

Botulism-tainted feed killed 11,000 mink, lawsuit claims

By MATEUSZ PERKOWSKI
Capital Press

About 11,000 mink at an Oregon ranch died from feed contaminated with botulism, resulting in \$2.8 million in losses to the grower, according to a lawsuit.

A complaint filed by the farm — AMC LCC of Mount Angel, Ore. — accuses the Northwest Farm Food Cooperative of gross negligence and breach of contract, among other allegations, for supplying the tainted feed in 2016.

The National Food Corp., an egg producer, is also named as a defendant in the lawsuit because the tainted feed was allegedly manufactured from the company's "spent hens" that have stopped laying eggs.

The complaint alleges that the mink became ill and began dying within days after the cooperative's feed was delivered to the ranch in July 2016.

An investigation later determined the disease was

caused by botulism in the chicken meat.

Botulism is caused by a nerve toxin produced by certain strains of Clostridium bacteria that grow in improperly processed food.

An attorney for AMC LLC said he couldn't comment on the lawsuit and Capital Press was unable to reach the farm's owner. The Northwest Farm Food Cooperative and the National Food Corp. did not respond to requests for comment.



Capital Press File

A new lawsuit claims that botulism-tainted feed killed 11,000 mink on an Oregon farm, causing \$2.8 million in losses.

Endangered Species Act lawsuit over pesticides resurrected

Complaint pertains to pesticides containing 31 active ingredients

By MATEUSZ PERKOWSKI
Capital Press

The 9th U.S. Circuit Court of Appeals has resurrected legal claims against the U.S. Environmental Agency over pesticides containing 31 active ingredients. A federal judge previously dismissed the lawsuit in 2014.

The Center for Biological Diversity and the Pesticide Action Network North America filed a complaint arguing that EPA should have analyzed the chemicals for detrimental effects on threatened and endangered species.

Under the Endangered Species Act, the U.S. Fish and Wildlife Service and the National Marine Fisheries Service must consult on whether certain federal government actions would affect protected species.

U.S. Magistrate Judge Joseph Spero rejected the environmental groups' claims because they were time-barred or outside the court's jurisdiction.

While the 9th Circuit agreed with much of Spero's decision, the appellate court revived the plaintiffs' argument that EPA's registration of pesticide products was an agency decision that, under the ESA, required consultation with other agencies.

The environmental groups cannot challenge the EPA's risk assessments of the 31 active ingredients in the pesticides, as legal claims over these decisions are time-barred, the ruling said.

However, the EPA's registrations of actual pesti-

cide products that contain the active ingredients are distinct decisions that may be subject to ESA consultation, the 9th Circuit said.

Stephanie Parent, an attorney for the plaintiffs, said she expects the pesticide products have negative effects on protected species that would trigger consultation.

The environmental group's goal is for EPA to impose "common sense" measures on pesticide usage that would prevent harm to threatened and endangered species, Parent said.

While the agency has already undertaken ESA consultation for the pesticides chlorpyrifos, diazinon and malathion, the plaintiffs want the EPA to set firm deadlines for evaluating other active ingredients, she said.

Croplife America, a pesticide industry group, and several other agribusiness organizations have intervened in the lawsuit as defendants.

In a statement, Croplife America's president and CEO, Jay Vroom, said he was pleased the 9th Circuit upheld much of Spero's ruling.

Vroom said it's unfortunate the 9th Circuit's ruling "leaves unresolved the full conflict" between the Endangered Species Act and the Federal Insecticide, Fungicide and Rodenticide Act — which regulates pesticides — but that Croplife America "remains committed to pursuit of that satisfactory resolution."

New Northwest spuds offer strong disease resistance

By JOHN O'CONNELL
Capital Press

BEND, Ore. — Officials representing the Idaho, Oregon and Washington potato breeding programs say they're releasing a pair of new russet varieties that should help position the industry to cope with more stringent regulations on soil fumigants.

The new Tri-State Potato Breeding Program varieties — Castle Russet and high-yielding Echo Russet — are billed as medium- to late-maturing potatoes appropriate for use in both the fresh market and processing. Testing has shown they also have good culinary qualities and cold sweetening resistance, so they fry with a light color even after months in storage.

The Potato Variety Management Institute, which handles licensing and royalty collection of Tri-State varieties, decided to release them in December, said PVMI Executive Director Jeanne Debons. She said a limited number of mini-tubers — those grown from tissue cultures — are available to interested seed growers.

Debons said Echo and Castle are resistant to potato mop-top virus, vectored by the hard-to-control powdery scab fungus. As regulators place



John O'Connell/Capital Press

Jeanne Debons, executive director of the Potato Variety Management Institute, with potato varieties under her organization's management at the recent University of Idaho Potato Conference in Pocatello. PVMI is releasing two new varieties — Castle Russet and Echo Russet.

increasing restrictions on fumigants, mop-top is becoming more prevalent.

Research by Chuck Brown, a potato breeder with USDA's Agricultural Research Service in Prosser, Wash., has shown planting Castle Russet also helps reduce the amount of powdery scab inoculum in soil. Furthermore, Castle is resistant to all strains of potato virus Y and to corky ringspot, which is spread by the stubby root nematode and should also become more difficult to control as regulators further restrict fumigants.

"There are not many potatoes right now that have that combination (of resistance), as well as others," Debons said.

Echo is set apart by its strong yield. Echo averaged 980 hundredweight per acre in trials at Oregon State University's Hermiston Agricultural Research and Extension Center from 2006 through 2008 — 80 hundredweight more than Russet Burbank. Castle's yields are comparable to Russet Burbank, said Vidyasagar Sathuvalli, an assistant professor of potato breeding and genetics in Hermiston.

The initial cross for Echo was made in Aberdeen, Idaho, in 1996, and the line was selected by the Oregon State University breeding program.

"The yields are exceptionally good for Echo in all three production regions in the Northwest, said. "(Echo) has been in the system for a while, but there was always an interest among the growers and processors, so we finally decided to release it as a variety."

Brown made the cross for Castle in Prosser in 2006, and it was also selected in Oregon.

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