

Eleven months later, U.S. finally free of bird flu

Trade restrictions ease, but some remain

By DON JENKINS
Capital Press

The U.S. Department of Agriculture has notified international officials that the U.S. has cleansed itself of bird flu, raising hopes that remaining foreign bans on American poultry products will be lifted.

The USDA's Animal and Plant Health Inspection Service issued its final bird flu report to the World Organization for Animal Health on Nov. 18, declaring that the U.S. has stamped out the virus 11 months after it was first detected in a wild duck at a northwest Washington lake.

The disease eventually infected 219 commercial and backyard flocks in 15 states and claimed 48 million birds, by far the worst avian flu outbreak in U.S. history.

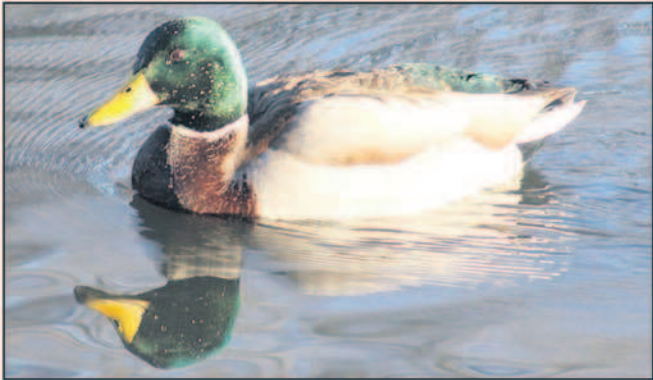
Diseased birds were culled,

contaminated barns were scrubbed and the virus contained, the USDA reported. The last sick poultry flock was detected June 18 and, according to the USDA, all cases are "final, closed and resolved."

Migratory waterfowl introduced an Eurasian strain of highly pathogenic bird flu, which mixed with a low pathogenic virus already common in North American birds, according to health officials, who warn the disease could resurface this winter.

The USDA is stockpiling millions of doses of bird flu vaccine and testing thousands of wild birds, which spread the virus to chickens, turkeys and other domesticated birds but are immune from its ill effects.

Many countries banned U.S. poultry and eggs in response to



Don Jenkins/Capital Press
A duck swims in a southwest Washington lake Nov. 25. The U.S. Department of Agriculture has declared the U.S. free of bird flu, but is stockpiling vaccine in case the virus resurfaces with the return of migratory waterfowl.

bird flu. U.S. exports of eggs, poultry and related products declined by 21 percent to \$3.3 billion between January and September, compared to \$4.2 billion over the same period in 2014, according to the USDA.

USA Poultry & Egg Ex-

port Council spokesman Toby Moore said that trade bans have been coming down since mid-summer.

"It's getting there slowly but surely," he said. "I think the people at APHIS have done a remarkable job of handling this from a trade perspective."

China and South Korea continue to bar U.S. poultry products. Losing China as a market for chicken feet has been one of the bigger trade losses this year for the U.S. poultry industry.

Agriculture Secretary Tom Vilsack told Reuters in an interview last week that he planned to raise the issue at the annual U.S.-China Joint Commission and Trade meeting in Guangzhou, China. That forum ended without an announcement.

"Who knows how long it's going to take," Moore said.

He was more optimistic that exports to South Korea will resume shortly. U.S.-Korean officials are working on an agreement that would call for Korea to ban only poultry and eggs from states or counties where the virus appeared, rather than prohibiting all U.S. poultry.

Worldwide, new cases of highly pathogenic bird flu continue to appear. France reported a new outbreak Nov. 25 affecting 32 birds. The species was not identified in a notification to international animal health officials.

The USDA reports that state and federal agencies have tested 22,536 wild birds since July, including 5,616 in the Pacific Flyway. Only one, a mallard duck collected July 31 in Utah, tested positive for highly pathogenic bird flu, according to the USDA.

The USDA issued a second call Nov. 20 for companies to submit proposals to manufacture bird flu vaccines. The department awarded two contracts in August.

The USDA says it wants to be able to deliver doses anywhere in the U.S. within 24 hours to contain an outbreak. The chicken and turkey industries alone could need 100 million doses a month, according to the USDA.

Lawsuits could expand water rule impact

By SEAN ELLIS
Capital Press

BOISE — A former EPA official told Idaho water managers and attorneys that agriculture is mostly exempt from Clean Water Act requirements and would presumably be unaffected by EPA's new Waters of the U.S. rule.

But, he added, lawsuits from groups seeking greater CWA enforcement could change that.

Winthrop, Wash., attorney Mark Ryan worked for the EPA for 24 years as a CWA specialist and senior litigator.

Agriculture's exemption from the CWA's requirements for point source discharges is embedded in statute and unaffected by the new rule, he told several hundred people Nov. 19 during Idaho Water Users Association's annual meeting.

"If water hits your farm field, then runs into a ditch, you are not covered by the Clean Water Act. You are exempt," he said.

However, it's likely that lawsuits will seek to pressure EPA to decide that the point where an irrigation ditch flows back into a river is a point source for discharge. That would mean daily pollution restrictions for the ditch, which would directly impact farmers.

"That would be a huge change for the people in this audience," Ryan said.

"(EPA) does not want to regulate agriculture, I can guarantee you that," Ryan said. "But someone is going to bring that lawsuit."

Layne Bangerter, the state director of agriculture for Sen. Mike Crapo, R-Idaho, said his boss believes the new rule would expand EPA's control over water to virtually every area, despite what the agency claims.

"Ditches are exempt if EPA

determines they are exempt," he said. If the new rules pass, "The federal government will be telling you what you are going to do (with your water)."

Crap told Idaho farm industry leaders Nov. 23 during a campaign event that congressional members opposed to the rule will try to stop it through a provision in an appropriations bill next month.

Crapo told the Capital Press that the new rule amounts to a federal power grab over state waters.

"Think about it: (federal) control over water is one of the most significant issues to agriculture that we have right now," he said.

The president has threatened to veto any legislation that seeks to stop the rule, Crapo said, but if opponents can include language in an omnibus appropriations bill that continues funding the federal government, "then the pressure on the president to sign it increases."

Bangerter said his boss, a former water law attorney, is watching the issue closely.

"This is the hill to fight on," he said. "It's no secret that we're going after this rule."

A federal court has temporarily blocked the rule from taking effect.

Twenty-nine states are part of lawsuits challenging the rule, seven states have intervened in support of it, 38 industry groups have filed complaints opposing it in district court and 13 environmental groups have filed petitions in support, Seattle attorney Brent Carson told IWUA members.

"We now have quite a bit of litigation going on," he said. "We may have 15 opinions by 15 district court judges."

Turkeys come to aid of Idaho orchards

By JOHN O'CONNELL
Capital Press

Turkeys roam freely beneath fruit trees at Cabalo's Orchard in Kuna, Idaho, gobbling unwanted insects and cleaning the ground of fallen produce.

In Caldwell, Williamson Orchards & Vineyards sells the vast majority of its cull fruit to a local turkey farm, earning a small, supplemental revenue stream while saving operators the trouble of composting the off-grade apples, peaches and cherries.

Owners of the businesses are among a few Idaho fruit and vegetable producers who can count appetites of farm-raised turkeys among their reasons to give thanks this holiday season.

Idaho's turkey industry largely comprises hobby and small-scale farmers, many of whom go to great lengths to pamper their birds for enhanced quality, justifying fresh prices in excess of \$4.25 per pound. Many of the state's turkey farms tout that their poultry is raised in open pastures, and without hormones, antibiotics or genetically modified feed. Some also believe supplementing diets with fresh fruits and vegetables lends meat a richer flavor.

"We basically pamper our birds and allow them to exercise, eat, forage and live on pasture on the ranch like a wild turkey would," boasts the website of Robbins Family Farms, located in Melba.

Robbins sends a trailer each week to collect culls



Submitted by Chan Cabalo
Turkeys roam beneath fruit trees at Cabalo's Orchard and Gardens in Kuna, Idaho. They're among the Idaho fruit producers who use turkeys to clean up fallen or cull fruit.

from Williamson Orchards & Vineyards, which raises about 50 acres of tree fruit and another 50 acres of grapes.

"It's a really great deal for us, and we work a pretty good bargain for him to get that fruit," said Michael Williamson, who also enjoys good prices on turkeys for his family's personal use. "This stuff would be going to compost. This way, it's delicious turkey meat."

Shortly after Thanksgiving, before the next batch of turkeys needs his produce, Williamson seeks out local pig farmers to fill the void.

The Robbins family also feeds their turkeys fresh squash from Wissel Farms in Nampa, as well as sweet corn and peas once birds reach six weeks old to aid in digestive system development.

At Cabalo's Orchard, turkeys are fenced within a 1-acre plot of peaches, pears, plums and apricots. Visitors to the farm's adjacent you-pick orchard frequently toss fallen fruit over the fence to the birds, which come running when they hear human activity.

Owners Cathy and Chan Cabalo raise about 600 turkeys per year, in partnership with their neighbors, with Vogel Farms, who also produce non-GMO feed. In addition to enjoying the luxury

of shade throughout summer, the birds raised within the orchard pack on far more weight, often reaching more than 40 pounds, Cathy Cabalo said.

Turkeys also improve tree health with their manure, she said.

Produce isn't the only Idaho industry that enjoys operational benefits associated with turkey production.

Angela Busselberg, a Downey raw milk producer who also raises 75 to 100 turkeys per year, finds turkeys scratch through cow manure, more evenly distributing it throughout the pasture for fertilizer benefits. She said they also control flies.

Garbanzo bean company cleared of liability in fire

Jury finds Hinrichs Trading Co. was not negligent

By MATEUSZ PERKOWSKI
Capital Press

A jury has cleared a garbanzo bean company of legal responsibility in a fire that destroyed a neighboring grain elevator in Idaho.

In 2013, a garbanzo bean facility in Craigmont, Idaho, owned by the Hinrichs Trading Co. inadvertently caught fire in 2013 and the blaze spread to an adjacent grain elevator owned by Columbia Grain.

Columbia Grain, based in Portland, accused the Hinrichs Trading Co., based in Pullman, Wash., of negligently causing the fire by failing to properly maintain equipment at the garbanzo bean facility.

The plaintiff claimed to have sustained about \$4.3

million in losses from the fire.

According to Columbia Grain, a bearing in the machinery used to carry garbanzo beans into storage bins had overheated and caused dust to smolder, eventually igniting a fire when winds picked up.

Hinrichs Trading Co. countered that there wasn't anything wrong with the equipment's functioning that day and it had been shut down and checked.

The company said that Columbia Grain failed to provide evidence that an overheated bearing caused the blaze.

After a nine-day trial, a federal jury in Coeur d'Alene, Idaho, recently agreed with the defendant and found Hinrichs Trading Co. was not negligent and thus wasn't the cause of damage to Columbia Grain. U.S. District Judge Lynn Winnmill, who oversaw the cause, also entered a judgment that called for Hinrichs to recover its costs from the plaintiff.

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