

**AG ISSUES UPDATE**  
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**U.S. Senate Introduces Companion Bill to Prevent Youth Farm Labor Rules**

Senators John Thune, (R-South Dakota), and Jerry Moran, (R-Kansas), have introduced legislation that would prevent the U.S. Department of Labor from enacting new regulations on the types of jobs that youth can perform on farms. The bill, Senate Bill 2221, is a companion to the Preserving America's Family Farm Act, which was introduced earlier in the House. The house bill was referred to the House Committee on Education.

The legislation was also co-signed by Pennsylvania Senator Pat Toomey. "Ninety-nine percent of Pennsylvania's farms are family owned and operated, and this new rule will impede their ability to operate," Sen. Toomey said. "I am proud to sponsor this bipartisan bill to start rolling back some of the most egregious regulations hurting our farmers and our economy."

Officials within the Department of Labor have attempted to enact new regulations to restrict the types of work that youth are able to undertake on farms. The restrictions would include most power equipment, farm machinery over 20 horsepower, and working with animals more than six months old.

"The Department of Labor has proposed 85 pages of unreasonable and overreaching rules that would unnecessarily restrict the participation of young people in agriculture related activities," Thune said in a prepared statement. "Family farms and farming communities teach young people responsible work ethics and these proposed rules would change that by severely limiting the commonplace activities in which young people can learn about agriculture."

The proposed regulations could shrink the rural workforce and would prevent youth from gaining valuable career training, Moran said. "This proposal should alarm more than just rural America," Moran said in a prepared statement. "If the federal government can regulate the relationship between parents and their children on their own family's farm, there is virtually nothing off limits when it comes to government intrusion into our lives."

**Death Tax Repeal Permanency Act Introduced**

Senator John Thune (R-South Dakota) recently introduced Senate Bill 2221, the Death Tax Repeal Permanency Act. Representative Kevin Brady (R-Texas) introduced identical legislation in the House; the bill has more than 200 bipartisan co-sponsors.

"The death of a loved one should not be a taxable event," said Thune. "The federal government has no place being in the business of forcing grieving families to pay a tax on their loved one's life savings that has been built from income already taxed when originally earned. Sadly, this tax is often paid by selling the family farm or life-long business. Other times, employees of the family business must be laid off and payrolls are slashed in order to pay the burdensome death tax. Let's permanently repeal this punitive tax once and for all."

Not only would Thune's bill repeal the federal estate tax, but it would also repeal the generation skipping transfer tax, make permanent the maximum 35 percent gift tax rate and a \$5 million lifetime gift tax exemption, and maintain the stepped-up basis provisions important to family farms and businesses. According to a recent study by Douglas Holtz-Eakin, the former director of the non-partisan Congressional Budget Office, repealing the death tax would create 1.5 million additional small business jobs and would decrease the national unemployment rate by nearly 1 percent.

### **U.S. Senate Adopts Amendment Helping Farm Vehicle Operators**

The United States Senate recently passed an amendment to the pending highway authorization bill that would fully allow states to exempt farmers from requirements intended for long-haul drivers traveling cross-country. Lead by the efforts of U.S. Sen. Pat Toomey (R-Pennsylvania), the amendment prevents the U.S. Department of Transportation from imposing requirements for medical cards, driver hour logs, and daily vehicle safety inspections on drivers of farm trucks.

That includes farm vehicles, and truck-trailer combinations, used in carrying the farm's supplies, products and machinery for trips operated entirely within the farmer's home state and for trips within a 150-mile radius of the farm (if the vehicle crosses state lines). "Farmers who work in the fields or haul their products to markets should not be subject to the same regulations as a truck driver traveling across the country. The adopted language would prevent federal agencies from forcing our state to impose requirements that are not necessary for farm trucks traveling a short distance to deliver goods or transport supplies," said Pennsylvania Farm Bureau President Carl T. Shaffer.

The amendment forbids the federal government from withholding funding from states that allow farm vehicle exemptions. The U.S. House of Representatives continues to work on its version of the legislation.

### **Pennsylvania Congressman Introduces Bill to Protect Farm Resources**

U.S. Representative Jason Altmire, (D-Pennsylvania), has introduced legislation that will reinforce agriculture exemptions that are currently granted to farmers in the Clean Water Act. The move is in response to actions taken by the Environmental Protection Agency to redefine what waters are governed under the Clean Water Act. The bill, co-sponsored by U.S. Representative Robert Hurt, (R-Virginia), will protect the property rights of farmers and forest land owners during their normal agriculture activities.

Without these types of exemptions in place, farmers, ranchers and forest owners will face increased federal regulations and compliance costs, along with restrictions on land use for the production of food, fiber and fuel.

### **USDA Warns Of Fraudulent Letters**

The U.S. Department of Agriculture has learned that fraudulent letters are being sent by FAX to individuals and businesses in Pennsylvania and three other states. The letters purportedly come from a USDA procurement officer and seek personal information. Those letters are false and recipients should not respond with personal information.

The letters feature the USDA logo and seal and are signed by an individual identified as "Frank Rutenberg," using the title of Senior Procurement Officer. The Office of the Inspector General is investigating. If you have received such a letter, or have questions, contact the USDA at: [procurement.policy@dm.usda.gov](mailto:procurement.policy@dm.usda.gov) or call 202-720-9448.

### **Fair Dealer Bill Passes Senate**

The Pennsylvania Senate has passed legislation that amends the Pennsylvania Fair Dealership Law, allowing independent farm equipment dealers to become more competitive by permitting them to sell multiple product lines. Senate Bill 1169 ensures that farm equipment dealers are treated more equitably by equipment manufacturers in dealership agreements and provides farm equipment dealers the same protection given to auto dealers.

"Pennsylvania farm families will have better access to farm equipment sales and service if the legislation becomes a law. Disparities in bargaining power between farm equipment dealers and

manufacturers can make it difficult for dealers to operate profitably,” said Pennsylvania Farm Bureau President Carl T. Shaffer.

Farm Bureau noted that farmers are concerned about the declining number of Pennsylvania equipment dealers, which are an essential part of the infrastructure necessary for competitive agricultural production in the state. “Rural communities suffer when local farm equipment dealers go out of business, while farmers lose out because they are forced to spend more time and money traveling longer distances for purchases. Not having access to local repair service and parts can also be critical for farmers during harvest seasons,” concluded Shaffer. The bill now moves to the House of Representatives for consideration.

### **Stink Bug Invasion Advances**

The brown marmorated stink bug and the kudzu bug continue to invade the South in huge numbers. The pests have the potential to destroy millions of dollars of crops, according to an [Ag Professional article](#). Marmorated stink bugs have been previously found in Florida and the potential damage the bugs could do to the state’s diverse agriculture is tremendous.

Brown marmorated stink bugs are native to China and were first reported in Allentown, Pennsylvania in 1998. The pests hitched a ride to the U.S. on foreign cargo and seem to prefer warm weather. Another Asian stink bug, referred to as the kudzu bug, was unknown in the U.S. until its discovery in Georgia in 2009. Although known for eating kudzu, this also bug eats soybeans and other legume crops. According to published reports, it migrates from kudzu in the spring to soybeans in July.

To date, kudzu bugs have been found in 143 Georgia counties, 42 North Carolina counties and five Alabama counties, according to the University of Georgia’s College of Agricultural and Environmental Sciences. Legume/soybean crop yields have been reduced by about 20 percent due to pest damage in these states.

In 2010, \$37 million in apple damage by stink bugs was reported in the Mid-Atlantic region. In 2011, about one-third of Maryland’s peach crop and half of the state’s raspberries were destroyed by the insect.

### **Landowner Liability Law Introduced**

A bipartisan group of Pennsylvania Senators have introduced a bill intended to reduce landowner liability for people who commit a Game Code violation while hunting on private property. Senate Bill 1403 was recently introduced by Senator Richard Alloway, (R-Franklin County) in the Game and Fisheries Committee. Sixteen other Senators have signed on to the bill.

The legislation would clarify that landowners cannot be held liable for a hunter’s violation of the game code simply because he or she gave permission to take game or wildlife on their land. For example, if a farmer gives a hunter permission to hunt on his land, and that hunter takes an animal out of season, the farmer cannot be held liable for that game code violation. There is an exception made, however, if a fee, payment or gratuity is paid by the hunter to the landowner.

### **USDA Fruit and Vegetable Webinars**

USDA’s Agricultural Marketing Service (AMS) is hosting a series of free informational webinars on fresh produce. Each webinar features a presentation from an USDA expert on a specific topic, followed by an interactive question and answer session. These webinars are designed for fruit and vegetable growers, packers, shippers, processors, wholesalers and retailers of all sizes.

All of the webinars are free and available to anyone with Internet access. However, registration is required and space is limited. The schedule of webinars is available at <http://www.ams.usda.gov> and entering "webinar schedule" in the search menu then clicking on the first link.

### **Senators Grassley, Johnson Introduce Payment Limits Bill**

Senators Tim Johnson (D-South Dakota) and Chuck Grassley (R-Iowa) recently introduced a bill that would place a hard cap of \$250,000 on the farm payments a married producer couple could receive in a year. Johnson and Grassley had introduced similar legislation last year, but said they wanted to be sure the legislative text would accommodate any type of safety-net program adopted in a new farm bill.

The Rural America Preservation Act of 2012 would set payment limits on marketing loan gains at \$75,000 (\$150,000 for a couple). The remainder of the payment limit would be a cap on the total amount a farmer can receive in safety-net payments in general. For instance, if the new farm bill includes a shallow loss program, the senators' legislation would set a limit of \$50,000 (\$100,000 for a couple) that a farmer could receive.

Johnson and Grassley said their legislation would also "close long-abused and well-documented loopholes in the farm payment program" by setting a measurable standard for someone to qualify as actively engaged in farming by providing management for the operation.

### **Know Your Farmer Site Debuts**

The U.S. Department of Agriculture has unveiled the Know Your Farmer, Know Your Food Compass, an interactive web-site that shows how the agency is supporting local food systems. The web site is a companion to the USDA's Know Your Farmer, Know Your Food initiative, which was designed to coordinate USDA resources and expertise on local and regional food systems.

Visitors to the site can see an interactive U.S. map which shows how the agency has worked with local business and producers. Areas covered include Local Food Infrastructure, Farm to Institution, Careers in Agriculture, Stewardship and Local Foods and Healthy Food Access. Each portion of the map is searchable by theme.

"By encouraging all Americans to know their farmer, USDA is helping consumers learn more about agriculture and the people producing your food," said Deputy Secretary Kathleen Merrigan. "The Know Your Farmer, Know Your Food initiative helps farmers and ranchers tap into a vibrant, growing market opportunity. And it's also stimulating a broader national conversation about where our food comes from and how important agriculture is to our country."

For more information: [www.usda.gov/knowyourfarmer](http://www.usda.gov/knowyourfarmer).

### **Wind Resource Program Available for Farmers**

Saint Francis University Renewable Energy Center has grant money available from the U.S. Department of Agriculture to assist farmers and small businesses in Pennsylvania to determine the feasibility of wind energy on their property.

The program will use wind maps and other factors to draw conclusions on the viability of wind energy in a particular location. Preliminary reports developed through the project will help landowners and installers with the next phases of a wind energy program. The grant is free to qualified landowners throughout Pennsylvania. To learn more about the program call [\(814\) 472-2872](tel:8144722872) or visit: [www.francis.edu/communitywindHome.htm](http://www.francis.edu/communitywindHome.htm).

### **Congress Must Approve Russia PNTR**

After 18 years of trying, Russia is finally joining the World Trade Organization. But for this to make an impact in the United States, Congress must first vote to give Russia permanent normal trade relations status.

“We have an old law going back to the Cold War days which requires the United States to grant something called permanent normal trade relations before the United States can take advantage of Russia joining the WTO,” explained Dave Salmonsens, the American Farm Bureau Federation’s trade specialist, in a [Newsline](#) radio report. The requirement stems from Russia formerly being a communist country.

Until Congress approves PNTR, other WTO member nations will have better negotiating power with Russia than the U.S. Congress passed the same provision in 2000 when China entered the WTO. U.S. trade with Russia in farm goods has been increasing and is currently valued at \$1.4 billion per year, primarily in meat products. For many years Russia was the largest U.S. export market for poultry and also a significant buyer of pork and beef.

### **Rising Agricultural Prices Could Drive Investment**

Rising prices for agricultural commodities could have a silver lining, according to Paul Bulcke, CEO of Nestle, the world’s biggest food manufacturing company. As incomes and demand for high quality foods increase, he said, so will interest in investing in agricultural research and infrastructure.

“Prices are getting to a level that may result in an effect that is positive for food production,” Bulcke said in an interview on Bloomberg Television. “People are motivated again to be in agriculture.”

### **New Cherry Tree Highlights 100th Anniversary of Japanese Gift**

USDA has released a new cherry tree variety named for former first lady Helen Taft to commemorate the 100th anniversary of the Japanese gift of cherry trees that now are a celebrated landmark of the nation’s capital. Helen Herron Taft and Viscountess Iwa Chinda, wife of the Japanese ambassador, planted the first two cherry trees at the Tidal Basin in a ceremony on March 27, 1912.

The “Helen Taft” variety is part of a series of flowering cherry trees being developed by the U.S. National Arboretum in Washington and named in honor of first ladies. The new variety was created by crossing a Yoshino cherry (*Prunus × yedoensis*) with a Taiwan cherry tree (*Prunus campanulata*). The Yoshino parent, currently growing at the arboretum, is a clone of a tree originally planted by Chinda.

The arboretum is part of the Agricultural Research Service, USDA’s principal intramural scientific research agency. Global agricultural output must rise 70 percent by 2050 to keep up with demand, according to the United Nations Food and Agriculture Organization.