

Washington



Matthew Weaver/Capital Press
Mike Miller conducts his last Washington Grain Commission meeting as chairman on Nov. 16 in Spokane. He is running unopposed for re-election to the board. He is also chairman of U.S. Wheat Associates.

Miller ends term as grain commission chairman

By **MATTHEW WEAVER**
Capital Press

SPOKANE — Mike Miller didn't have big plans for the Washington Grain Commission when he took over as chairman.

"I had no agenda, I had no real goals," said the Ritzville, Wash., wheat farmer. "I hope I kept the ship going in the same direction."

Miller conducted his last meeting as chairman of the commission board on Nov. 16. His two-year term expires Dec. 31 but he will remain on the commission. He is running unopposed for re-election.

The next chairman will be selected at the Jan. 4 commission meeting.

Fellow commission member Dana Herron believes Miller has had a positive impact. He credited Miller with taking advantage of every opportunity for the industry.

"He has sacrificed a lot of family time and farming time for the growers," Herron said. "As long as I've been there, in the last 11 years, he's been by far one of the most active chairmen we've ever had."

Miller believes the commission must continue to maintain its reserves to accomplish its goals during a time when federal funding is uncertain. The Trump administration has proposed reducing the budget for marketing programs the commission uses.

Stemilt sues ex-employee for big loss

By **DAN WHEAT**
Capital Press

WENATCHEE, Wash. — An employee of Stemilt Agriculture Services has been fired and sued by the company for allegedly billing it more than \$1.1 million, through a pass-through company, for services she was paid for as an employee and for work no one did.

Elizabeth Hernandez, who worked in human resources for Stemilt Ag Services, and her company H2 Global are defendants as are Kennewick farm labor contractor, Evergreen Agricultural Services, and its manager Abraham Larios. The lawsuit was filed last month in Chelan County Superior Court in Wenatchee. The defendants' attorney, Jeffrey Sperline, Kennewick, could not be reached for comment.

Stemilt Ag Services is a wholly-owned subsidiary of Stemilt Growers, a large tree fruit company in Wenatchee. Stemilt Growers packs and sells its own fruit and that of independent growers. Stemilt Ag Services manages more than 8,000 acres of company-owned and leased orchards. The company was authorized by the U.S. Department of Labor to hire 2,082 H-2A guestworkers in 2017, the sixth largest employer of H-2A in the nation.



Dan Wheat/Capital Press File

The corporate office of Stemilt Growers and its orchard management subsidiary, Stemilt Agriculture Services, in Wenatchee, Wash. The company is suing an ex-employee for breach of contract for losses of more than \$1.1 million.

Shortly after she was hired by Stemilt Ag Services in 2009, Hernandez helped the company recruit and hire H-2A foreign guestworkers, according to the lawsuit alleging tortious interference and breach of contract.

In 2016, while still employed at Stemilt Ag Services, Hernandez formed H2 Global to recruit, transport and hire seasonal H-2A workers. Hernandez arranged for Stemilt Ag Services to contract with Evergreen Agricultural Services for H-2A recruitment, hiring, transportation and related services, the lawsuit states.

Hernandez provided in-

voices from H2 Global to Evergreen for work she performed in recruitment, hiring and transporting H-2A workers for Stemilt Ag Services. Evergreen then prepared separate invoices for the same work and billed Stemilt Ag Services, the lawsuit states.

Stemilt Ag Services paid Evergreen for services Hernandez should have performed as an employee of Stemilt Ag Services, for "services not provided" and Hernandez used Stemilt Ag Services resources for conducting her business as H2 Global without compensating Stemilt Ag Services, the

lawsuit states.

In the summer of 2017, Stemilt Ag Services administrative staff discovered the potential that the company paid for services provided by H2 Global that had been billed to it by Evergreen. It further discovered that Hernandez was a 50 percent partner in H2 Global, the lawsuit states. Following an audit, Stemilt Ag Services fired Hernandez on Oct. 17.

Subsequent to the firing, Stemilt Ag Services learned Hernandez and Larios recruited approximately 50 H-2A workers away from Stemilt Ag Services — many of whom they hired — to work elsewhere, resulting in the likelihood the company would not be able to harvest all of its crop and having a "significant economic impact," the lawsuit states.

The workers were used at other orchards where the workers were not authorized to work under federal law and it was a breach of Evergreen's contract with Stemilt Ag Services, the lawsuit states.

About 30 of the workers were found working for Columbia Fruit Packers in Quincy and had been offered as domestic workers to Columbia by Larios, according to an affidavit of Zach Williams, Stemilt human resources director.

State favors tagging every cow with radio ID; ranchers don't see need

WSDA says move will help contain animal diseases

By **DON JENKINS**
Capital Press

OLYMPIA — The Washington State Department of Agriculture may adopt rules requiring producers to tag every cow with radio-frequency identification, a level of electronic monitoring opposed by some ranchers.

The department says the tags will help follow a cow from birth to slaughter, helping animal-health officials to speedily respond to diseases and bringing the state in line with coming USDA standards.

"These (the rules) are all intended to track an animal within hours rather than within days," State Veterinarian Brian Joseph told the Senate Agriculture Committee Nov. 14. "It's very important we be able to do that rapidly because the more rapidly we can do that, the less economic impact there is."

WSDA continues to work on its ability to trace animal diseases more than a dozen years after the first U.S. case of bovine spongiform encephalopathy appeared in Washington. The state currently records changes in livestock ownership, though the department says the system, partly based on self-reporting of sales, has gaps.

WSDA reports that only 5 percent of the state's beef cows now have radio-frequency identification. Although 80 percent of dairy cows are electronically tagged, they come from a minority, 40 percent, of the dairies.

The department envisions that by no later than 2023 every ranch, dairy and farm with cattle will have a "premises identification number" and that every cow that leaves the premises will have a radio tag.

"We need an official identification number for that cow, that's unique to that cow," Joseph said. "The most efficient way to do that is with electronic identification."

WSDA hasn't made any formal proposals, but it's also considering requiring all cattle in a public livestock market to have a radio tag before being presented for sale. Another requirement could be requiring all female cattle to be fitted with a radio tag when



Don Jenkins/Capital Press

A cow in Washington wears a number. The Washington State Department of Agriculture favors tagging all cows with radio-frequency identification to transmit movements to a database. WSDA says the high-tech tags will help contain animal diseases. Some ranchers see the tags as intrusive.

vaccinated for brucellosis or introduced into a breeding herd.

"I think those are big steps," Washington State Dairy Federation policy director Jay Gordon said. "They certainly deserve careful thought and consideration."

Gordon said some dairy farmers already electronically track the health and performance of each cow to improve their herds. Some producers may question the need for additional tracking, though others may see market advantages in being able to verify to consumers where the cows were born and raised, he said.

To track the movements of more cows, WSDA early last year set up an online system for dairies to self-report small sales. Previously sales between private parties of fewer than 15 head of dairy cows didn't have to be reported. So far, only three small sales involving 49 head have been reported.

Stevens County rancher Ted Wishon said WSDA should plug gaps in the system before putting more rules on beef cattlemen. "Let's fix

the holes. Let's not put everybody in the same bucket," said Wishon, past president of the Cattle Producers of Washington.

WSDA collects brand, health and transaction records, and Wishon said that in an emergency he could readily provide WSDA with written details on the movements of his cows. "I can sit down and show you everywhere every one of my cows has been," he said.

But Wishon said he opposes having his cattle's movements recorded in a government database.

"There's certainly information I call propriety that I don't think government should have at a push of a button," he said.

"It sounds pretty good, like it's for the public good, but it puts more burden on the producer. It just keeps getting more and more cumbersome," Wishon said. "I do not see the cost-benefit to the producer."

WSDA Director Derek Sandison said that brands identify herds, but radio-frequency identification is needed to track single animals.

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Susp Cab, INT, TLS, Auto track ready, 520-46 single rears, R&P axles, 1,192-hrs, #ED015669
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JD 8770
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Cab, 24X6 trans, bareback, 3 remotes, 24.5-32 duals, 8,493-hrs, #0H004622
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50' width, Rahco folding hitch, plain grain, 7" spacing, 4x12 packer wheels, #740162
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30' wing fold, Till N Bedder, Roller harrow, #12NAX34
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11 bottom pull plow, 6 and 5 bottom in tandem, demo unit like new, #130143
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6 rw, 30" spacing, vacuum planter, dry fertilizer, only 150 acres on unit, #YES043965
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JD 9670
2008
Sm Grain, 615P BPU platform, sidehill cleaning package, 2,926-hrs, #0S726063
-Located in Salem

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JD S680
2013
Sm Grain, 35% Rahco leveler, 635P platform and cart, AT ready, 1,678-hrs, #755668
-Located in Four Lakes

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JD 9670
2008
Rotary, Sm Grain, 615P BPU platform, sidehill cleaning package, 2,747-hrs, #0S726119
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