

**AG ISSUES UPDATE**  
**Edited by Brad Hollabaugh**  
**March, 2014**

**EPA Announces New Rule Proposals for Agricultural Worker Protection**

The Environmental Protection Agency (EPA) has proposed revisions to its Worker Protection Standard (WPS) for farm workers who regularly deal with pesticides. The revised rules are meant to "increase protections from pesticide exposure for the nation's 2 million agricultural workers and their families," the agency said in a release.

This is the first significant change to the WPS since 1982. Changes proposed in EPA's rule revision affecting employers include, among other points:

- Increased frequency of mandatory training (from once every five years to annually) to inform farm workers about the protections they are afforded under the law;
- Expanded mandatory posting of no-entry signs for the most hazardous pesticides;
- First time-ever minimum age requirement: Children under 16 will be prohibited from handling pesticides. EPA has included an exemption for farm owners immediate families;
- Make available to farm workers or their advocates (including medical personnel) information specific to the pesticide application, including the pesticide label and Safety Data Sheets;
- Record keeping requirement - records must be retained and made available for a period of two years.

EPA estimates that the changes would cost industry between \$67 million and \$87 million to implement and maintain. The proposed rule will be published in the Federal Register in early March. Stakeholders will have 90 days from the date of Federal Register publication to comment on the revisions.

USApple will be working with allied industry organizations including the Minor Crop Farmer Alliance (MCFA) and the Pesticide Policy Coalition (PPC) to analyze the proposals and develop comments to the EPA. Additional information on the proposed rule revisions, including information on how to submit comments may be found on the EPA website. (*Apple Bites*, 2/24/2014)

**New Farm Bill Signed into Law**

After three years of negotiation, Congress finally passed a new Farm Bill and President Obama signed it into law on February 7 at Michigan State University in East Lansing. Agriculture Chairwoman Debbie Stabenow (D-Mich.) as well as a number of apple leaders are alumni of the school which boasts a strong agricultural program.

The legislation maintains or expands funding for our priority programs including the Market Access Program (MAP), Specialty Crop Block Grants and Fresh Fruit and Vegetable Program. Importantly, the legislation restores funding for the Specialty Crop Research Initiative (SCRI) and Clean Plant Network which lost funding under the 2008 extension.

Earlier versions of the legislation put new restrictions on crop insurance but the final package will not have any negative impact on funding of the apple crop insurance program. With the new Farm Bill signed into law, USApple and our coalition partners in the Specialty Crop Farm Bill Alliance (SCFBA) are focusing on implementation issues. They will be to ensure the programs are properly implemented and to fight any efforts to cut or make negative changes to them.

**Farm Bill Highlights**

- \$200 million per year for the Market Access Program (MAP).

- \$80 million per year for the Specialty Crop Research Initiative to fund important research programs.
- \$150 million per year for the Fresh Fruit and Vegetable Program, to provide a fresh fruit or vegetable snack every day to low-income school children.
- \$85 million per year for the Specialty Crop Block Grant program to help producers make their operations more efficient and innovative.
- \$75 million per year for pest and disease mitigation to remove threats to producers' ability to harvest a healthy and abundant crop.
- A Stronger Crop Insurance program available to producers in 2015.

### **FDA Releases Latest Results of Food Residue Testing**

The latest food residue testing data from the Food and Drug Administration (FDA) reports that 98.4 percent of domestic food samples collected and analyzed by the FDA in 2011 complied with pesticide tolerances. As part of the market basket testing, the FDA gathered and tested 89 individual samples of fresh apples and reported that 39.5 percent of the samples showed no detectable pesticide residue, with the remaining 60.5 percent having residues well within established EPA tolerances.

The agency concluded that "Results in these reports continue to demonstrate that levels of pesticide residues in the U.S. food supply are well below established safety standards." The FDA program is separate from USDA's Pesticide Data Program (PDP) that has been issuing annual reports on residue testing in foods since 1991.

In addition to the domestic testing program, the FDA tested imported food from 99 countries. Analysis of 4,897 imported food samples found that 64.5 percent had no detectable residues and 28.4 percent contained residues within tolerance limits. Illegal residues were found in 7.1 percent of samples. Of the 346 imported samples with illegal residues, 331 had residues for which no tolerance was established and 15 were above tolerance limits. The majority of imported samples came from Mexico (1,964), which had a violation rate of 6.9 percent. Countries with the highest violation rates were India (22.9 percent), Vietnam (11.9 percent), China (8.5 percent) and Guatemala (7.1 percent).

In a separate report of residue testing conducted during 2012, the California Department of Pesticide Regulation tested 662 fresh apple samples gathered from throughout the state and found that 59 percent of the samples showed no detectable pesticide residues, while the balance of 41 percent had residues averaging just seven percent of (or 93 percent under) the EPA established tolerance for the residues detected. (*Apple Bites*, 2/24/2014)

### **New ARS Administrator Announced**

Dr. Chavonda Jacobs-Young was named the Administrator for the Agricultural Research Service (ARS) by USDA Chief Scientist and REE Under Secretary, Dr. Catherine Woteki. Dr. Jacobs-Young previously led ARS' Office of National Programs, which manages the research objectives of the Agency. She also led the Office of International Research Programs which is responsible for ARS' liaison with its international partners. Dr. Jacobs-Young assumed her new duties effective February 23, 2014. (*Apple Bites*, 2/24/2014)

### **Farm Bureau Renews the Fight For Immigration Reform**

Farm Bureau and other agriculture organizations recently hosted a briefing on Capital Hill to outline farmers need for immigration reform. The session was organized by the Agriculture Workforce Coalition, of which the American Farm Bureau Federation is affiliated, is part of renewed effort to see immigration reform enacted by Congress this year.

Efforts to establish a new system for agriculture labor enjoyed some success last year in Congress with the Senate adopting a comprehensive reform package but the effort stalled in the House. Recently, the World Agriculture Economic and Environmental Services released a report on the potential impact to food prices

if immigration reform focuses solely on enforcement. Food prices would increase by 5 to 6 percent over the next five years, and production would decline by roughly \$60 billion, if that scenario was to play out.

The study, called "Gauging the Farm Sector's Sensitivity to Immigration Reform," was commissioned by AFBF and done in conjunction with the *#farmimmigration* grassroots campaign, which seeks to promote immigration reform. Instead of focusing exclusively on enforcement, Farm Bureau is encouraging Congress to embrace a comprehensive plan that includes a redesigned guest worker program and the chance for skilled agriculture employees to earn an adjustment of status.

"Status quo is not a viable option for anyone involved in this issue, and as a nation, we expect better," said AFBF President Bob Stallman. "Farmers and ranchers recognize there are costs to ensuring they have a legal, stable workforce. And we are willing to step up to the plate."

Fruit and vegetable production stands to suffer the greatest risk under an enforcement-only scenario. "Over five years, an enforcement-only approach would lead to losses in farm income large enough to trigger large scale restructuring of the sector, higher food prices, and greater dependence on imported products," Stallman said.

### **Local Foods Have Economic Impact**

Farms that sell their products locally can boost economic activity in their communities, according to a Penn State study. "There has been a lot of hope, but little evidence, that local food systems can be an engine of economic growth in communities," said Stephan Goetz, a professor of agriculture economics at Penn State. "Our findings show that, at least in certain regions of the country, community-focused agriculture has had a measurable effect on economic growth."

Goetz focused his work on looking at the impacts of community-focused agriculture on local economic growth, rather than simply examining agriculture sales. In the Mid-Atlantic region, which includes Pennsylvania, a \$1 increase in the level of direct farm sales resulted in a \$9 increase in overall farm sales.

"We found that for every \$1 increase in agricultural sales, personal income rose by 22 cents over the course of five years," said Goetz. "Considering the relatively small size of just the farming sector within the national economy, with less than 2 percent of the workforce engaged in farming, it's impressive that these sales actually move income growth in this way."

### **Farm Bureau Files Food Safety Comments for Imported Foods**

Pennsylvania Farm Bureau is calling on the Federal Drug Administration to hold imported foods to the same safety standards as domestic produce under proposed food safety guidelines. Pennsylvania Farm Bureau and the American Farm Bureau Federation filed comments with the FDA encouraging the agency to hold a second comment period on the rules for imported food, due to the scope and complexity of the proposal. Additionally Pennsylvania Farm Bureau asked the FDA to maintain the same standards and exemptions for domestic and imported produce.

More than half of the fresh fruits eaten in the United States are grown outside of the country. Food is imported from more than 150 countries and through more than 300 ports.

The FDA has proposed making a regulatory exemption for growers with farm sales of \$25,000 or less per year. Few domestic growers would qualify for these exemptions, but that threshold would be vastly different for foreign farmers, PFB said in comments.

For instance, China leads the world in apple production, but most farmers there make less than \$25,000 a year, Farm Bureau said. Under the small farm exemption, the vast majority of apples imported from China would be exempt from food safety rules.

“That puts United States producers at a significant competitive disadvantage in their own domestic markets, creating widely divergent and unpredictable levels of food safety regulation for United States consumers,” Farm Bureau said. If food safety rules are not applied similarly to both domestic and imported foods, those regulations could constitute a trade barrier that would be open to a World Trade Organization challenge, PFB said.

It is also critical that FDA must have adequate resources to implement new regulations, along with sufficient personnel to inspect imported food. “Without robust enforcement, the content of the food safety rules for imported produce are meaningless from a food safety perspective,” PFB said.

### **Glenn “GT” Thompson Wins Golden Plow Award**

Congressman Glenn “GT” Thompson has received the “Golden Plow” Award, the highest distinction Farm Bureau bestows on a member of Congress.

Thompson, a Republican from Centre County, has become a staunch advocate for agriculture during his tenure with Congress. Thompson, who represents Pennsylvania’s 5<sup>th</sup> Congressional district, received his award during Pennsylvania Farm Bureau’s National Legislative Conference in Washington D.C. The Golden Plow, given by the American Farm Bureau Federation, recognizes up to two members of Congress who show broad support for Farm Bureau and agriculture through their votes and interactions with members. Thompson, who was nominated by Pennsylvania Farm Bureau, was the sole recipient of this year’s award.

“Congressman Thompson has been a strong and consistent supporter of Pennsylvania agriculture. From his first day in office, he has demonstrated a keen interest in issues impacting agriculture and rural communities,” said PFB President Carl T. Shaffer. “GT continually tours Pennsylvania farms and sits down with farm families to hear about their concerns and dreams. He then takes that knowledge back to Washington in order to protect farmers from onerous regulations and champions legislative efforts to help agriculture and rural areas prosper.”

Thompson, who serves on the House Agriculture Committee, played a key role in securing a new Farm Bill, serving on a conference committee that hammered out differences between the House and Senate versions. As chair of the Subcommittee on Conservation, Energy & Forestry, Thompson ensured the state’s forest products industry was represented in the 2014 Farm Bill. Thompson has co-sponsored legislation to alter how education dollars are allocated to schools so that more populous districts are not given an advantage, and also a bill that clarifies rules farmers need to follow with pesticide permits.

Thompson said he was honored to receive the award, and thanked Farm Bureau members for their continued support and interaction. “It has been a distinct privilege to work on behalf of our family farms to promote a robust agricultural sector, which is fundamentally important to Pennsylvania and the economic well-being of the country,” he said. “I greatly appreciate this recognition and also want to thank the American Farm Bureau and the Pennsylvania Farm Bureau for their advocacy on behalf of agriculture.”

### **Penn State Hires New President**

Dr. Eric J. Barron has been selected as the 18<sup>th</sup> president of Penn State by the university’s Board of Trustees. Barron previously served as president of Florida State University. His post at Penn State begins on March 12. Board of Trustees Chairman Keith Masser said Barron has an exceptional track record, and has the knowledge and expertise to lead Penn State forward.

Barron replaces Rodney Erickson as university president. Barron is no stranger to Penn State. He served as dean of the college's Earth and Mineral Sciences department from 2002 to 2006, and was a member of the college's faculty starting in 1986.

"My wife, Molly, and I spent 20 years at Penn State, where I served as a faculty member, center director and dean. In that time, I learned what it meant to continually strive for excellence – to make every year stronger than the year before," Barron said. "I also came to understand the power of this community, we are unbeatable when we are working together for a common purpose. It is an honor to lead this great university."

### **Farm Bureau Lays Out Federal Tax Priorities to Senate**

Farm Bureau is calling on lawmakers to continue the unrestricted use of cash accounting for farmers who pay taxes as individuals. Farm Bureau recently submitted comments to the Senate Finance Committee on a discussion draft of possible tax reforms. Because agriculture requires large capital investments for machinery and other depreciable assets, farmers place great value on provisions such as Section 179, which allows farmers to write off capital expenditures in the year that purchases are made. That helps farmers better manage cash flow.

"The ability to immediately expense capital purchases also provides an incentive for farmers and ranchers to invest in their businesses and offers the benefits of reducing the record keeping burden associated with the depreciation," Farm Bureau wrote.

Farm Bureau is also asking Congress to maintain the annual expensing of preproduction expenditures, including deducting fertilizers and soil conditioners. Farmers can currently use tax deductions for the cost of fertilizer, lime and other soil amendments. Farm Bureau also believes farmers should be able to expense soil and water conservation efforts.

### **State Budget Mostly Positive for Agriculture**

Overall, Pennsylvania Farm Bureau is pleased with the budget proposed by Gov. Tom Corbett. His \$29.4 billion spending plan makes commitments to funding agriculture programs, while holding the line on taxes. Agriculture is a foundation of the state's economy, responsible for one of every seven jobs. Funding agencies like Penn State Cooperative Extension and the Department of Agriculture helps the state's farmers improve their operations.

Gov. Corbett has proposed spending an additional \$1.5 million on agriculture research and Cooperative Extension programs administered by Penn State and providing more resources for the Department of Agriculture. Corbett has proposed a 9 percent increase in the general government operations budget for the Department of Agriculture from 22.6 million to 24.7 million. That funding supports jobs and services within the department.

In prior budget years, Cooperative Extension and research has seen budget cuts and level funding. As a result, Penn State has consolidated services and not filled some vacant positions in order to meet the new fiscal realities. That's why Farm Bureau is thankful that Corbett has proposed additional funding for Extension.

### **New Penn State Research Center to Focus on Water Quality**

Penn State will use a \$2.2 million grant from the Environmental Protection Agency to launch a new research center aimed at improving water quality.

The Penn State Center, called the Center for Nutrient Solutions, will be comprised of seven research teams that will look at existing research and new studies to find solutions for nutrient runoff. The three-year project will look at nutrients coming from multiple sources, including farms and municipal systems, and determine ways to mitigate the problem. Best management practices used by farms have reduced nutrient runoff, said James Shortle, a Penn State researcher who is directing the center.

“We need more science to be sure we select the right practices that can be implemented in the right places in a cost-effective manner,” he said. The center will focus its research on four Chesapeake Bay tributaries: Conewago Creek, Mahantango Creek and Spring Creek in Pennsylvania, along with the Manokin River in Maryland.

Once the project is completed, Penn State expects to have decision making tools available that can be used by farmers, government planners and municipal authorities to make changes that will provide the largest benefit to nutrient reduction, while addressing economic challenges, Shortle said.

### **High Tunnel Growers School Offered**

Penn State is hosting the Bio-Intensive High Tunnel Growers School. The program will be held on March 31 and April 1, 2014 at the Penn State Bucks County offices in the Neshaminy Manor Center, Doylestown, PA. The 2014 High Tunnel Growers School will teach new growers the latest techniques to produce high quality, high tunnel-grown vegetables. While the focus is on high tunnel production to meet the increasing demand for locally-grown vegetables over a longer season, greenhouse growers will find this program very useful.

Marketing tomatoes and other high tunnel produce in the 4-6 weeks before and after the traditional outdoor production season has the opportunity to yield enterprising producers substantial profits. This school will include advanced topics on biocontrol of insects and diseases. Pest management and fertilization presentations in this program will cover both conventional and organic methods. PDA pesticide credits will be awarded to licensed applicators.

Early registration fee for the program is \$145.00 and includes all program materials, lunch, morning and afternoon breaks and a CD or DVD of all presentations, handouts, and some too large to print publications. After March 25, 2014 the fee for any remaining seats is \$175.00. Preregistration is required. Space is very limited, so register early.

For additional information please call Steve Bogash at the Penn State Extension Cumberland County office at 717-240-6500 ext. 6507 or by email at [smb13@psu.edu](mailto:smb13@psu.edu). Online registration, the complete agenda, and more information can be found on the [registration website](#). To register by phone, contact Alicia Cramer at 717-240-6500. *Source: Penn State Cooperative Extension*

### **Vegetable Guide Available from Penn State**

The 2014 edition of the Commercial Vegetable Production Recommendations guide is now available online. The *Commercial Vegetable Production Recommendations* guide for Pennsylvania contains detailed information on growing vegetables based on research results as well as the knowledge and experience of growers, extension educators and specialists and industry personnel. It is intended to help commercial vegetable growers make informed decisions about which farming practices to use.

The 2014 version of the *Commercial Vegetable Production Recommendations* guide for Pennsylvania is now available on the web at <http://extension.psu.edu/plants/vegetable-fruit/production-guides>.  
*Source: Penn State Cooperative Extension*