**

But Kenya’s ban on imports of genetically engineered ag food and seeds remains in place.

When the United Nations' World Food Programme wants to deliver food aid to Kenya, it cannot include the popular humanitarian assistance of corn-soy blend because it contains GMO’s, say officials with USDA’s Foreign Agricultural Service in Nairobi. The WFP cannot even use Kenya’s major port of Mombasa to transport the GE products to inland East African countries without ocean access.

**“With an estimated 2 million people dependent on food assistance in Kenya in 2019, the ban on food aid containing GE products continues to put those already acutely food insecure at even greater risk,”** according to an analysis by the U.S. Grains Council, National Corn Growers Association and Corn Refiners Association that was submitted to the USTR. **“Unrestricted transshipment of food and feed corn products through Kenya should be a prerequisite to conclusion of an FTA.”**

Anyone caught breaking the ban faces a \$230,000 fine or 10 years in prison, according to the FAS officials in Nairobi.

**The ban was put in place eight years ago by Kenyan Health Minister Beth Mugo after reading a debunked study showing GE food caused cancer in rats. Mugo left office in 2012, but the ban remains in place, even as the country’s research into biotechnology continues.**

Perhaps the most needed biotech trait is the one that helps corn ward off the fall armyworm, a caterpillar-like bug with a voracious appetite that has spread across much of Africa. Years ago, the Kenya Agricultural & Livestock Research Organization, together with the African Agricultural Technology Foundation, International Maize and Wheat Improvement Center and Bayer developed a corn to survive the armyworm. It could be commercialized immediately if the ban were removed, said McMurdy, although much more advanced technology has since developed while the Kenyan product has idled for years.

**“If there was clarity on how to get those products approved, there really is a lot of stuff ready to go now, starting with corn products that will help Kenyan farmers deal with major issues,” he said.**

The situation is made even more dire by the fact that Kenya’s population of 50 million is expanding rapidly, but the country does not produce or import nearly enough corn or feed, and the situation is deteriorating, according to the USGC-NCGA-CRA analysis.

**“In the short term, Kenya’s feed industry is facing severe supply shortages,” the groups said. “Kenya produces nearly 730,000 metric tons of feed annually — enough to meet between 60 and 70% of feed grain demand.”**

Drought and massive locust swarms have only made the situation worse, and the country needs to lift its ban, which is also the country’s leading trade barrier, the U.S. corn groups say.

And it’s not just Kenya that would benefit. The country has the opportunity to pave the way for other African countries to shed their own barriers to planting and importing biotech crops. While some African countries, including Ethiopia, are already accepting the technology, others, such as Angola, are not. Many are in various stages of creating regulatory frameworks to potentially allow approvals.



*John McMurdy, CropLife International*

“This trade agreement is an opportunity to really create processes that can better enable biotechnology to be deployed where its most needed,” said BIO’s Conner. “There are certainly challenges across the continent and ... we are looking at this with the intent of creating a type of model that can be replicated elsewhere.”

## **News Briefs**

**California farm sues over hemp seed germination.** A California farm has filed a breach of contract suit in U.S. District Court over dealings with a Colorado company the farm says failed to live up to promises in a 2019 hemp seed purchase. The farm, Delano-based GX Farms, claims the H.E.M.P. Group LLC failed to supply the quantity and quality of hemp seeds agreed upon in GX’s original purchase. In May 2019, the farm agreed to purchase 520,000 Cherry Blossom hemp seeds for 70 cents apiece at a price of \$364,000 and a brokerage fee of \$25,000 to an individual the lawsuit identifies as Jay Mr. Nice Guy (the filing acknowledges GX is

“ignorant of the true names and capacities” of some defendants). According to GX, the H.E.M.P. Group – based in Aurora, Colo. – “specifically warranted that the seeds were to have a germination rate of 99% and a 99.6% feminization rate.” But the seed shipment is said to have been 85,000 seeds short and produced only a 55% germination rate, GX claims. The seeds also failed to reach the stated feminization rate, which the farm said “drastically” diminished a marketable hemp crop. “Prior to this time, plaintiff GX FARMS had no reason to suspect that they had received anything other than seeds feminized at a 99.6% rate as promised and warranted from defendant HEMP,” the GX filing notes. GX is seeking between \$3.5 and \$17 million in damages as well as other relief the court “may deem just and proper.”

**US and other countries unite to oppose EU dairy purchases.** The European Union's plan to buy up skim milk powder and butter from European producers is spurring U.S. producers to join in protest with farmers from Argentina, Brazil, Chile, Costa Rica, Ecuador, Guatemala, Mexico, Paraguay and Uruguay. The broad coalition says it is fearful the EU's plan to purchase the dairy commodities at below-market prices and sell them into the international market will depress global prices and hurt non-European producers. “The European Commission must avoid dumping government-purchased SMP and butter on the world market and implementing policies that undermine global dairy markets under the guise of protecting its farmers,” the coalition said in a statement released Tuesday. “The EU's market-distorting practices are harmful enough during normal operations. If used in the wake of the COVID-19 pandemic, which has dramatically eroded dairy prices, they would be disastrous to the world dairy market by prolonging the current crushing economic conditions.”

**Record almond crop predicted (again).** For the third straight year, USDA is forecasting a big increase in California almond production. The USDA's National Agricultural Statistics Service 2020 California Almond Subjective Forecast estimates California almond orchards will produce 3 billion pounds of nuts this year, up 17.6% from last year's 2.55 billion-pound crop. Forecasted yield is expected to reach 2,380 pounds per acre, 10.2% greater than the 2019 yield of 2,160 per acre. This forecast comes about three weeks after USDA-NASS released the 2019 California Almond Acreage Report, which estimated total almond acreage for 2019 up 10% from 2018 at 1.53 million acres. Bearing acres — orchards mature enough to produce a crop — were reported at 1.18 million acres, up 8% from the previous year. USDA-NASS also estimated preliminary bearing acreage for 2020 at 1.26 million acres. “Almond acreage and production continue to increase as California almond growers further invest in precision agriculture and responsible best practices,” said Almond Board of California (ABC) President and CEO Richard Waycott. “Through the industry's advancements in water use efficiency to environmentally friendly pest management, zero waste efforts in the orchard and beyond, almond growers are committed to achieving our Almond Orchard 2025 Goals and the realization of the California almond orchard of the future.” The Subjective Forecast is the first of two production reports for 2020 and is based on opinions obtained from randomly selected almond growers located throughout the state via a phone survey (conducted from April 20 to May 6). On July 7, USDA-NASS will release its second production estimate, the 2020 California Almond Objective Report. While the Subjective Forecast provides an initial estimate of the 2020/2021 crop, the Objective Report will provide an estimate based on actual almond counts that uses a more statistically rigorous methodology to determine yield. in providing the information necessary to create these reports.

## Farm Hands West: Crawford appointed to California Leafy Greens Marketing Agreement

**Willette Crawford** has been appointed to serve as the compliance officer for the California Leafy Greens Marketing Agreement, effective immediately. Crawford will also serve as compliance officer for the Arizona LGMA Program. She succeeds **Jonathan Field** who is retiring after more than 12 years of service. Crawford has worked in various roles throughout the supply chain including, Growers Express, Chiquita / Fresh Express and Produce Alliance. She also served as a consumer safety officer for the Produce Safety Staff and the U.S. FDA Center for Food Safety and Applied Nutrition

**Stephanie Swatkov** has been hired by Nature Fresh Farms as the director of marketing. In her career she has worked for Young & Rubicam, Enterprise Creative Selling, Mamone and Partners, and also served as the assistant director of communications branches in the Ontario government.

CEO of the Central California Food Bank, **Andy Souza**, has announced he will be leaving the organization, effective May 22. Souza has been with the food bank for the past 10 years. He is leaving to take on a new role as chief administrative officer at Immanuel Schools in Reedley.

**Hank Giclas** has retired as senior vice president of science, technology and strategic planning at Western Growers, after 30 years with the association. In his most recent roles, Giclas focused on food safety and technology. Giclas was known for his contributions in developing food safety practices for the industry and for his work to bring technology and agriculture together. He grew up on a farm in Ariz. and pursued a degree in agriculture at the University of Arizona.

**Charlotte Hebebrand** has started a new position with Nutrien as the executive vice president for stakeholder relations and the chief sustainability officer. She previously was the director-general at the International Fertilizer Industry Association.

**Cindy Nickerson** has been appointed as the USDA deputy chief economist, effective June 7. Nickerson has served 20 years at the USDA. Before this appointment, she served as the director of market and trade economics division at the Economic Research Service.



*Alexa Lamm*

The Council for Agricultural Science and Technology has announced **Alexa Lamm** is the recipient of the 2020 Borlaug CAST Communication Award. Lamm is an associate professor of science communication at the University of Georgia. Lamm's work examines the impacts of communication and educational practices as they relate to technology that advances agricultural production while maintaining a sustainable environment. Much of her work explores how people make decisions about water conservation, water protection, and water policy.

The Ecosystem Services Market Consortium has announced four new members have joined its team. **Paul Meints** will serve as the research director of ESMRC, the research arm of ESMC. **Cassie Kniebel Aherin** and **Benjamin Bartley** have been hired as two new project managers that will oversee coordination of pilot projects and protocol and certification work.

And **Deke Alkire** has joined the team to develop the ESMC Certified Technical Assistance Provider Program and the ESMC Certified Verifier Program.

Danone has named **Shane Grant** as the new executive vice president and chief executive officer of Danone North America. He will report to **Emmanuel Faber**, chairman and CEO of Danone. Grant previously worked for the Coca-Cola Co., where he held various leadership roles in marketing, commercial and general management. Most recently, he led Coca-Cola's noncarbonated beverage business in North America.

**Sally Grimes** now serves as the CEO of Clif Bar & Co., effective June 1. Grimes will succeed owners and co-CEOs **Gary Erickson** and **Kit Crawford**. Erickson founded Clif Bar. Grimes previously was group president of prepared foods at Tyson Foods, Inc.

NASDA has brought back **Autumn Lankford** to be the new executive administrator to CEO, **Barb Glenn**. Lankford was NASDA's 2019 summer public policy intern. She is a native of Georgia and recently graduated from the University of Georgia with a degree in agricultural communication.



Sally Grimes

Federal Agricultural Mortgage Corporation (Farmer Mac) has added **Amy Gales** and **W. David Hemingway** to serve on the company's board of directors. They replace **Thomas Hill** and **Clark Maxwell** on Farmer Mac's board, both of whom chose not to stand for re-election. Gales most recently served as an Executive Vice President and member of the management executive committee of CoBank, ACB. Hemingway held a 42-year career, all of which was spent working at Zions Bancorporation.

**Liam Forsythe** now serves as the chief of staff to Rep. **Nanette Diaz Barragán**, D-Calif. He previously served as a chief counsel to Sen. **Heidi Heitkamp**, D-N.D.

**Best regards,**

**Sara Wyant**  
**Editor**

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