

Washington

Irrigator fined for harming orchard

Herbicide applied too close to pears

By DON JENKINS
Capital Press

A Central Washington irrigation district and an employee have been fined for misapplying an herbicide that blew into a pear orchard and caused an estimated \$220,000 to \$300,000 in damage, according to the state Department of Agriculture.

The Cascade Irrigation District was fined \$1,100, the maximum penalty for a first-time offense, while the employee, Kelton Montgomery, was fined \$450 and will have his applicator's license suspended for seven days in mid-July, according to orders issued June 1 by WSDA.

The Ellensburg-based district irrigates some 12,500 acres in Kittitas County by drawing from the Yakima River.

According to a WSDA investigative report, Montgomery applied the herbicide on weeds April 1, 2016, along a district maintenance road about 35 feet from a 22-acre orchard that is 6 miles southeast of Ellensburg.

Weather conditions were good for spraying, but soil blowing from the road carried the herbicide into the orchard, according to WSDA.

The orchard's owner, Ben Kern, serves on

the irrigation district's board of directors. He said June 8 that he and the district are in settlement talks.

"We're in the process of trying to get this negotiated and make a settlement," he said. "It was human error and that's all it was."

The label on the chemical, Payload Herbicide, instructs applicators to not spray within 300 feet of fruit trees.

Montgomery and the district's manager, Richard Lee, told a WSDA investigator that they were not aware of the label restriction until after the incident, according to WSDA.

Kern reported that on May 3 he noticed black spots on the pears and leaves. Two days later, the district blocked the road and sprayed mulch to keep down the dust.

Two crop consultants told Kern that the damage to the orchard was consistent with symptoms caused by the active ingredient in the herbicide. Another consultant assessed the damage, according to WSDA.

WSDA tests showed residue of the herbicide on foliage. The trees nearest the road were almost completely defoliated and much of the fruit had dropped off, according to the investigation.

Efforts to reach district officials June 8 were unsuccessful.

Washington on alert for Japanese beetles after outbreak in Oregon

Oregon spreads insecticide

By DON JENKINS
Capital Press

VANCOUVER, Wash. — The Washington State Department of Agriculture will put out more traps in southwest Washington this summer to detect Japanese beetles, a strong-flying and leaf-eating pest found in abundance last summer across the Columbia River in Oregon.

Unlike other Western states, Washington has never had an outbreak of the invasive insect. Last year, WSDA trapped just three Japanese beetles — all at airports in King County.

But the Oregon Department of Agriculture detected a record 369 Japanese beetles in Cedar Mill, a suburb of Portland. ODA has just finished spreading a granular insecticide, Acelepryn, at more than 2,400 residences to kill larvae. ODA obtained a court order to ensure it could get on every property.

Washington has never had to conduct an eradication campaign for Japanese beetles, though it has experience in spraying for gypsy moths, another invasive species that, like the Japanese beetle, is widespread in the East but has so far been fended off in the West.

"I'm not sure which would be worse, but I know the Japanese beetle would be bad because we're such an agricultural state," said Rian Wojahn, WSDA's eradication coordi-



Don Jenkins/Capital Press

Washington State Department of Agriculture insect trapper Mark Paulson records the location of a Japanese beetle trap he set out June 15 in Vancouver. An outbreak of the plant-eating insects across the Columbia River in Oregon has caused WSDA to intensify its search for Japanese beetles.

nator. "It's a turf pest, and it's a plant pest. That's why it's such a bad pest."

The USDA has estimated that nationwide Japanese beetles cause \$460 million in damage annually.

As grubs, the insect feeds on grass roots. The insects emerge above ground as flying beetles for two months in the summer and attack flowers, fruits and ornamental plants. Japanese beetles are so attracted to roses that traps are baited with the scent of roses.

ODA estimated that a Japanese beetle infestation would cause \$43 million in damage annually.

Although the judge's order applied to about 200 properties, ODA spokesman Bruce Pokarney said that only two landowners could be de-

scribed as "real holdouts."

In the end, they attested to their sensitivity to chemicals, and ODA agreed to use an insecticide similar to the organic pesticide that it sprays from the air over residences to eradicate gypsy moths. Pokarney said the alternative insecticide is less effective and more expensive than the chemical used elsewhere.

The operation ended June 7 and went well, he said. "It's been amazing how this community has recognized the threat of Japanese beetles."

The insecticide won't kill the generation of Japanese beetles about to emerge, but is expected to begin thinning the population. Eradication may take four more years, according to ODA.

ODA opted not to spray

Japanese beetle



Courtesy of en.wikipedia.org

Binomial name:
Popillia japonica

Appearance: Iridescent copper-colored elytra, green thorax and head

Diet: Roots of grasses during larval stage; foliage and fruits of many common trees, vines and crops during adult stage

Life cycle: Typically one year; extended in cooler climates

Origin: Japan

First observed in U.S.: 1916 near Riverton, New Jersey

14-16 mm (Actual size)

Control methods: Chemical and biological; mechanical traps

Source: USDA/Animal and Plant Health Inspection Service

Capital Press graphic

foliage to kill the insects as beetles. "It would be very intrusive to landowners, and we think we can (eradicate the insects) this way," Pokarney said.

WSDA plans to set out 325 traps in Clark, Cowlitz, Klickitat, Lewis and Wahkiakum counties, more than triple the usual number for southwest Washington. "Now that they're close, it could be that some eradication is on the horizon, so we're definitely staying vigilant," Wojahn said.

With contract signed, Sakuma CEO sees labor strife over

Union declares historic victory

By DON JENKINS
Capital Press

Berry harvesters at Sakuma Brothers Farms in north-west Washington were to begin working Monday under

a two-year union contract that will guarantee piece-rate pickers an average of at least \$15 an hour.

Sakuma CEO Danny Weeden said that he expects the contract to close a tumultuous period in the 85-year-old farm's history. The company has been the target of lawsuits, pickets, boycotts

and work stoppages for several years.

"This puts an end to all of that," he said. "There's no need for that other stuff."

The Skagit County farm is only the third agricultural operation with a unionized workforce in the state, joining a winery and cattle feedlot. The company recognized and

entered into negotiations last year with the union, Familias por la Justicia.

"We're very pleased and excited to have an agreement after these four years," said Jason Holland, the union's lead negotiator. Holland, an organizer for the Washington Public Employees Association, volunteered his services.

The farm cultivates 1,000 acres of strawberries, blackberries and blueberries and has a heavy demand for hand harvesting. The seasonal workforce covered by the contract swells to between 400 and 500 workers at the peak of harvest.

Holland and Weeden both said the piece-rate pay system will be complicated. Piece rates will be set by test picks, but can be adjusted upward later so that the average picker earns at least \$15 an hour. The minimum wage will be \$12 an hour, \$1 above the state minimum wage. Pickers must meet performance standards to keep their jobs.

"We believe overall this is going to raise the wages for the members," Holland said. "The contract will bring wages up for a significant number of members and allow people at the top to continue to do well."

Said Weeden: "Overall,



Don Jenkins/Capital Press

Sakuma Brothers Farms in Skagit County, Wash., has signed a contract with Familias por la Justicia, making it the third unionized agricultural operation in the state.

we're not expecting our labor costs to increase on a per-pound basis.

"We've been paying good wages, and we'll continue to pay good wages," he said.

Holland said he expects the union contract to draw workers to Sakuma. The contract includes provisions for due process in disciplining workers and management-labor communications. Disputes over contract provisions will be settled by bind-

ing arbitration.

Weeden said he expects workers to be attracted, knowing that work stoppages have ended. "I think this will be an opportunity to increase our supply of labor. We'll see," he said.

"We're going to see how it works. We were struggling with how it was working before," Weeden said. "Other farms weren't dealing with what we were dealing with."

"This is just about our farm," he said. "We're trying to turn this into a very positive thing for everyone."

The contract won 85 percent approval from workers, according to a Facebook post Friday afternoon by the union. The Skagit Valley Herald reported that 66 workers voted.

Union President Ramon Torres said on Facebook that the contract was a historic victory for workers.

"They are happy to be working at Sakuma farms with a union contract. Everybody is ready to get to work. There will soon be union berries in the marketplace!" he stated.

Strawberry picking begins Monday. Weeden said he expects the farm will have enough workers.

"The crop looks very good at this point," he said.

EEOC alleges sexual harassment of Stemilt employee

By DAN WHEAT
Capital Press

WENATCHEE, Wash. — Stemilt Growers LLC and its orchard operations subsidiary, Stemilt Ag Services, have been sued by the U.S. Equal Employment Opportunity Commission for alleged sexual harassment of a Latina tractor driver and retaliation against her when she reported it.

"There is no tolerance for discrimination at Stemilt and never has been," said Roger Pepperl, Stemilt marketing director, while declining further comment.

Stemilt is one of the state's largest tree fruit companies and is based in Wenatchee.

According to EEOC's lawsuit, Heidi Corona worked

for Stemilt as a tractor driver for more than three years in Quincy before being transferred to a company orchard in Wenatchee, where she was the only woman tractor driver.

On her second day at the new location, her direct supervisor drove her to a remote location and made sexually explicit comments, propositioned her for sex and attempted to kiss her, the EEOC alleges.

Trapped in a moving vehicle and at an unfamiliar and remote location with no cell phone service, Corona asked the supervisor to stop and told him she was only there to work, the EEOC states.

After the incident, the supervisor assigned Corona to pick up trash and excluded her from meetings with oth-

er tractor drivers. When she reported the harassment to upper management she was given a choice of continuing to work under the same supervisor or becoming a warehouse fruit sorter for lower pay, EEOC says. She took the lower-paying position.

The alleged conduct violates Title VII of the Civil Rights Act of 1964 under which employers are required to prevent and remedy sexual harassment and are prohibited from retaliation.

EEOC says it filed the lawsuit in U.S. District Court after trying to reach a settlement. EEOC sought lost wages, compensation for emotional distress, punitive damages and injunctive relief, including training on anti-discrimination laws.



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