

**AG ISSUES UPDATE**  
**Edited by Brad Hollabaugh**  
**February 2018**

**Secretary of Agriculture Visits Gettysburg**

Secretary of Agriculture Sonny Perdue talked regulations, labor, and trade while visiting Gettysburg on his 30-state tour to roll out the 2018 farm bill. Perdue came to Ag Com Inc. and the Farm Service Agency to offer his vision for the United States Department of Agriculture (USDA) and hear from people who keep the industry running.

The most recent farm bill was enacted in 2014. It affects everything from jobs and conservation, to research and nutrition. A four-page document released from the USDA outlines the agency's recommended principles for the new farm bill. The USDA supports promoting a "variety of innovative crop insurance products and changes;" wants to see the U.S. market competitiveness expand; have nutrition programs that are driven by science and data; fight pests with "scientific tools;" and empower public-private partnerships.

For those receiving food assistance, the USDA supports "work as the pathway to self-sufficiency." Perdue said Congress has an expectation for people who are able-bodied to find work.

Perdue said he wants the USDA to be seen as the most efficient, focused agency in the federal government and make "customers" feel like they are getting the best value. The legislative principles document from the USDA mentions the priority of educating and developing "human capital" to meet the needs of the industry.

When it comes to the future generation of agriculture, Perdue is optimistic. He said there has been a "resurgence" of interest, and the USDA has an "aggressive" outreach effort to target youth. Taken from *The Gettysburg Times*, Mary Grace Keller, Times Staff Writer, Jan. 25, 2018.

**AWC CEOs Gather for Strategy Meetings**

On January 30, the CEOs of the Steering Committee of the Agriculture Workforce Coalition (AWC) met in Washington, DC for a strategy meeting and Capitol Hill visits.

USApple President & CEO Jim Bair and Senior Vice President Diane Kurrle participated in the event. The group met with Majority Whip Steve Scalise, Representatives Jeff Denham (R-CA), Rodney Davis (R-IL), David Valadeo (R-CA), and Judiciary Chairman Bob Goodlatte (R-VA). The group also met with staff for Speaker Paul Ryan.

The purpose of the meeting was to highlight agriculture's labor needs particularly as immigration issues are once again front and center. As negotiations concerning DACA continue, the AWC stressed the need for enforcement legislation to be coupled with strong agricultural labor reforms that address both the short term (current workforce) and long term (a modernized guestworker program) needs for the industry.

The coalition continues to work with Judiciary Chairman Goodlatte, the leadership and key offices as we work toward these goals. Staff Contact: Diane Kurrle *Apple Bites* - 2.7.18

### **Pa. Congressmen Want for Support for Spotted Lanternfly Efforts**

Pennsylvania's delegation to the U.S. House of Representatives are calling for the 2018 Farm Bill to include additional funding for efforts to stop the spread of the invasive spotted lanternfly.

The request came in a letter signed by all 17 Pennsylvania congressmen and sent to leaders of the House Committee on Agriculture. The Pennsylvania congressmen asked for the 2018 Farm Bill to ramp up funding for the Plant Pest and Disease Management and Disaster Prevention Program, which Pennsylvania has tapped in its effort to fight the pest.

"This increase would ensure Pennsylvania has the tools and resources it needs to defend from pests such as the Spotted Lanternfly," the delegation wrote. "If swift action is not taken to combat this invasive pest, we risk jeopardizing our nation's food and economic security, which is why we strongly support this necessary investment."

The spotted lanternfly was first discovered in the U.S. in Berks County in 2014 and has since spread to other southeastern counties. The pest can cause widespread plant damage and is a major threat to fruit and hardwood crops.

### **USDA Pesticide Data Program Report, CY2016**

Summary: In February 2018, the U.S. Department of Agriculture published the results of its 26th annual Pesticide Data Program (PDP). The PDP collects data on pesticide residues in a wide variety of foods, with a strong focus on foods that are consumed by infants and children.

The report presents data on a changing market basket of foods. While apples and apple products are not tested every year, they were tested for this calendar year 2016 report. Apples were last tested in 2012, and applesauce in 2006. Apple juice was not tested for this report, and was last tested in 2013.

The Environmental Protection Agency (EPA) incorporates multiple safety factors in setting the legal tolerances for pesticide residues in food. If EPA determines a pesticide is not safe for human consumption, it is removed from the market. The Food and Drug Administration is responsible for enforcing the EPA tolerances. A summary of the data is attached.

#### Apples

- 531 samples of apples were tested for the presence of 16 different pesticides
- 6% of the samples tested were imported
- Of the apple samples testing positive for a pesticide, 100% of those samples were well within the pesticide tolerances established by EPA
- No pesticide was detected that is not approved for use on apples

## Applesauce

- 190 samples were tested for the presence of 11 different pesticides
- 8% of the samples tested were imported
- Of the applesauce samples testing positive for a pesticide, 100% of those samples were well within the pesticide tolerances established by EPA
- No pesticide was detected that is not approved for use on applesauce

*US Apple Member Alert, 2/9/2018*

## **Supreme Court Decides Technical Issue Related to WOTUS**

The U.S. Supreme Court has weighed in on which court has initial jurisdiction to review a lawsuit over the controversial Waters of the U.S. (WOTUS) rule.

The court did not consider the merits of the case against the 2015 regulation—which has drawn opposition from the agricultural community and the U.S. Environmental Protection Agency is in the process of repealing and rewriting—but rather addressed a technical issue. The court decided that cases challenging WOTUS must start in one of 94 federal district courts—which normally handle and decide cases first—rather than one of the 13 federal appellate courts.

“This Supreme Court decision brings greater clarity to an important issue that has bogged down the litigation over this and other Clean Water Act regulations for years,” said Ellen Steen, general counsel for the American Farm Bureau Federation.

While the decision is a positive for Farm Bureau, it also complicated matters by effectively undoing a federal appellate court’s order that blocked the rule from taking effect nationwide. But to stop that from causing the rule to go into effect, EPA is formally delaying its implementation of WOTUS as it works to rewrite the regulation.

AFBF President Zippy Duvall applauded EPA’s move saying that without it, “countless farmers and ranchers, as well as other landowners and businesses, would risk lawsuits and huge penalties for activities as common and harmless as plowing a field.”

The organization opposes the 2015 WOTUS rule and believes attempts to expand federal authority far beyond what’s allowed by law and would cause nearly every acre of farmland to be regulated.

## **Farmers Hear from President Trump at National Convention**

Pennsylvania farmers who attended American Farm Bureau Federation’s Annual Convention were among the more than 7,400 farmers and ranchers who heard from President Donald Trump on key issues in agriculture.

Trump’s speech at the Nashville, Tenn. convention marked the first time a sitting president has addressed a Farm Bureau convention since George H.W. Bush did so in 1992. The president spoke about efforts to cut back restrictive regulations, draft the 2018 Farm Bill and renegotiate trade agreements. He also signed two executive orders that aim to benefit

farms and other businesses by streamlining and expanding broadband access to rural communities.

Among the crowd of attendees were members of PFB's State Board of Directors, Young Farmer and Rancher Committee and Women's Leadership Committee as well as other PFB members who attended the convention.

"I'm proud to be part of an organization that has the clout and respect to attract the attention and participation of the President of the United States to our annual gathering," said PFB President Rick Ebert. "I was specifically encouraged by the President's comments in support of adequately funding the Farm Bill and the importance of foreign trade to the future of agriculture. We look forward to working with the Trump Administration and members of Congress to address some of these pressing issues in 2018."

### **Humane Society Officer Training Bill Clears State House**

A bill that would require humane society police officers to go through additional training and learn about farm safety and biosecurity protocols has passed the state House.

House Bill 1917, sponsored by Rep. Frank Ryan of Lebanon County, now heads to the state Senate for consideration. The measure would increase the number of training hours humane society police officers must go through initially as well every two years. Officers would also be required to learn about farm biosecurity protocols and how to identify potential hazards on farms and reduce the risk of causing damage or harming people or animals. The training would include on-site visits to farms.

Pennsylvania Farm Bureau has advocated for the bill and believes that such training will help protect both the humane officer and farmers—as well as their animals and property—in the event that investigation of a farm is necessary.

### **Pennsylvania CWD Cases on the Rise**

Early testing of deer harvested during the 2017-2018 hunting seasons has already revealed 51 positive results for chronic wasting disease, more than double the number of positive tests found during 2016. And according to the Pennsylvania Game Commission, the majority of samples collected during the season have yet to be tested, which means even more CWD-positive tests are likely to come.

All but three of the deer that have tested positive for CWD so far this season were from Disease Management Area 2 in the south-central part of the state. The others were from Disease Management Area 3 in the north-central part of the state. The Game Commission offered free testing for hunters who harvested deer within disease management areas and commission staff also collected samples. In total, nearly 8,000 samples were collected statewide.

CWD affects all cervids, including deer and elk, and is spread by deer-to-deer contact. It is always fatal and there is no known cure for the disease.

To date, 98 free-ranging deer have tested positive for CWD in Pennsylvania. The Game Commission has sought to control the disease's spread by limiting the transportation of deer harvested within disease management areas, targeting hunter pressure on problem areas and removing some deer populations using sharpshooters.

"By developing a control program where we go into these hotspots and remove the animals with a greater likelihood of carrying the disease, we might stand our best chance of controlling CWD on a larger scale, while minimizing the impact on the larger deer population or diminishing deer hunting opportunities," said Wayne Laroche, the Game Commission's special assistant for CWD response.

### **Delaware River Commission Accepting Comments on Proposed Fracking Ban**

The Delaware River Basin Commission, a multi-state agency that regulates the Delaware River and water that flows into it, has proposed a ban on extracting natural gas from rock formations in the basin through high volume hydraulic fracturing, also known as fracking.

If enacted, the ban would affect drilling activity in the basin area that benefits farmers and other landowners who hold natural gas leases. It would also effectively stop farmers and landowners in the region from being able to enter into new leases with gas companies if natural gas deposits are discovered on their land. In Pennsylvania, the affected areas would include parts of Carbon, Lackawanna, Luzerne, Schuylkill, Wayne and Pike counties. The commission has extended a public comment period on the proposal, giving the public until March 30 to comment on the plan. This is a chance for farmers and rural landowners to tell the commission directly how the proposed regulation would affect them.

Several public hearings to solicit comments have already occurred and another is scheduled for Feb. 22 from 3 p.m. to 7 p.m. at Lehigh Carbon Community College. There will also be a telephone public hearing March 6 from 1:30 p.m. to 3:30 p.m. You must register to speak at the hearings. Visit <http://bit.ly/2zEaB9C> for more information or to register for the hearings. Written comments can also be submitted online at <http://dockets.drbc.commentinput.com>.

Requests to be exempted from using the online registration and written comment collection systems may be addressed to: Commission Secretary, DRBC, P.O. Box 7360, West Trenton, NJ 08628.

### **Water Quality Continues to Show Improvement in the Chesapeake Bay**

The water quality of the Chesapeake Bay continues to show improvement as nutrients and sediment decline in local waterways. Underwater grasses are expanding in acreage and blue crabs are increasing by substantial numbers. Between 2014 and 2016, 40 percent of the Chesapeake Bay and its tributaries have attained water quality standards showing the highest level of improvement since data was first collected in 1985.

### **New Requirements for Applying Dicamba Herbicide in 2018**

The herbicides Engenia, Xtendimax and FeXapan, when applied over the top of Roundup Ready 2 Extend (dicamba tolerant) soybeans, are now classified as "Restricted Use

Pesticides” and will require dicamba-specific training by a certified applicator to purchase and apply. A list of where and when the training sessions will be held will be available from pesticide dealers, Pennsylvania Department of Agriculture and Penn State Extension.

Producers will be required to maintain records that the herbicide was applied according to label restrictions. Other requirements include applying the new dicamba herbicides when wind speeds are below 10 mph, narrowing the window of time during the day these products may be applied, thoroughly cleaning spray tanks to prevent cross contamination and keeping records of sensitive crops planted nearby.

### **Help Rebuild Puerto Rican Agriculture**

Puerto Rico’s farmers will need lots more help going forward as try to restore their lives and farms following the devastation of Hurricane Maria. Puerto Rico Farm Bureau has established a fund to assist farmers in rebuilding the island’s agriculture.

The hurricane hit the island head on in September, destroying as much as 80 percent of agricultural production. Due to the extensive damage, rebuilding Puerto Rico’s agricultural sector is going to be a long-term process.

“Maria was a devastating storm and many farmers and ranchers in Puerto Rico face an unprecedented challenge to return their land to production and rebuild infrastructure,” said Puerto Rico Farm Bureau President Hector Ivan Cordero. “The disaster will affect our farm and ranch families for many years, but our will to overcome the damage is strong.”

Tax-deductible donations can be made to the Puerto Rico Agricultural Relief Fund, established through Texas Farm Bureau’s Agriculture Research and Education Foundation. All donations will go directly to farmers recovering from the hurricane.

To donate, visit [www.fb.org/pragfund](http://www.fb.org/pragfund) or mail a check to: Texas Farm Bureau Agriculture Research and Education Foundation; Puerto Rico Agricultural Relief Fund; P.O. Box 2689; Waco, TX 76702-2689; Attn: Cyndi Gerik. Checks should be made out to the “Texas Farm Bureau Agriculture Research and Education Foundation”

For more questions, contact Janice Neckar at [jneckar@txfb.org](mailto:jneckar@txfb.org) or **254.751.2494**.