

Deregulation of Roundup Ready bentgrass criticized

GMO escaped 2003 trials, took root in Oregon

By SEAN ELLIS
Capital Press

ONTARIO, Ore. — Environmental groups blasted the USDA's Jan. 17 decision to deregulate a genetically engineered creeping bentgrass that has taken root in two Oregon counties.

In a joint news release, the Center for Biological Diversity and Center for Food Safety sharply criticized USDA's decision to deregulate the grass, which was genetically modified to resist applications of glyphosate, the active ingredient in Monsanto Corp.'s Roundup weed killer.

Scotts Miracle-Gro Co. and Monsanto developed the grass for use mainly on golf courses.

Since it escaped field trials in 2003, it has taken root in Malheur and Jefferson counties in Oregon, as well as part of Canyon County in Idaho, and Scotts has been tasked by USDA with controlling it and eradicating it where possible.

The CBS and CFS news release said that in approving deregulation, USDA relinquishes any authority it had over the grass, "leaving local landowners and the state of Oregon to wrestle with the problem."

Lori Ann Burd, director of CBD's environmental health program, said USDA "has left us with no choice but to explore our legal options to return the burden of controlling this weedy grass back to the shoulders of the corporate profiteers who brought it into the world."

A final environmental impact statement released by USDA Dec. 7 recommended deregulation of the genetically engineered creeping bentgrass because it "is unlikely to pose a plant pest risk. ..."

Sid Abel, assistant deputy



Sean Ellis/Capital Press

A genetically engineered creeping bentgrass plant is shown Oct. 10 during an outreach meeting in Ontario, Ore. On Wednesday USDA's Animal and Plant Health Inspection Service deregulated the plant.

director of USDA's Biotechnology Regulatory Services, said deregulation does not affect a 10-year memorandum of understanding and memorandum of agreement USDA reached with Scotts in September 2015.

The agreement requires the company in 2017 and 2018 to provide technical assistance to affected farmers and irrigation districts and provide incentives for the adoption of best management practices to control the grass. After that, the company will pull back a little but still continue to analyze the situation, educate growers and provide technical assistance.

As part of the agreement, Scotts and Monsanto agreed not to commercialize or further propagate the plant.

"The MOU and MOA remain in place," Abel said. "Deregulation does not affect those agreements at all."

Some farmers and water managers in the affected counties worry that because the bentgrass is resistant to glyphosate and difficult to kill, it could clog irrigation ditches and affect shipments of hay and other crops to nations that don't accept traces of genetically modified organisms.

Final organic rule focuses on poultry

By CAROL RYAN DUMAS
Capital Press

A final rule on organic livestock and poultry practices issued by the USDA Agricultural Marketing Service is intended to bolster consumer confidence in the organic seal and level the playing field among producers, the department said.

New provisions for outdoor access and indoor and outdoor space for poultry production are the focus of the rule, which was finalized Wednesday — two days before the Obama administration hands over the government to Donald Trump.

"It ensures that everyone competes on a level field and plays by the same rules," Eleanor Starmer, administrator of USDA AMS, said.

Outdoor space is already required for organic poultry, but that access varies widely in practice, with some operations providing large, open-air areas and others providing minimal outdoor space or using screened and covered enclosures.

Provisions of the final rule seek to resolve the ambiguity about outdoor access to clear up consumer confusion about organic production practices and address the disparity in cost of production between producers, AMS stated.

Farm-state lawmakers and some farm groups remain opposed to the rules, which they said could raise food prices and force some farmers out of business.

Sen. Pat Roberts, R-Kan., chairman of the Agriculture Committee, said he'd work with the Trump administration after he is inaugurated Friday to try and reverse them. Trump has yet to name an agriculture secretary.

"With less than 48 hours left in power, this administration has overstepped its bounds with this damaging rule," Roberts said.

The rules won't go into effect until 2018, and some of the



Courtesy of Agricultural Research Service

Broiler chickens mill around in a barn. New provisions for outdoor access and indoor and outdoor space for poultry production are the focus of a final rule on organic livestock and poultry practices issued by the USDA Agricultural Marketing Service.

changes aren't required for several years.

The changes will primarily affect egg and broiler producers, which will incur costs to provide additional indoor space for broilers and outdoor space for layers.

Broiler operations might need to acquire more land and build new housing to comply with indoor stocking rates. Egg producers might also need more land and need to modify facilities, as the final rule does not allow enclosed porches to be considered outdoors or to meet the requirement for outdoor access.

The rule also prohibits forced molting, restricts the use of artificial light, limits the amount of ammonia in the air indoors and requires perching

space for laying chickens indoors.

Broiler operations must comply with the indoor space requirements by March 2020, and all poultry operations must comply with the outdoor space requirements by March 2022.

Assuming all current producers remain in organic production and it grows at a stable rate, AMS estimates the annualized cost of compliance over 15 years at \$29 million to \$31 million industrywide. The agency estimates annualized benefits of \$16 million to nearly \$50 million.

The cost-benefit analysis used data from the 2014 Ag Census, which showed 722 organic egg operations and 245 organic broiler operations.

In addition to the outdoor

access and spacing requirements for chickens, there are other requirements in the final rule that apply to all organic animal operations.

It requires that producers provide animals with daily access to the outdoors and that outdoor areas include vegetation and/or soil. Additionally, exit doors must be distributed to ensure animals have ready access to the outdoors.

It also lays out when producers can confine animals indoors temporarily and codifies flexibility for producers to confine animals when their health, safety or well-being could be jeopardized.

It adds humane handling requirements for transporting livestock and poultry to sale or slaughter and clarifies humane slaughter requirements.

It prohibits several kinds of physical alteration, such as de-beaking chickens or docking cows' tails, but does allow some alterations for health and well-being.

Producers must comply with all requirements, except the outdoor access for layers and indoor space for broilers, by March 2018.

AMS also made changes to the final rule based on public comment and input from other federal agencies.

It removed the requirement that animals be able to lie down in full lateral recumbence, which would have required expensive housing modifications and could have had negative consequences, particularly for dairy cattle health. It also removed size requirements for doors on poultry operations for outdoor access.

The agency clarified the various requirements for soil and vegetation in outdoor areas to differentiate between the needs and management of avian and ruminant species and to protect soil health and water quality.

And it deferred establishing indoor and outdoor stocking rates for turkeys and other avian species to future rulemaking.

WSDA issues much-anticipated revised CAFO permit

By DON JENKINS
Capital Press

OLYMPIA — The Washington Department of Ecology released new rules Wednesday

for storing and applying manure, capping a two-year process that alarmed both producers and environmentalists.

The revised Concentrated Animal Feeding Operation

permit — known by the acronym CAFO — is expected to cover about 200 mid-sized and large dairies. Ecology exempted dairies with fewer than 200 cows, a nod to the cost of com-

plying with the new rules.

Only a few dairies currently have a CAFO permit.

An Ecology official said the new permit "builds on" the state Department of Agriculture's dairy nutrient management program.

The permit will set new requirements for when manure can be spread on crops.

If soil tests show high nitrates, a farm must stop or limit manure spreading or monitor groundwater, according to Ecology.

Manure lagoons will have to be assessed to determine the risk of groundwater pollution.

Ecology will offer two versions of the CAFO permit.

One version will be based solely on state law and will cover discharges to groundwater. Environmental groups opposed a state-only permit because private groups will not be able to sue farmers in federal court.

The other version will cover groundwater and surface water discharges. The permit combines federal and state laws.

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