

Organic crop devastation adds to fears over the future of California ag

The total crop was lost. Jeff Rasmussen had never seen anything like it. Downy mildew had wiped out “hundreds, if not thousands,” of acres of organic onions in just five days. And today, organic farmers are waking up to find damage in tomatoes, too.

An agronomist and certified pest control advisor in Kern County, Rasmussen advises farmers on managing diseases in organic agriculture as well as on conventional crops.

Along with fungus on onion crops, bacterial speck and late blight have damaged tomatoes and defoliated their leaves, exposing the fruit to the sun on days when the temperature is rising above 100 degrees.

During wet periods, like the recent two-week span in the valley, the temperature is right, the host plants are available, the disease is present and **“it ignites like wildfire,”** said Rasmussen, referring to the fungal outbreaks.

While organic agriculture refrains from synthetic chemicals, some organic fungicide products are available but work in a different way. If a thousand spores from a fungus have infected a



Thousands of acres of organic onions have been destroyed by a recent outbreak of downy mildew.

field, a thousand microbes of organic fungicide are needed to combat them. **But it can take two weeks to successfully combat the disease this way and those spores are multiplying about every five days during the wet weather.** With the peak of harvest season, the current outbreak has come at a sensitive time for produce.

Downy mildew is challenging even under conventional practices. An onion grower could spray a treatment protecting the crop for 14 days. But at this time of year, those onions may have a foot of new shoot growth during that time. Coming back for treatment 14 days later, the spores on those shoots may have gone through three more cycles of growth. Similar problems could happen with inadequate coverage as well.

During times like this, more treatment may be needed. If it were a normal May, with little rainfall, less treatment would be needed, he explained.

“And that’s what people don’t understand,” said Rasmussen. “They have this perception that we’re spraying all the time,” instead of only when needed to protect a crop.

He compares pesticide use to buying a new set of tires. They may last 40,000 miles, but that depends on how you drive. For a cautious driver in summer, the tread may extend well beyond that estimate. Families traveling through mountains in winter, however, would want the protection of more tread.



Organic tomatoes damaged by bacterial speck and late blight.

“We put treatments on according to the need,” he said. Lately, the need has been high.

“When the temperatures and the disease go unchecked by stronger pesticides,” he said. “Mother Nature comes in and just takes out fields. The disease will just flourish and go unchecked.”

Pest control in agriculture is a numbers game and, with fewer tools, the odds are more balanced in favor of disease, he points out.

Rasmussen fears these challenges for organic farmers are a peek into the future of conventional agriculture in California. The industry has had several reasons to be afraid because so many decisionmakers have no connection to what happens in a field.

The majority of the legislature increasingly represents urban areas and interests, and some growers fear the governor’s administration is realigning regulatory agencies towards

environmental activism.

The state is also beginning the process of cancelling—for the first time—a pesticide product, chlorpyrifos, which has been regulated by the federal government. The California Environmental Protection Agency has confirmed it does not currently have plans to cancel other pesticides, though its departments are continually reviewing products. The agency has suggested to the legislature that the administration may decide on cancellations for “organophosphates, carbomates and fumigants.”

Within the Office of Environmental Health Hazard Assessment, the agency is reviewing glyphosate under the Proposition 65 listing. Last year, the California Department of Pesticide Regulation (DPR) published a risk determination on neonicotinoids showing that future mitigation may be needed to protect bees.

The U.S. Environmental Protection Agency, meanwhile, recently announced additional use restrictions for paraquat.

Fungicides have not been excluded either. With news stories warning of disease resistance, winemakers have voluntarily pulled widely-used products. The recent lawsuits over glyphosate may be leading to other chilling effects in the industry as well.

Strawberries: A crop of opportunity for Mexican-Americans

While Americans for decades have called fruitlessly for policy reform on immigration, families of Mexican heritage have achieved a fruitful entry to farming and shipping strawberries in California.

The ranks of Hispanic strawberry growers are rising in Florida as well.

“We’ve seen over the past century that strawberries have been a crop of opportunity,” says Carolyn O’Donnell, marketing director for the California Strawberry Commission (CSC).

A century ago, most of the strawberry growers were Japanese-Americans, she said, and now two-thirds of strawberry growers in California are of Mexican-American descent.

Jesus Alvarado, 58, says strawberries have been part of his life for a half century: “When I was a young kid over in Mexico, I started harvesting berries every weekend.” A few years later, he was going to night school, “and in the morning I would work on strawberries.” By 1998 he was able to secure land and start his own strawberry farm, which he and his son, David, now manage near Salinas, Calif.



Jesus Alvarado

O’Donnell says the very nature of strawberry farming has fostered the trend toward Hispanic operators over the past half century. “Strawberries are a hand-planted, hand weeded, hand harvested crop,” she explains, and that isn’t likely to change soon because “it’s been really

difficult finding the machinery that has the optics to identify a ripe strawberry from a partially ripe strawberry, from a leaf, from a blossom, then grasp that berry from a plant without bruising it and without damaging the plant.”

What’s more, she notes, farms need workers all year and statewide. Fields are prepared for planting a winter crop already in late summer, and the summer crop is planted in November, then weeded and managed to harvest, which occurs from April through October most years in the main California production region.

So, a throng of fieldworkers has always been essential to farming strawberries in California, which produces 90 percent of U.S. commercial production, according to USDA. Florida’s big winter crop, harvested through March, accounts for most of the rest.

“Becoming a strawberry farm takes some time,” O’Donnell says. Many of the Mexican families “started with their brothers and sisters on a couple of acres, because you can produce a lot of fruit on a very small amount of land ... (and) you can pool enough resources to get started.”

That’s true only, of course, if there are people available to help grow strawberries.

Both California and Florida strawberry growers have faced a worsening shortage of workers for several years because of the tightening workforce nationally and stricter immigration enforcement at the southern U.S. border.

Alvarado, a Mexican immigrant himself, produced 80 acres of strawberries just four years ago, and he’s been forced to phase down to 40 acres because of the worker scarcity.

He says about 60 harvesters, plus about 15 other irrigators, tractor and truck drivers, foreman, quality inspectors, and others are needed on his farm through the spring and summer months of production. When he was growing 80 acres, the total workforce was about 150, he says.

Over the years, “my goal was 100 acres,” and he was on track, converting some of his fields. Worker scarcity has forced his retreat, Alvarado says.

Peter Navarro, a veteran grower in the Watsonville area, says the lack of workers has also forced him to cut back sharply, to about 50 bearing acres. Navarro, who farms with a brother and sister and serves on the CSC board, says Navarro Farms employed up to 150 people a few years back; now, fewer than 90.

Meanwhile, Dave Murray, a large producer and partner in Andrew & Williamson Fresh Produce, with production in Mexico and California, says he’s “had to modify our system” to deal with the shortage.

Murray has been using the federal H-2A foreign guest worker program “to a greater extent every year for about the last three or four.” Visas are secured for many of the winter-crop workers in the Fresh Produce locations in central Mexico and Baja California, who then come to the California fields for spring and summer. (Growers in central Mexico export most of their winter crop to the U.S. and together with shipments from Chile account for at least a sixth of the U.S. annual supply.)

Besides labor intensity, the location of California’s strawberry growing region helped sculpt the industry’s economic profile. Nearly all of the state’s production is in the coastal counties from just north of Los Angeles to the Monterey Bay area south of San Francisco.

“People like to live where strawberries like to grow,” O’Donnell says, and that makes land there very pricey. So much so, she says, the labor intensity and high land costs have restrained strawberry farm sizes, and “most farmers don’t own their (fields) anymore.” They rent most of their acreage.

The result is a few big growers and a bevy of small and midsize strawberry farms. USDA’s 2017 Agriculture Census numbers put the average for California at 55.9 acres, and O’Donnell estimates that growers who contract their crop with shippers most often have about 60 to 80 acres.

Ag Census data also puts the average Florida strawberry farm at about 50 acres. But Kenneth Parke, executive director of the Florida Strawberry Growers Association says there are probably fewer than 65 farms marketing strawberries commercially in Florida, and their size averages about 150 acres.

Parke says that, unlike the California trend to leasing, most Florida strawberry farms own the land under their crops, and they rotate their fields for spring crops — cantaloupe, melons, eggplant, etc. — harvested through May.

Sue Harrell, FSGA marketing director, explains that most strawberry growers “partner with a shipper to ship under their label ... and don’t necessarily have their own name on the package.”

Like their California peers, Florida’s strawberry farms are almost all “multigenerational family farms,” Parke says, and “most of the Hispanic families who are farming started by picking strawberries.” Plus, the tally of Hispanic among growers is also rising in that state, where nearly all of the crop is grown east of Tampa Bay in Hillsborough County.



Kenneth Parke (left) and Sue Harrell (right), FSGA

Florida’s Hispanic growers are also typically from Mexico, and Parker says “their first generations are still involved” in their Florida operations. The percentage with Hispanic heritage? “Years ago it was zero,” Parke says, “and they are 10 percent of our production now.” He notes one, Hilda Castillo, who has an average size farm, is an FSGA director.

Peggy Parke manages all packing and shipping operations for her and her husband’s Parkesdale Farms near Dover (Hillsborough County). She calls their operation, with about 500 bearing acres, “midsize,” and she says two Hispanic growers have linked up with her to pack and ship jointly to Red Blossom, a major berry marketer.

But while her shipping partners may be from Mexican-American families, her major competition is the growers in central Mexico, who start exporting their winter strawberry crop about Jan. 1.

Parkesdale planted early last fall and began harvesting in early November. “We get a bit of a window (through) December,” she says, “and we always say, ‘December’s our month to make money,’” and then Mexican crop flows north, pressuring U.S. market prices, she says.

Democrats tee up debates on farm, environmental funding and policy

House Democrats are rolling out a series of fiscal 2020 spending bills that reject a range of White House spending cuts while challenging key Trump administration priorities and regulatory rollbacks at USDA, EPA and other agencies.

The bills are a long way from becoming law — final spending levels and policy provisions will have to be negotiated with the Senate — but the legislation allows Democrats to lay out their priorities. The new fiscal year starts Oct. 1.

The bills include a number of spending increases in priority programs, ranging from agricultural research to international food aid and EPA enforcement, but those should be read as goals.

House Democrats have yet to reach agreement with the GOP-controlled Senate and the White House on overall spending levels for FY20 defense and domestic spending, and until a deal is struck there also is no agreement on spending limits for the 12 individual bills that fund the departments and agencies as well as operations of the legislative and judicial branches. Failure to reach such an agreement would trigger automatic spending cuts, known as sequestration, under the 2011 Budget Control Act.



House Ag Appropriations Committee Chair Sanford Bishop, D-Ga.

The Agriculture bill, which the House Appropriations Committee approved on a party-line 29-21 vote Tuesday, would provide \$24.3 billion in FY20 for USDA, FDA and the Commodity Futures Trading Commission, \$1 billion more than what was provided for the current year, for so-called “discretionary” programs, whose funding is determined by annual appropriations bills.

Funding for other programs, including commodity and conservation assistance and the Supplemental Nutrition Assistance Program, is considered “mandatory” because spending levels are set by the farm bill and other laws.

But the top Republican on the House Appropriations Committee, Kay Granger of Texas, said that the spending allocations that Democrats used to write the House bills were “unrealistic” and urged Democrats to reach a spending deal that “prioritizes national security.”

The chairman of the Agriculture Appropriations Subcommittee, Sanford Bishop, D-Ga., said Democrats were following the same process Republicans did when they controlled the committee and there wasn't an agreement on spending limits.

The Senate Appropriations Committee has held off debating its FY20 bills until a budget deal is secured. Appropriations Chairman Richard Shelby, R-Ala., said he hopes a deal can be reached this week.

The House bills, which are expected to be grouped in packages for floor debate this month, also contain a number of policy provisions that will set up negotiations with the Senate in coming months. The first such package, which is expected to be on the House floor next week, will include the Labor-HHS, Defense, State-Foreign Operations, Energy and Water, and Legislative Branch spending bills.

Included with the bills are nonbinding committee reports that explain various provisions in the bill and urge agencies to take, or avoid, certain actions.

Ag bill prioritizes research, broadband

The [Agriculture bill](#) includes spending increases for agricultural research and international food aid and would provide a third round of funding for rural broadband expansion through USDA's Re-Connect loans and grant program, which was created in FY18. The program would get \$550 million for FY20.

USDA's research programs would receive \$3.3 billion, \$387 million more than President Trump requested. Research projects funded through the National Institute of Food and Agriculture at universities around the country would be increased by more than \$90 million to \$1.02 billion. The Agricultural Research Service, which carries out in-house projects, would be increased by \$41 million to more than \$1.3 billion. The much smaller Sustainable Agriculture Research and Education program would get \$45 million, an \$8 million increase over FY19.

The nation's flagship food aid program, Food for Peace, would be funded at \$1.85 billion, a \$350 million increase from FY19. The McGovern-Dole international school feeding program would be increased by \$25 million to \$235 million. The White House has tried to kill both programs.

The bill also includes new funding aimed at helping farmers deal with the impact of climate change: \$2.5 million to support the work of the National Drought Mitigation Center. The money is intended to help the center respond to an increasing number of drought-related research and operations requests by USDA's regional climate hubs.

To boost the development of industrial hemp, the bill would provide USDA with \$16.5 million to implement provisions in the 2018 farm bill that legalized and promoted production of the crop. FDA would get an extra \$3 million under the bill to offset the cost of revising standards of identities for foods. The standards under review include restrictions on the use of the term "milk" sought by the dairy industry.

Bill seeks to block agency relocations, inspection overhaul

The Ag bill would block Agriculture Secretary Sonny Perdue from moving NIFA and the Economic Research Service from the nation's capital, but the provision may accomplish little more than sending a message to Perdue. **He's well aware of House opposition to the relocation plan, but he is expected to announce a new site in the next few weeks and begin moving**

personnel, long before the bill could be enacted. Unless he has to ask Congress at some point for funding to carry out the move, lawmakers may be unable to stop it.

The bill also would stop Perdue from putting ERS under control of the Office of Chief Economist, a career position. ERS is currently under the purview of the undersecretary for research, education and economics, a politically-appointed position.

An amendment adopted by the Appropriations committee on Tuesday would bar USDA's Food Safety and Inspection Service from implementing a plan to streamline swine inspection until the Office of Inspector General analyzes the data used to prepare the plan.

The program, which is similar to one already in place for poultry processors, would move FSIS inspectors off production lines into microbiological testing duties and allow plants to increase line speeds. **"At the very very least we should know whether USDA relied on flawed data" in developing the plan, said Rep. Rosa DeLauro, D-Conn.**



Rep. Rosa DeLauro, D-Conn.

Another policy rider included in the draft bill would require USDA to modify the origin of livestock requirements for organic dairy cows. USDA has never finalized changes proposed by the Obama administration in 2015. The rule is needed because cows have been moved in and out of the organic system, mostly so that producers could take advantage of cheaper, nonorganic feed, according to the Organic Trade Association.

Democrats seek to boost Interior, EPA funding

What's most interesting about the Interior-EPA funding bill may be what's not in it. Where in the past, the Republican majority had used the bill to explicitly prevent the listing of the greater sage-grouse and the implementation of the Obama-era Clean Water, or WOTUS, rule, **the spending bill this time takes a different approach by boosting funding for many regulatory activities.**

Interior would receive \$13.8 billion, an increase of \$833 million, or 6.4%, from the current fiscal year, and \$2.41 billion more than President Trump's request. Included in that is a 15% hike for the Fish and Wildlife Service's Ecological Services program, which includes money for endangered species enforcement.

EPA would get \$9.52 billion, a 7.5% increase from FY19 and current fiscal year and a whopping 56% more than the White House proposed. EPA would get \$511 million for compliance monitoring and enforcement activities, a \$40 million increase above the 2019 enacted level and \$63 million above the president's request.

The bills also would provide EPA regional programs that provide money for protecting the Great Lakes, Chesapeake Bay and other water bodies. The Trump administration had sought to end the funding. The programs would get \$476 million, a \$19 million increase over the current year.

The Land and Water Conservation Fund would get \$523.9 million, an \$85 million increase over FY19.

The nonbinding House committee report urges EPA to finish developing an “accurate, robust, and accessible” methodology for estimating emissions from animal feeding operations. The Interior Department is directed to work with USDA as well as states and private organizations on strategies to protect monarch butterflies, including setting up milkweed reserves.

Democratic appropriators also are urging Interior to preserve state and federal sage-grouse plans covering 11 western states. "This administration is moving forward with revisions that will weaken protections and conservation prescriptions for sage-grouse that were included in the 2015 science-based greater sage grouse strategy," the committee report says.

Bill extends ELD exemption for livestock haulers

The FY20 Transportation-HUD [bill](#), which the Appropriations committee also approved Tuesday, would extend a temporary exemption for livestock haulers from requirements to have electronic logging devices. The current exemption expires Sept. 30. The ELDs would be used to enforce hours-of-service requirements that the livestock industry is trying to get changed.

Ports, waterways would get funding boost

Agriculture and shipping industry officials say the \$357 million funding increase for the U.S. Army Corps of Engineers in the Energy-Water bill would provide needed momentum to maintain and improve the nation’s inland waterway system. The bill contains \$7.3 billion for the Army Corps to pay for construction and maintenance projects and adds six new studies and six projects.



Mike Steenhoek, Soy Transportation Coalition

“We’re seeing this positive momentum occur, but the real key is maintaining that,” said Mike

Steenhoek, executive director of the Soy

Transportation Coalition. He added there has been a significant increase in funding for the Army Corps over last five years, “nearly a 50 percent increase” and said there’s even been bipartisan support.

The bill makes use of all estimated annual revenues from the Inland Waterways Trust Fund, but the Waterways Council, a coalition of shippers and the barge industry, says the number is too low. **“Every year, they continue to lowball the revenues,”** said Tracy Zea, vice president of government relations for the Waterways Council. The trust fund should provide around \$118 million for FY20 rather than the \$107 million in revenues that the White House expects.

Farmworker aid increased

The Labor-HHS spending bill would increase funding for migrant and seasonal farmworkers by \$10 million from last year to \$98 million in FY20. The president's budget proposes to eliminate the program.

The bill also would fund for the first time, farmworker youth activities, outlined in the Workforce Innovation and Opportunity Act. It also moves the funding availability date from July 1 to April 1 to allow for grants to be distributed in a more-timely manner.

This bill also maintains \$317 million for rural health which is \$128 million more than the president's request of \$189 million.

US and Mexico prepare for showdown over the border

Some of Mexico's highest-ranking government officials will present a proposal to the White House Wednesday on controlling border security in an effort to stop the Trump administration from turning an immigration issue into a trade war.

Mexican Foreign Minister Marcelo Ebrard told reporters he believes there's an 80% chance the two countries will be able to reach an agreement and stop the U.S. from imposing new tariffs on Mexican goods next week, but President Donald Trump was not so optimistic.

"They're going to meet on Wednesday ... and we're going to see if we can do something, but I think it's more likely that the tariffs go on and we'll probably be talking during the time that the tariffs are on and they're going to be paid," Trump said Tuesday during a joint press conference in London with U.K. Prime Minister Theresa May.

Trump has expressed growing frustration with Central American migrants making their way through Mexico to get to the U.S., and last week he announced he would hit Mexico with rapidly increasing tariffs unless the country staunched the flow. **Trump said the U.S., under the 40-year-old International Emergency Economic Powers Act, would hit all Mexican exports with a 5% tariff on June 10. The rate would go up to 10% on July 1, 15% on Aug. 1, 20% on Sept. 1 and 25% on Oct. 1.**

Trump has not set any specific goals for Mexico to achieve other than a broad demand that it reduce the number of migrants reaching its northern border with the U.S.

"What Mexico has been doing to this country for so many years — like 25 to 30 years — with the drugs and human trafficking and illegals all pouring through Mexico — no good — and caravans. No good." Trump said Monday.

While Trump seems intent on using the tariffs, Mexican President Andrés Manuel López Obrador appears just as adamant in avoiding the new taxes that would hit everything from avocados to car parts.

"We believe in dialogue and politics, which is also negotiation," Obrador said. **"We are not going to enter into a trade war, a war of tariffs, of taxes. We do not want that confrontation with the United States or any country."**



Part of the Mexican contingent in Washington this week is Ag Minister Víctor Manuel Villalobos Arámbula, shown here meeting with Ag Secretary Sonny Perdue.

During their Tuesday luncheon meeting, several members of the U.S. Senate let White House officials know that Trump's strategy to impose new tariffs on Mexico is unwelcome. Senate Majority Leader Mitch McConnell emphasized that there is **“not much support in my conference for tariffs, that's for sure.”** He expressed optimism that what the Mexicans might offer on border control **“will be fruitful and that these tariffs will not kick in.”**

But there may be no choice, and the U.S. agriculture sector is bracing for the consequences. **It was just Monday that the U.S. and Mexico officially settled their last feud.** The U.S. informed the World Trade Organization that it was

dropping its “Section 232” tariffs on Mexican steel and aluminum. Mexico informed the WTO it was dropping its retaliatory tariffs on U.S. cheese, pork, and other products.

The tariffs had virtually assured that neither the U.S. nor Mexican legislatures would approve the newly renegotiated North American trade pact, and farm groups rejoiced when the taxes were dropped.

The jubilation did not last long, and now farm groups and farm state lawmakers are coming forward to warn the Trump administration not to reignite disputes with one of the top foreign markets for U.S. goods, including corn, soybeans, beef, pork, rice and high fructose corn syrup.

“We’re struggling right now to retain our market share and continue to be viewed by our international customers as a reliable supplier,” said International Dairy Foods Association President and CEO Michael Dykes. “This new tariff on Mexico — just after we lifted the Section 232 tariffs last week — will not help get USMCA ratified. Tariffs put us further behind competitors and chip away at our ability to get USMCA across the finish line. We must return to a market principled approach and regain market share from our competitors who’ve benefited from these trade disputes.”

The threat of new tariffs on Mexico and the possibility of new retaliation — almost certain to hit U.S. ag exporters the hardest — comes at the worst possible time, says Senate Finance Committee Chairman Chuck Grassley. Speaker of the House Nancy Pelosi was finally getting close to throwing her support behind USMCA, he said, and Mexico and Canada were signaling they were prepared to ratify the trade pact after the U.S. agreed to lift its steel and aluminum tariffs.

“A tariff is a tariff, whether it’s steel and aluminum or whether it's this sort of tariff and this one could be a little bit worse,” Grassley told reporters Tuesday. “I’m concerned about what these tariffs mean for USMCA.”

USMCA is not the only trade pact the new tariffs endanger, the Iowa Republican said. The fact the U.S. is willing to hit a country with new tariffs so shortly after a new trade pact was agreed to would be chilling for any future trade pacts, he said.

“It hurts our credibility ...” he said and stressed that a smooth ratification of USMCA was meant to show countries like Japan that the U.S. is a reliable trading partner.

“Hopefully these tariffs will never be implemented and we can move ahead with USMCA because getting that passed is my top priority,” Grassley said. “We can’t have an agreement with tariffs in the way.”

USDA proposes to ease biotech regulation

Many new genetically engineered crop traits would be exempt from regulation by the Agriculture Department under a sweeping rewrite of its rules for testing and assessing the products.

The latest overhaul plan is the third such proposal released by USDA since 2008 and is aimed at streamlining and reducing the cost of the development of new crop traits.

Under the new proposed rule, modified plants would be exempted from regulation because they could be produced through traditional breeding techniques, making them unlikely to pose a greater plant pest risk than conventionally bred crops.

The rule would also allow crop developers to make a “self-determination” that their crops are exempt from regulation. They could seek confirmation letters from USDA of the exempt status or ask USDA to determine whether the trait is regulated or not.

“This common sense approach will ultimately give farmers more choices in the field and consumers more choices at the grocery store,” said Greg Ibach, USDA’s undersecretary for marketing and regulatory programs.

The rule wouldn’t affect the oversight roles of the Food and Drug Administration, which is responsible for food safety, and Environmental Protection Agency which regulates biotech plants that have pesticidal properties.

USDA estimates that the proposed rule would save developers an average of \$3.6 million in compliance costs on a single genetically engineered plant, so long as the trait doesn’t fall under the purview of FDA or EPA. If either or both of those agencies have an oversight role, the savings would average just \$730,000.

The USDA proposal “will provide a clear, predictable, and efficient regulatory pathway for innovators while facilitating the development of new and novel GE plants that are unlikely to pose a plant pest risk,” according to the 109-page rule.

“It will protect the health and value of America’s agriculture and natural resources and help foster safe and predictable agricultural trade worldwide. We anticipate that adopting the new framework will result in significant savings for developers of GE organisms.”

The rule replaces a proposal released in January 2017 by the Obama administration. That rule also sought to streamline the regulatory process, but USDA’s Animal and Plant Health Inspection Agency says in the latest proposal that many critics of that Obama-era rule felt it “would be too burdensome and had the potential to stifle innovation.”

The rule leaves unclear how crops developed for industrial or pharmaceutical uses would be regulated.

APHIS says those crops would have to be regulated under a different section of the law or under a new law to clarify the federal authority for those traits. “APHIS does not prefer one of these options over the other, nor does the agency consider the two options necessarily to be exhaustive,” the rule says.

News Brief:

EPA finalizes animal waste reporting exemptions. The Environmental Protection Agency made it official Tuesday, issuing a [final rule](#) to exempt farms from reporting animal waste emissions to state and local authorities under the Emergency Planning and Community Right-to-Know Act. The rule follows congressional passage last year of a law that provides a similar exemption under the Comprehensive Environmental Response, Compensation, and Liability Act, or CERCLA. EPA Administrator Andrew Wheeler [said](#) the new rule “eliminates an onerous reporting requirement and allows emergency responders and farmers to focus on protecting the public and feeding the nation, not routine animal waste emissions.” Farm groups, who sought the exemptions, applauded the agency. United Egg Producers CEO Chad Gregory said the rule “recognizes that EPCRA/CERCLA reporting was not needed for farms and ensures that emergency first responders do not lose valuable time and effort responding to non-emergencies.” Environmental groups, who had previously won a lawsuit challenging similar exemptions, were critical of the proposal when it was published last fall, saying EPA’s interpretation of EPCRA was illegal. But EPA said in the final rule that the relevant EPCRA reporting requirements are dependent on requirements in CERCLA. Specifically, “Because air emissions from animal waste at farms do not ‘occur in a manner’ that would require notification under CERCLA section 103(a), such releases are not reportable under EPCRA section 304(a)(2),” the rule said. EPCRA section 304, the agency said, “serves as a notification requirement for chemical accidental releases [and] is not intended to regulate emissions.”

Supreme Court decision could be good news for rural hospitals. In a 7-1 decision, the U.S. Supreme Court ruled in a case that could have positive ramifications for rural hospitals nationwide. In 2014, the Obama administration revealed a new policy on its website that “dramatically and retroactively reduced payments to hospitals serving low income patients,” noted Justice Neil Gorsuch who wrote the Court’s [opinion](#). In *Azar v. Allina Health Services*, the justice said HHS needed to provide advance notice and a chance to comment on a decision that changed the “disproportionate-share hospital” (DSH) program reimbursement payments under Medicare. With Medicare spending about \$700 billion annually, “even seemingly modest modifications to the program can affect the lives of millions,” Gorsuch noted. The DSH cuts have been delayed since 2014 but were scheduled to take effect in 2020, starting with a \$4 billion reduction.

Taste, price primary factors driving chicken purchases. Consumers consider taste and price over environmental impact. According to a [new survey](#) from the National Chicken Council, consumers think about taste (82%) and price (65%) more often than the environmental impact of chicken production (34%) and animal welfare concerns (37%) when making purchasing decisions. The survey also concluded “knowledge of the environmental impact of chicken among

consumers is low.” NCC said just over half (51%) of the 1,000 respondents aged 18-64 and 500 “Food eVangelists” were “moderately knowledgeable about chicken’s impact on the environment, while three-quarters (71%) are moderately knowledgeable about how chicken is produced.” Consumers were said to be more knowledgeable about animal welfare and processing issues. NCC Spokesperson Tom Super said, “benchmarking perceptions and attitudes related to broiler chicken production and its impact on the environment is key to helping the industry better communicate with consumers.”

Bayer collaborates with Arvinas on innovations for patients and farmers. Can both plants and humans benefit from new cross-cutting research between experts in pharmaceuticals and agriculture? Bayer is betting that the answer is “yes” and announced a new joint venture on Tuesday with Arvinas, a pioneer in Proteolysis-Targeting Chimera, also known as PROTACs. PROTAC® technology harnesses the naturally occurring protein degradation system of the cell to selectively remove target proteins by proteolysis, the breakdown of proteins into amino acids. Because the technology degrades targets rather than inhibiting them, it offers a completely new category of crop protection applications in agriculture, according to Bayer. In addition, the firm says PROTACs have the potential to revive crop protection mechanisms that have become ineffective due to resistance. “The goal is to utilize the complementary expertise of Bayer and Arvinas to develop novel research discoveries that ultimately deliver new crop protection products for farmers,” said Dr. Robert Reiter, Member of the Executive Committee of Bayer AG’s Crop Science Division and Head of Crop Science Research & Development. In addition, Bayer plans to collaborate with Arvinas to develop next-generation medicines for patients with cardiovascular, oncological and gynecological diseases leveraging PROTAC technology. In late May, the firm’s lead PROTAC protein degrader was granted Fast Track designation by the Food and Drug Administration for the treatment of men with certain types of prostate cancer.

Farm Hands West: Marks leaves California EPA

The California EPA announced last week that the acting director of the Department of Pesticide Regulation, **Teresa Marks**, will retire effective immediately. **Val Dolcini**, new deputy secretary of agriculture, will take over as acting director.

California Governor **Gavin Newsom** has appointed **Barry Broad** to the California Agricultural Labor Relations Board. Since 1994, Broad has been a managing partner at Broad & Gusman LLP. He has held positions with the California Teamsters Public Affairs Council and has served as the legal adviser for the Public Employment Relations Board from 1982 to 1985.

Rachel Cone has been selected to serve as the new coordinator of food safety programs at the National Association of State Departments of Agriculture (NASDA). In this role, Cone will manage agreements with the Food and Drug Administration to implement the Food Safety Modernization Act. Cone recently graduated from



Teresa Marks

Colorado State University and has interned with the Colorado Farm Bureau and the Pro Rodeo Cowboys Association.

Josie Wagler will join the International Dairy Foods Association team on June 17, as the executive assistant to president and CEO **Michael Dykes** and chief of staff **Heather Soubra**. Wagler is serving as the constituent services specialist and deputy scheduler for Sen. Chuck Grassley, R-Iowa.

Alexandra Menardy was promoted to senior legislative assistant for Rep. **Rick Larsen**, D-Wash. Menardy handles the portfolios for energy, environmental protection, and public lands and natural resources.

Jami Burgess has joined the staff of Sen. **Maria Cantwell**, D-Wash., as the new chief of staff. Burgess previously served as the chief of staff for Rep. **Denny Heck**, D-Wash. Heck promoted **Brendan Woodbury** to serve as his new chief of staff. He previously served as legislative director.

Mike Viggiano joined the staff of Rep. **Norma Torres**, D-Calif., as her new legislative assistant. He covers the portfolio for environment, labor, small business, trade, and transportation. He previously worked in the office of Rep. **Debbie Wasserman Schultz**, D-Fla., as her legislative correspondent and legislative assistant.



Ken Colombini

A graduate of Brown University, **Charlie Andrews** joined the staff of Sen. **Patty Murray**, D-Wash., as a deputy press secretary.

The Renewable Fuels Association added **Ken Colombini** to its staff as the new communications director. Colombini has been working as a freelance communications consultant since 2016. He has also served in the communications department at the National Corn Growers Association and helped create and lead the U.S. Farmers & Ranchers Alliance. He also has worked at Anheuser-Busch and in the California state government as the governor's speechwriter and as the chief communications officer for the California State Parks system.

The Biotechnology Innovation Organization (BIO) elected **Jeremy Levin** to serve as the new chair of the board of directors for the 2019-2020 year. BIO also brought on **Rich**

Masters to serve as the new executive vice president for public affairs, effective June 17. Masters is currently serving as the executive vice president at Qorvis Communications. BIO's current senior vice president of communications, **Ken Lisaius**, announced he will be departing the organization on June 14.

Jeff Harmening, chairman of the board and CEO of General Mills, will be the new chairman of the board of directors for the Grocery Manufacturers Association. Harmening has served on the board since 2017 and succeeds **Vivek Sankaran**, who has been appointed the new CEO of Albertsons. **Benno Dorer**, chair and CEO of the Clorox Company, was elected to serve as the vice chairman.

Former chairman of the Senate Appropriations and Agriculture committees, **Thad Cochran**, passed away on May 30 at the age of 81. Cochran served in Congress for 45 years and had to resign last year due to health concerns. To read our full story, click [here](#).



Thad Cochran

Richard “Dick” Dooley passed away May 29 at his home in Visalia, CA, three days before his 73rd wedding anniversary. He and his wife Do started farming cotton and alfalfa and later, tomatoes and walnuts. He was involved in several aspects of his community, including serving for 22 years on the Kings County Water District Board. He is survived by his wife and three children: Ag and Environmental Attorney Dan, former Congressman **Cal** and **Cindy Bettencourt**; his seven grandchildren and eight great grandchildren; and countless nephews and nieces.

Best regards,

Sara Wyant

Editor

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