

AG ISSUES UPDATE

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USApple updates

USApple Tracker

According to the survey, the total number of apples in storage on February 1, 2023, was 103.1 million bushels, 7.3 percent less than last February's total of 111.1 million bushels and 10.8 percent less the 5-year average for that date.

Fresh apple holdings this February, totaled 71.9 million bushels, 7.3 percent less than the inventories reported for last February. Processing holdings totaled 31.2 million bushels, 7.2 percent less than last year on February 1.

This report captures more than 95% of the national storage capacity. We thank all the participants and welcome your suggestions and comments about how to improve it. If you have any questions or concerns, please do not hesitate to contact me at any time.

Do You Care About Ag Labor? Or Crop Insurance, Rootstock Research or Exports? Make Your Voice Heard!

Make a difference on March 15 by joining apple leaders from across the country at USApple's Capitol Hill Day.

Spaces are still left! Put your shoulder to the wheel and help push forward on key apple priorities including agriculture labor reform and the upcoming Farm Bill which authorizes crop insurance, export programs and many more that impact your business. Visit this website <https://usapple.org/events/usapple-capitol-hill-day-3> to register and contact USApple Senior Vice President Diane Kurrle with any questions.

USDA to Strengthen Organic Oversight and Enforcement

The USDA Agricultural Marketing Service released final rules intended to enhance the enforcement of its Organic Program requirements. The new rules go into effect March 20, 2023, with an implementation date of March 19, 2024. These rules may result in increased enforcement.

Topics addressed in this ruling include:

- Applicability of the regulations and exemptions from organic certification
- National Organic Program Import Certificates
- Recordkeeping and product traceability
- Certifying agent personnel qualifications and training
- Standardized certificates of organic operation
- Unannounced on-site inspections of certified operations
- Oversight of certification activities
- Foreign conformity assessment systems
- Certification of producer group operations
- Labeling of nonretail containers
- Annual update requirements for certified operations
- Compliance and appeals processes
- Calculating organic content of multi-ingredient products

FDA Proposes Action Levels for Lead in Processed Baby Foods

The FDA recently issued a draft proposal on guidance for lead levels in processed food intended for babies and young children. The action level proposed is 10ppb for processed foods such as apple sauce in jars, pouches, cups, etc. and according to FDA has an achievability of 96 percent. If implemented, the guidance is expected to reduce exposure by 26 percent. It is important to note that in the most recent study, processed fruit (single ingredient or combination) had mean lead levels of 1.0ppb-3.0ppb.

Top USDA Trade Official Meets with USApple Board

Last week the USApple Board of Directors, plus executive directors from state apple organizations, met with new USDA Under Secretary for Trade and Foreign Agricultural Affairs Alexis Taylor. On the job only three weeks, USApple was Taylor's first meeting in her new role as the top trade official in the U.S. Dept of Agriculture.

USApple directors gave an in-depth description of the trade problems facing this industry which normally exports one-third of the crop but are currently at far lower levels. Most recently Taylor was the director of the Oregon Dept. of Agriculture. She was appointed by President Biden in May, confirmed by the U.S. Senate, and sworn into office on December 29, 2022.

Farm Bureau Updates

EPA Wrong about New WOTUS Rule

The EPA's new Waters of the U.S. rule is a giant step in the wrong direction. Instead of making federal regulations clearer, the rule reinstates confusing standards that have already caused decades of uncertainty and litigation. Most importantly, the rule gives the government sweeping authority over private lands and will require teams of lawyers and consultants for common and necessary farming activities. We worked with the EPA's staff and leaders while they were drafting the rule, hoping our input would make these regulations clear and fair, but I'm deeply disappointed in the outcome.

Farmers and ranchers share the goal of protecting our nation's waterways, but we deserve rules that don't require hiring experts to tell us if we can farm our land. The Clean Water Act gives the government authority to regulate navigable waters – but the new rule reaches beyond. The EPA doubled down by expanding the significant nexus test, which comes down to a subjective determination of whether the federal government can regulate large areas of farmland miles from the nearest "navigable" water.

Unfortunately, government overreach and confusing water regulations on our farms aren't new. In 2016, Eric Kelsey, an Illinois corn, soybean, and wheat farmer, bought a farm next to the one his great-grandfather had purchased generations earlier. Eric used some of the land to build a home for his family

and later wanted to make some improvements to land that wasn't farmable - a section that sat low and didn't drain well. Eric thought he'd just make it official and put a pond in that spot.

He wanted to make sure he did everything right, so he reached out to the Natural Resources Conservation Service and the Army Corps of Engineers. He was bounced back and forth between them for two years, talking about what was allowed and what permits he would need. One day, he called a supervisor he knew in one of the offices who told him, "You don't even need a permit for that." Two people, same office, two different answers. The government's own employees couldn't even understand the regulations. So how can they expect the public to understand them? The new rule puts us right back into regulatory confusion.

Farmers across the country are taking proactive steps to protect water on and around our farms. The 2020 Navigable Waters Protection Rule clarified what lands and waters were regulated and what was not. The definitions were easy to understand and allowed farmers, ranchers, and other landowners to determine if they needed a federal permit to improve their land. But this new rule takes us backward.

This overreach could subject farming activities like moving dirt, plowing, or building fences to require a federal permit. That means more paperwork, more delays, and more lawyers. Instead of being treated as partners in protecting our nation's water supply, the federal government wants to dictate what we can and can't do on our farms.

On farms across America, we've increased practices that reduce soil erosion and keep nutrients in our fields. We've increased the use of cover crops and placed over 140 million acres of land into voluntary conservation programs. We've installed buffer strips to filter water coming off our fields and installed protective zones and terraces – all to protect water quality for our families and yours.

EPA held a slew of listening sessions about the rule, but then disregarded what they heard. Now we will use every tool in our toolbox to arrive at a rule with clear and commonsense parameters that allows Americans to manage their land without an army of lawyers. Farmers – and all landowners – deserve better.

Pennsylvania's CHEMSWEEP to Provide Safe Pesticide Disposal in 18 Counties in 2023

HARRISBURG – Agricultural businesses and pesticide applicators in 18 counties can dispose of unwanted pesticides safely and easily in 2023 through the Pennsylvania Department of Agriculture's CHEMSWEEP program.

New for 2023- inventory forms will be submitted digitally through on the PDA website at www.agriculture.pa.gov/chemsweep. Paper forms will still be available for those without internet access by calling (717) 772-5210.

The program is offered in different counties each year. In 2023 it will be available in Bucks, Crawford, Dauphin, Erie, Fayette, Greene, Huntingdon, Juniata, Lycoming, Mercer, Mifflin, Montgomery, Perry, Philadelphia, Susquehanna, Tioga, Wayne, and Westmoreland counties.

"Pesticides can be a problem when they outlive their usefulness, sitting in barns and sheds and becoming hazardous to the environment and to your safety," said Agriculture Secretary Russell Redding.

Over 3.0 million pounds of unwanted or unusable pesticides have been properly destroyed through the program since it was established in 1993.

Every year, many pesticide products are discontinued, phased out or become unusable, leaving growers, commercial establishments and applicators with potentially dangerous and toxic materials that cannot be placed in landfills. The unwanted pesticides often become a safety hazard and an environmental concern through long-term storage in garages, barns, or other areas.

Farmers, licensed pesticide applicators, pesticide dealers and commercial pesticide application businesses from the designated counties are eligible to participate by completing the CHEMSWEEP registration/inventory form online through our website. The registration period ends March 31.

An independent contractor hired by the state agriculture department collects and packages all waste pesticides at each participating location, primarily for incineration at facilities approved by the U.S.

Environmental Protection Agency. CHEMSWEEP covers the disposal cost for the first 2,000 pounds per participant. Above that level, participants are billed at the agriculture department's contracted price.

The program is funded through annual registration fees paid by pesticide manufacturers and applicators.

PA Game Commission Applauds Change in Law for Antlerless License Sales

The way hunters apply for Pennsylvania antlerless deer licenses is about to change for the first time in decades.

Senate Bill 431, which would allow hunters to buy antlerless licenses through the HuntFishPA automated licensing service, was signed into law this week. When it takes effect with the 2023-24 license year, antlerless licenses will be available for purchase online or in person at any license issuing agent.

PFB is in favor of the legislation aimed at making it easier to purchase an antlerless license when you purchase an antlered license.

The Game Commission, hunting organizations including the National Deer Association, Pennsylvania Chapter of Backcountry Hunters and Anglers, Pennsylvania Federation of Sportsmen and Conservationists, the United Bowhunters of Pennsylvania and others, and everyday hunters supported the bill, championing it as the final step to fully modernizing license sales.

Until now, hunters applied for antlerless licenses via mail, sending those familiar pink envelopes to county treasurers, the only entity permitted to sell them. They had to do so according to a set schedule, with various deadlines based on state residency and rounds of sales, using a self-addressed stamped envelope and paper checks, something increasingly foreign to some hunters.

There were, in short, a lot of variables in play, and that occasionally led to problems with hunters getting licenses or not.

Given all that, the pink envelope system was seen by many as a barrier to hunting participation, especially when it comes to recruiting new hunters. Allowing for antlerless license sales through HuntFishPA will address those issues.

Prior to the start of next license year, the Game Commission will notify hunters on the process for applying for an antlerless license under the new system.

Additional Source Updates

New Toolkit Aims to Increase Market Access for Specialty Crop Farmers.

WASHINGTON — The U.S. Department of Agriculture’s Agricultural Marketing Service (AMS) and the National Association of State Departments of Agriculture (NASDA) Foundation have created a Good Agricultural Practices (GAP) grower toolkit and corresponding website to increase underserved farmers’ access to new and existing markets and USDA food safety certification programs. This initiative was created under an AMS cooperative agreement with the NASDA Foundation.

The GAP toolkit includes new and user-friendly educational resources with an emphasis on GroupGAP, a USDA farm food safety program that provides the specialty crops industry with opportunities to supply and buy fruits, vegetables and related products certified as being produced using Good Agricultural Practices. The website and toolkit detail the specifics of the GAP programs, their benefits, expected costs, misconceptions, the audit process, and relevant resources.

“By allowing farmers, food hubs, and marketing organizations of all sizes to band together and pool resources to achieve USDA Good Agricultural Practices certification, GroupGAP is helping more farmers minimize food safety hazard risks and supply fresh, local, and safe produce to markets,” said USDA Under Secretary for Marketing and Regulatory Programs Jenny Lester Moffitt. “At the same time, GroupGAP also provides buyers and consumers alike with more purchasing options.”

“We are proud to have created this one-of-a-kind toolkit that will remove barriers to USDA Good Agricultural Practices programs by providing a guide of all GAP programs to allow farmers to determine

which process is right for them,” said NASDA CEO Ted McKinney. “The NASDA Foundation team traveled the nation asking producers what they need to be successful in the GroupGAP process and we have used those conversations to create these resources.”

In partnership with AMS and the NASDA Foundation, state departments of agriculture, cooperative extension agencies, and non-government organizations piloted the toolkit to underserved producers in Florida, Illinois, Kentucky, New York, Tennessee, Texas and Virginia.

GAP Education and Outreach Pilot Program Successes:

- The pilot in Chicago showed early success through the partnerships developed and built upon as the GroupGAP Toolkit training was planned and executed. The new network of the state department of agriculture, local extension agents, and grower organizations reinforced cross-collaboration and showed the power that such meeting formats could establish, especially in reaching urban socially disadvantaged and underserved growers.
- As a result of the New York pilot, 24% of the growers that participated are actively pursuing GAP certification. The meetings and tools provided through the program allowed for exposure to a certification option that otherwise might have been overlooked.
- In Tennessee, grower, Reginald Marshall, was recently appointed to the USDA’s Fruit and Vegetable Industry Advisory Committee (FVIAC) that advises the U.S. Secretary of Agriculture on issues affecting the fruit and vegetable industry. A lead in his state’s pilot, Marshall furthered his knowledge about GAP and GroupGAP, becoming a true voice for his immediate community on safe produce practices.

The GAP toolkit is now available online at www.nasda.org/gap-overview and is available in PDF form for printing and sharing in future trainings. The resources also can be found on the AMS Local & Regional Food System webpage under NASDA GAP Toolkit. A recorded train-the-trainer webinar will soon be available for state departments of agriculture, cooperative extensions, and non-governmental organizations to provide the new material to growers and other stakeholders.

The NASDA Foundation is the only educational and research organization that directly serves the nation’s state departments of agriculture. The NASDA Foundation’s mission is to enhance American food

and agricultural communities through education, outreach and research. The NASDA Foundation works with states to nourish people and communities while serving as the stewards of the environment and public trust. To learn more about the NASDA Foundation, please visit nasda.org/nasda-foundation/. – *Morning Ag Clips January 1, 2023*

Red Tomato Awarded More than \$380,000 from USDA

PROVIDENCE, R.I. — Red Tomato, a Rhode Island based non-profit local food distributor that connects mid-sized Northeast farmers to wholesale markets, has received \$380,359.10 through the United States Department of Agriculture Local Foods Promotion Program (USDA LFPP) for a 3 year project to add value for small and mid-sized Northeast tree fruit growers through co-branding and co-marketing of EcoCertified™ fruit. We are one of 16 recipients in the Northeast, and 3 in Rhode Island.

Building on 25 years of experience, Red Tomato will investigate, identify, and leverage co-branding and co-marketing opportunities held by small and mid sized fruit growers in the Northeast that will reach and connect with eaters. We will develop & deploy marketing tools, resources, and opportunities in partnership with growers, processors, and other institutional partners. This is part of a larger strategy allowing Red Tomato to reach beyond retailers to connect with eaters, building a connected and engaged community that values, supports and purchases local and regional products.

Our investigations will include three EcoCertified growers with strong direct markets and demonstrated interest in the project; Fishkill Farms, NY, Rogers Orchards, CT, and Scott Farms, VT. We will also engage three northeastern sustainability focused produce processors; Wellness Croft, Individually Quick Frozen (IQF) processor Franklin County Community Development Corporation (FCCDC), and Seal the Season. Based on findings with this first wave of collaborators and prior research on value-added opportunities we will develop screening criterion for potential additional collaborators and opportunities that are a good fit for tailored co-branding strategies, and recruit growers from the EcoCertified network and processors who could source EcoCertified produce and connect with the central messaging of the EcoCertified Program to continue building project impact. – *Morning Clips January 5, 2023*