

Is California ready for new FDA food safety inspections?

The Food Safety Modernization Act, passed in 2011, was the biggest update to food safety laws in more than 70 years and this year, growers will finally be subject to routine on-farm inspections under the Food and Drug Administration's [Produce Safety Rule](#). Many are wondering how the process will work and many questions remain about coordination between state and federal agencies, a shortage of inspectors and questions on whether the standards will be enough to ward off the next outbreak.

In the wake of last year's romaine lettuce outbreaks, the Food and Drug Administration has now delayed the compliance dates for the water requirements for potential revisions, while the California Leafy Greens Marketing (LGMA) Agreement is also pushing new updates on its own similar requirements for growers. (See related story on page 3.)



Here's what we know for now: The California Department of Food and Agriculture has responsibility for the inspections and is working on behalf of the FDA.

The inspections will start with [large farms](#) — those with \$500,000 or more in annual revenue. With no list of farms under this qualification, CDFA found a workaround. The California Agricultural Commissioners and Sealers Association had information that could help. The voluntary organization collects pesticide use reports for the Department of Pesticide Regulation. Since the pesticide use information is publicly available upon request, CDFA could access it

through Freedom of Information Act requests. Instead, CACASA contracted with CDFA to share the broadest level of information that would meet CDFA's needs.

The department explained this in [a letter](#) mailed to farmers across the state. Also raising some eyebrows was the title of the inspectors: environmental scientist-inspectors. At a time when large regulations like the Sustainable Groundwater Management are coming into effect, this left some farmers worried the inspections would be part of a broader environmental mandate.

CDFA launched an awareness campaign early last year. It offered [test runs](#) with "on-farm readiness reviews" in an effort dubbed "educate, then regulate." Yet large gaps remained in what the CDFA could communicate until November, when the FDA released its detailed guidelines. It is still [open for comment](#), which means the draft guidance is subject to change.

According to almond huller and sheller Ryan Honnette, farmers and processors who maintain good agricultural practices will be ready.

"It doesn't change the processes that you are already doing. It just means you have to document more of them," he said, adding that "old schoolers" in the industry will likely hire a service.

He said the approach to the inspections was about risk assessment and mitigation and that inspectors will work with farmers to help them meet the standards, rather than penalize them at the start. Following the confusing early years of FSMA, he said, organizations like CDFA and the Almond Alliance have done a well in "breaking down this whole thing" and explaining it to farmers.

Covering one of the largest and most productive states

The FDA provided the state with funding to develop an inspection office dedicated to FSMA, along with new staff members. Just five inspectors are assigned to California's 25,000 potential farms. Of those, 12,000 will be subject to the inspections starting in less than two weeks.

"I wouldn't expect to see an inspector for like a decade," said Hornette.

When he does, however, that inspector may not test or ask about his water. The almond industry is seeking an exemption from the water requirements due to the kill step in its process for sanitizing almonds.

CDFA also said it will focus first on the crops that experience more frequent and severe outbreaks, such as lettuce, sprouts and spinach. For those crops, LGMA is already mandating at least five government inspections per year and will be collaborating with CDFA more closely on those. LGMA auditors are currently employed by CDFA and licensed by the U.S. Agriculture Department.

The water problem

The FDA's investigations into the two E. coli outbreaks in romaine lettuce last year suggested that strains other than the generic E. coli are coming up in water tests at alarming rates.

LGMA officials believe their requirements would have prevented at least the California outbreak had the grower linked to the contamination been a member. LGMA inspections include regular

water testing for generic E. coli. If a spike in that testing shows up, then the inspectors will perform more thorough tests to inspect for specific strains. LGMA is currently working with Western Growers on updating their standards so that the more robust tests can be readily performed in the field.

The more extensive standards for LGMA — in water and other areas — are possible because it covers one specific industry within one specific region, as opposed to the FDA’s broad mandate.

“In most cases,” said LGMA CEO Scott Horsfall, “we go quite a bit further than the produce rule requires.”

This means that everyone who grows leafy greens is “pretty used to government auditors in their fields,” he said.

FDA struggles to rewrite ag water rules for food safety

More than eight years after Congress passed the Food Safety Modernization Act, the Food and Drug Administration as well as industry and outside scientists are still struggling to figure out the best way to ensure the water used for irrigating and packing fresh produce is safe.

The agency [has formally postponed](#) compliance dates for a set of testing standards first released in January 2013, even as it considers major revisions in light of outbreaks that have fueled concerns about the adequacy of the testing requirements. A senior FDA agency official said finalizing the new standards is a top priority for the agency.

“We know we need to move very quickly on it (revision of the standards) in view of these outbreaks,” said Samir Assar, director of the Division of Produce Safety in FDA’s Center for Food Safety and Applied Nutrition.

Some consumer advocates - restless for the FDA to act - are pushing for an interim rule to impose testing standards. Five people died in connection with one of two 2018 outbreaks involving romaine lettuce that were linked to contaminated water.

“If this isn’t a situation where an interim rule is appropriate, I’m not sure what is,” said Sandra Eskin, who directs The Pew Charitable Trusts’ food safety program. She and Assar were speaking on a panel at the Consumer Federation of America’s annual food policy conference in Washington, D.C.



Samir Assar, FDA

Assar said the agency is consulting one-on-one with experts and working with industry and other stakeholders to decide how to revise the original standards. He didn’t answer directly when asked by *Agri-Pulse* whether FDA might consider issuing an interim rule while it works on changing the standards.

While the regulations are being revised, he said the agency is advising growers to follow FDA’s “good agricultural practices,” or GAPs, which are general guidelines for preventing microbial contamination of crops.

“We’re basically defaulting to our GAPs recommendation, which basically recommends that the water should be adequate for its intended use and that ... the system should be

inspected,” he said. Growers also have been reminded they can be held responsible for adulterated crops if the water they use is found to be contaminated.

“It’s not an optimal situation at all, but we’re trying to get a final action as quickly as possible to address these issues that we’ve seen with respect to water,” he said.

In California, there is a separate industry effort led by the Western Growers Association and the Leafy Greens Marketing Agreement, to update the voluntary water standards that producers must follow to be certified by LGMA, said LGMA CEO Scott Horsfall. He said he expected there to be "a lot of alignment" between the LGMA and FDA standards.

Both the existing LGMA rules and FDA's standards require farms to test their water regularly for the presence of generic E. coli bacteria, an “indicator organism” that theoretically will show whether harmful strains of E. coli, salmonella or other bacteria could be present.

But recent outbreaks have suggested to FDA that testing for generic E. coli isn’t enough; Stephen Ostroff, who oversaw FDA’s management the 2018 outbreaks as the then-deputy commissioner for foods, said that the testing for generic E. coli can miss the more deadly strains. Just a few microbes of those strains can make someone sick.

Jennifer McEntire, vice president of food safety and technology for the United Fresh Produce Association, said there is no easy alternative organism for testing. There are many pathogens growers need to guard against, so the focus is on ensuring the overall safety of the water.

“There’s not that perfect, one-size-fits-all solution,” she said.

The best option may be for FDA to require growers to survey their operations for potential sources of contamination and then ensure the water is safe for use on the type of crops that are being grown, she said. FDA also could provide guidance, she added, for what farms should do to address the hazards that are identified. Those could include a cattle feedlot, a typical source of E. coli, or ponds attracting salmonella-carrying birds.

Even before the [Yuma outbreak](#), the testing standard was a major topic of discussion at a [February 2018 summit](#) organized by the industry-wide Produce Safety Alliance. According to a [16-page summary](#) of the summit published last month, there was disagreement over how the testing requirement should be revised.

Some growers expressed a preference for setting a numerical standard that they had to meet **“because it allowed them to easily know when they had ‘met the mark.’”** But other attendees believed that a single standard couldn’t address the varied risks posed by different water sources, climates and production practices. **Critics of the standard also said there was insufficient scientific data to ensure the generic E. coli standard would prevent illnesses.**

FDA also will be facing scrutiny from Congress as the agency decides what to do. A longtime Democrat on the House Agriculture Appropriations Subcommittee, which writes FDA’s annual budget, demanded after the second romaine outbreak that the agency crack down on agricultural water safety.

“The fact that people are dying and lives are being destroyed while the FDA caves to big corporate interests is unconscionable. FDA must take its own findings to heart and implement science-based standards to test irrigation water,” said Rep. Rosa DeLauro, D-Conn.

In a [joint statement](#), FDA Commissioner Scott Gottlieb and Frank Yiannas, who succeeded Ostroff as the deputy commissioner for foods, indicated the agency was trying to ensure the standards would take into account the differences in crops and farm practices, not only domestically but also in areas that export produce to the United States.

"We know that the produce farming community is diverse, as are farming practices across our country and around the world," they wrote. "That's why it's so important to make sure that our agricultural water standards work across the variety of farms, commodities and regions."

Following grower concerns about the practicality of the water standards, FDA announced in 2017 that it planned to postpone the compliance dates, and the new timeline became official with a Federal Register notice on Monday.

The compliance deadlines were delayed until January 2022 for large farms and until 2023 and 2024 respectively for farms classified as small and very small, respectively. Compliance with water safety requirements already is mandatory for production of sprouts, which are uniquely vulnerable to contamination.

"While the delay means that produce growers will not be saddled with what some view as unclear or unworkable rules anytime soon, how the final rules governing agricultural water sampling and testing will work is still unclear," attorneys with OFW Law wrote in [a blog post](#)



Rep. Rosa DeLauro, D-Conn.

Five questions with Sen. Bill Dodd

After passing the first bill of the year in the Senate Ag Committee with unanimous bipartisan support, Sen. Bill Dodd, D-Napa, spoke with *Agri-Pulse* about his top priorities related to agriculture. Senate Bill 253 would offer incentives and technical assistance for farmers to adopt practices that help wildlife and the environment.

Dodd explained why he proposed an environmental incentives program for farmers in [SB 253](#), his failed effort to form an integrated water data platform with [AB 1755](#), and the controversial [SB 901](#) bill that now insulates PG&E from further additional costs for wildfires.

What was the inspiration behind AB 253?

Farmers have done a good job in providing habitat for birds and trying to do the best job they can for the environment. Over time they've done an amazing job when you look at the flooding rice fields for salmon and migrating birds. But to sustain them over time, they need more money and more technical help.

There's no doubt in my mind that farmers take a disproportionate hit from our policies on water, our



policies on clean air and our policies on climate. It's just really important to have an ag conservation incentive for farmers who do the right thing and provide these critical habitats to birds and fish and wildlife.

Tell us about the water issues you are working on

Well over the years, California has had a nice inventory of stream gauges to measure flow. You can't measure what you don't know. This is something that's real important. It comes on the heels of my AB 1755 on transparent water data back in 2015. So getting these stream gauges back online is real important so that we know what the flows are, particularly with these atmospheric rivers and climatic changes. It's more important now than it ever has been.

With climate programs for agriculture taking a hit this year and more funding going towards fighting wildfires, are we starting to see a new trend?

We all have to realize right now that there are some winners and losers in these situations. Even the Sierra Club opposed my bill SB 901, which was really unfortunate because the crisis of our time is wildfires in the state of California. You talk about the total gross dollar value of almost any crop compared to what the losses have been in the state of California from the wildfires and it's shocking.

Will the PG&E bankruptcy impact farmers further down the road?

I don't think so. Except that some of the mitigation measures we're doing to reduce fuels and minimize the risk of wildfires ahead of time ultimately help farmers. When you have these big wildfires, as we've had now for two successive years, you have a pretty uncertain labor market during those 30-day events. Kids aren't in school and the air quality is bad. With what the labor laws are these days, they might not even be able to let farm workers go out in the fields. I think there is a nexus there.

Let's face it. A lot of the ag guys were against SB 901 because they were concerned about the rates going up. The reality is they didn't think it all the way through and were very short sighted. If PG&E had gone to bankruptcy, as it is now, or junk bond status and you didn't have a strong financially viable utility, your rates are going to go up and they're going to go up a hell of a lot higher than in the type of programs that we had suggested.

What do you hope to see from the new governor, Gavin Newsom?

Well this governor is in tune. During his State of the State, he made a strong point to reach out to members in the Central Valley to tell them that the valley is not going to be forgotten. That tells me that this governor has the back of agriculture. And I intend to support him.

Jury finds Roundup a 'substantial factor' in causing man's cancer

. A federal jury in San Francisco concluded Tuesday that exposure to Roundup was a "substantial factor" in causing a Santa Rosa man's Non-Hodgkin lymphoma, triggering a second phase of the trial to determine whether Monsanto is liable for damages.

Before returning its verdict Tuesday afternoon, the six-person jury had deliberated for five days without a verdict, leading to speculation there might be a mistrial.

Edwin Hardeman, 70, who used Roundup regularly for more than 20 years, “is pleased that the jury unanimously held that Roundup caused his Non-Hodgkin lymphoma,” his lawyers, Aimee Wagstaff of Andrus Wagstaff and Jennifer Moore of Moore Law Group, said. “Now we can focus on the evidence that Monsanto has not taken a responsible, objective approach to the safety of Roundup.

“Instead, it is clear from Monsanto’s actions that it does not particularly care whether its product is in fact giving people cancer, focusing instead on manipulating public opinion and undermining anyone who raises genuine and legitimate concerns about the issue,” they added, quoting virtually word for word a pretrial order issued by District Judge Vincent Chhabria.

In that order, the judge also said “the plaintiffs have presented a great deal of evidence that Monsanto has not taken a responsible, objective approach to the safety of its product. Thus, assuming a jury finding that Roundup causes NHL, there is sufficient evidence for the plaintiffs to argue that Monsanto could have reached this conclusion on its own had it investigated the issue responsibly and objectively.”

Bayer, which owns Monsanto, [said](#) it was disappointed by the verdict “but we continue to believe firmly that the science confirms glyphosate-based herbicides do not cause cancer.” The company also said it is “confident the evidence in phase two will show that Monsanto’s conduct has been appropriate and the company should not be liable for Mr. Hardeman’s cancer.”

Bayer also disputed the notion that the Hardeman trial should be used as a “bellwether” to determine how attorneys handle future trials or whether the company should pursue settlement talks. Each case “has its own factual and legal circumstances,” Bayer said. Monsanto faces more than 9,000 federal and state cases alleging Roundup caused cancer.

Opening arguments in the second phase of the trial begin Wednesday.

EAT-Lancet authors push back against critics

Authors of the EAT-Lancet report recommending a “radical transformation” of the human diet to solve climate change have been defending their report from criticism that its recommendations may be impossible to implement and potential benefits oversold.

Two of the scientists on the EAT-Lancet Commission — lead author of the report Walter Willett, a professor of epidemiology and nutrition at Harvard T.H. Chan School of Public Health, and Fabrice DeClerck, EAT’s science director — said the environmental benefits flow naturally from the health benefits of the diet.



Frank Mitloehner

“The science behind the diet is health-based, but if we can get people to eat what’s good for you, then it’s good for the planet,” DeClerck told *Agri-Pulse*.

Critics claim the EAT-Lancet Commission has, in discussing the diet at events around the world, been overselling it, as in the press release announcing its release, which said, **“Diet and food production must radically change to improve health and avoid potentially catastrophic damage to the planet.”**

One of the most vocal critics has been Frank Mitloehner, a UC Davis animal science professor who specializes in air quality, specifically emissions from the livestock sector.

In a Jan. 30 email to Mitloehner, DeClerck said “the meat consumption limits proposed by the (EAT-Lancet) Commission were **not set due to environmental considerations, but were solely in light of health recommendations. The dietary guidelines only refer to healthy eating.**”

The EAT-Lancet diet thus “is not the diet to reduce climate change, but the diet to reduce the risk of premature mortality due to dietary-related health causes,” DeClerck said.

Mitloehner, who is active on social media, told DeClerck on Twitter, “I find this admission incredible,” but DeClerck responded, “We're clear in the methods that (the) diet was set (for) health only.”

But Mitloehner said in an interview that DeClerck’s statement “**changed the entire narrative of the EAT-Lancet report, which the commission has [billed](#) as the “global planetary health diet.”**”

Willett, in an emailed response to questions submitted by *Agri-Pulse*, said the diet had not been “oversold” as one to improve environmental health. “Compared to projections to 2050 assuming current diets, adoption of the EAT-Lancet targets could cut greenhouse emissions by about half,” he said.

The diet recommends humans cut their consumption of red meat and sugar in half, and double their consumption of nuts, fruits, vegetables, and legumes.

“Human diets inextricably link health and environmental sustainability, and have the potential to nurture both,” the commission said in its press release announcing the [report](#), which was published in *The Lancet*, a British medical journal. “However, current diets are pushing the Earth beyond its planetary boundaries, while causing ill health. This puts both people and the planet at risk.”

DeClerck concedes the commission “**didn’t do ourselves any favors by publishing a daily meat requirement,**” noting people “latched onto” the report’s recommendation of 7 grams of red meat (beef or lamb) per day, which the media quickly translated into a hamburger a week, or one serving of red meat.

“That makes for some pretty sensational headlines,” DeClerck said.

The report says “staying within the boundary for climate change can be achieved by consuming plant-based diets,” but DeClerck said the commission “**does not recommend a vegan or vegetarian diet at all**” and says there is “**a critical role for livestock in sustainable management practices.**”

Another criticism of the report is that it condescends to people living in the developing countries who might not have as much choice about where to get their protein as people in the developed world.

DeClerck, who has worked with livestock producers in Mesoamerica, a region that stretches from central Mexico to northern Costa Rica, said he is aware of the perception, but says the report is not trying to say that everyone has to adopt a largely plant-based diet,

“**It’s not a question of no livestock,**” he said. The report itself says “because many regions, such as sub-Saharan Africa, still face severe burdens of undernutrition and malnutrition, and growing children often do not obtain adequate quantities of nutrients from plant source foods alone, the role of animal source foods should be examined carefully. Achieving healthy diets from sustainable food systems for everyone on the planet is possible; however, to accomplish this goal, local and regional realities need to be carefully considered.”

The diet's call to double consumption of fruits, vegetables and nuts has raised a question of where all the nuts will come from. California, for example, has already increased almond production from about 1 billion pounds in 2003-04 to 2.1 billion pounds in 2016-17, and Mitloehner says Americans aren't going to get enough nuts from other major world producers.

Asked whether it's feasible to produce all the nuts needed to transform people's diets, Willett said it could be done "easily, as this includes both tree nuts and peanuts." Mitloehner, however, said "many people can't eat peanuts" because they are allergic to them. **A [piece](#) written by two Canadian Ph.D. students estimates a 540 percent increase in current nut production would be necessary to meet the EAT-Lancet targets.**

The report was also criticized for its authors' approach to predetermined biases. Nina Teicholz, head of the Nutrition Coalition and author of the 2014 book, *The Big Fat Surprise: Why Butter, Meat & Cheese Belong in a Healthy Diet*, said most of the authors had already published studies favoring "vegetarian/vegan or anti-meat diets."

In response, Willett said "it would not be surprising that experts knowledgeable about the environmental or health aspects of diet might favor more plant-based diets because that is what the evidence shows."

As for his own eating habits and those of his fellow authors, Willett said, "I am an omnivore but eat only limited amounts of red meat," and added, "This is not really relevant to the report: the data are the data."

Farm bill offers more conservation tools through EQIP

The [Environmental Quality Incentives Program](#) (EQIP) will soon emerge more fully equipped, so to say, for a broader spectrum of farm conservation assistance as USDA implements 2018 farm bill program changes in the year ahead.

EQIP, already a mammoth program farmers employ to bolster land and water conservation practices, has been doling out cost-share dollars and technical assistance for specific, short-term and narrowly focused projects and practices for over 20 years. It lies within USDA's broad conservation-promoting scheme for "working lands" (actively farmed and ranched) and is complemented by the [Conservation Stewardship Program](#) (CSP), which helps farmers plan and implement conservation practices long-term and across their entire farms.

EQIP and CSP have been funded at about the same level in recent years (\$1.4 billion for each last year), but the farm bill shifts spending steadily toward EQIP in years ahead — to over \$2 billion in 2023 — while also directing it to cover more of USDA's conservation promotion efforts. Yearly CSP spending will slide to about \$1 billion.

The farm bill's changes are intended to encourage farmers to adopt practices that are hard to maintain, says Don Parrish, American Farm Bureau Federation's regulatory relations director. EQIP's new expanded role is **"an important shift into getting farmers to do things that really ... cost farmers to implement and (for which they) may not get a return on" without some USDA dollars, he says.**

Some details of the program won't be known until the Natural Resources Conservation Service completes at least interim regulations. USDA gathered [oral and written views](#) from 183 organizations and individuals on how to implement farm bill conservation and other programs.

Look for new EQIP provisions to be phased in through fiscal year 2020. NRCS Administrator Matt Lohr recently suggested most of the agency's programs will continue under existing rules this year as much as possible, "so that farmers won't see a gap in service." For EQIP, an agency

spokesman told *Agri-Pulse*, "NRCS will be vetting many of the new opportunities through the rulemaking process for implementation in fiscal year 2020."

Freshened EQIP perks

But the farm bill spelled out most of the changes. For starters, it boosted incentives to participants:

- Farmers will be eligible for reimbursement of 90 percent of the costs associated with planning, design, materials, equipment, installation, labor, management, maintenance, or training conservation practices, if they are among up to 10 that each state can designate as priorities in correcting surface or groundwater impairments. Under the 2014 farm bill, beginning or socially disadvantaged farmers and ranchers and veterans could get 90 percent of their costs covered; other producers were limited to no more than 75 percent.
- The per-farm limit for total payments to organic farmers in the EQIP organic initiative will jump to \$140,000 for the five years through 2023 (up from the previous \$80,000 across any six years).
- NRCS must advise all participants who are beginning or socially disadvantaged farmers and ranchers or veterans that they can collect 50 percent of their cost share up front rather than after the practices are implemented.



Don Parrish, AFBF

A new, optional long-term EQIP contract

NRCS will offer 5- to 10-year EQIP "incentive contracts" in watersheds "or other appropriate regions" that are designated as "priority resource concerns" and where landowners want to address at least one of those selected resource problems. Payments will be made for both establishing conservation practices and maintaining them.

The farm bill directs USDA to prioritize applications that address such practices as water conservation scheduling, soil moisture monitoring, irrigation-related measures that conserve surface water or groundwater, and transitioning to water-conserving crops and crop rotations.

In comments to USDA, the National Association of Conservation Districts [said the incentive contracts](#) would "allow producers to implement a suite of practices by offering annual payments rather than cost share without having to meet the more rigorous eligibility standards required" by the Conservation Stewardship Program.

Ben Mosely, USA Rice vice president for government affairs, said **the incentive contracts make EQIP a 'simplified CSP' (for) either farmers who don't want to put their whole farm in or are only interested in a narrow band of practices, or even more importantly, aren't advanced in their stewardship yet.**"

EQIP and CSP: separate roles

Alyssa Charney, senior policy specialist for the National Sustainable Agriculture Coalition, emphasizes that CSP enrollees plan and implement whole-farm conservation and apply many practices, while, up to now, EQIP enrollees commit to implement or improve one practice. So she says it's important that USDA "equally promote and encourage participation in both EQIP and CSP."



Alyssa Charney, NSAC

In any case, five- to 10-year EQIP contracts will have a clear upside, because farmers, when getting the long-term EQIP help in installing and maintaining one or more practices, will be in a better position to maintain the higher level of conservation going forward, say Charney and AFBF's Parrish. Thus, the contracts may be a bridge to CSP and its long-term benefits.

To help EQIP participants find a ready transition to CSP, NSAC suggests USDA select incentive contracts that "target management practices that will require management and maintenance over the course of the five- to 10-year contract."

The farm bill, in fact, gives USDA a directive to "provide for streamlined and coordinated procedures" to make CSP and EQIP work well together, "including applications, contracting, conservation planning, conservation practices, and related administrative procedures."

Longer, broader contracts

While the new incentive contracts — and many regular EQIP projects — will become longer, the program will cover more ground as well.

- The definition of a "practice" qualified for EQIP support was expanded, to include soil tests and soil remediation practices, for example, and the list of eligible conservation planning activities now includes those for resource-conserving crop rotations and precision conservation practices.
- The list of entities eligible for EQIP funds was expanded as well. It now includes states, irrigation districts, groundwater management districts, "or similar," the farm bill says, "to implement water conservation or irrigation practices under a watershed-wide project that will effectively conserve water, provide fish and wildlife habitat, or provide for drought-related environmental mitigation."

While giving such entities access to the EQIP purse will result in clean water and wildlife habitat benefits, some farm and environmental advocates note that **for the water and irrigation entities, the farm bill waives the per-project cap of \$450,000 imposed for individual participants, and they want USDA to install sideboards on EQIP cash for those entities.**

National Farmers Union [suggests](#), for example, that USDA apply the same cap of \$10 million per project that already applies to the Regional Conservation Partnership Program.

EQIP dollars are "just critically important, and we have a ton of folks out West who are dealing with water shortages," says Matt Perdue, NFU government relations director. "We really want to make sure that these new irrigation payments ... (are) available, but we also do not want (the waiver) to impact the availability of funding for farmers and ranchers." **A reasonable ceiling on the dollars to irrigation districts will be critical, he says, "particularly in certain states where you're going to see a lot of applications for this irrigation efficiency funding."**

Charney, meanwhile, points out that the farm bill did install some sideboards by prohibiting any changes in USDA's state-by-state allocation of EQIP dollars. "We don't want to see the amount of money (increasing) to states that have a higher demand for this type of project," she says.

Such limits are needed so EQIP money is used “to achieve goals of water use efficiency, not to expand irrigation” to land not now irrigated, she says.

EQIP gives wildlife habitat 10 percent, plus 10 years

The farm bill doubles to 10 percent the minimum share of EQIP funds devoted to projects primarily enhancing wildlife. Among the EQIP provisions, “**we’re most excited about the 10 percent going toward wildlife,**” said Kellis Moss of Ducks Unlimited.

Perhaps even more significant, however, is lawmakers’ push for a 10-year term for all new EQIP contracts enhancing or maintaining wildlife, as opposed to the typical one to three years of funding in past years.

Besides the act’s 10-year authorization itself, the farm bill authors’ statement on EQIP accompanying the bill declared: “Conservation practices adopted solely for the benefit of wildlife should be fostered with contracts of the maximum length allowed by law. Wildlife practices often diminish agronomic value on working agricultural lands (and) ... are therefore highly unlikely to be sustained by farmers without longer-term, incentives-based partnerships with NRCS. (Thus) ... contracts for the benefit of wildlife should not be ... less than 10 years.”

The farm bill also specifically authorized EQIP funding for two types of water management practices for waterfowl habitat: to carry out post-harvest flooding, and “to maintain the hydrology (flooding) of temporary and seasonal wetlands of not more than two acres to maintain waterfowl and migratory bird habitat on working cropland.”

The Prairie Pothole region that is dotted with wetlands in the upper Midwest and rice-growing areas, where fields are flooded after harvest, will both benefit, said Moss.

Rice growers welcomed EQIP payments for post-harvest flooding. “The wildlife species benefiting from these practices need sustained, longer-term investments to rebound and thrive,” said Mosely of USA Rice. “Congress’s intent is clear and USA Rice expects to see 10-year contracts,” he said.

Brazil agrees to open quota for US wheat and accept US pork

Brazil agreed to lift its ban on U.S. pork and make good on a 24-year-old promise to set up an annual 750,000 metric ton tariff rate quota to allow in U.S. wheat, the two countries announced Tuesday after their presidents held a joint press conference at the White House.

Brazil originally agreed to set up the wheat TRQ that was expected to benefit mainly the U.S. and Canada in 1995, back when Brazil joined the MERCOSUR trade bloc that includes Argentina, Paraguay and Uruguay. The 10 percent tariff was lifted for those neighboring South American countries, but Brazil never followed through with the TRQ designated for all non-MERCOSUR countries, despite demands from Brazil’s own millers who wanted to make sure they always had plenty of access to wheat supplies.

Brazil produces 5-6 million tons of wheat per year, but the country consumes about 10 million tons, according to the U.S. Wheat Associates. On infrequent occasions, Brazil will temporarily drop its tariff on U.S. wheat only when imports are desperately needed.

The announcement today was for “American wheat,” but an administration official confirmed for *Agri-Pulse* that the TRQ will be for all “for non-Mercosur origin wheat.”

That being said, when Brazil sporadically lifted its tariff in the past on non-MERCOSUR countries, U.S. wheat ended up supplying more than 80 percent of the imports Brazil allowed in, according to a spokesman for the U.S. Wheat Associates.

“This is a big win for U.S. wheat farmers, the Trump Administration, and members of Congress who have pushed for action on this issue,” said Ben Scholz, president of the National Association of Wheat Growers. “I’m glad to see Brazil fulfill its commitment and look forward to a stronger trading relationship between us.”



President Donald Trump and Brazilian President Jair Bolsonaro

The U.S. has also been insistent for years that Brazil stop protecting its domestic producers from competition by refusing to accept USDA’s assurances that it is safe. The National Pork Producers Council has previously accused Brazil of having “unscientific mitigation requirements and other sanitary issues not based on science.”

In return for Brazil opening the wheat TRQ and the country’s pledge to approve U.S. pork, the Trump administration is promising USDA’s Food Safety and Inspection Service will accelerate its process of making sure Brazilian beef is safe for U.S. consumers.

“In order to allow for the resumption of Brazil’s beef exports, the United States agreed to expeditiously schedule a technical visit by (FSIS) to audit Brazil’s raw beef inspection system, as soon as it is satisfied with Brazil’s food safety documentation,” the two countries said in the joint statement.

Brazil has been responding to concerns brought up in the most recent audit by FSIS, which shut down Brazil’s beef exports in June of 2017. U.S. inspectors at ports found “repeated import violations such as abscesses, ingesta and unidentified foreign material (in) raw intact beef product” from eight Brazilian packing houses.

“One of the big elements of the relationship is trade,” President Donald Trump said Tuesday in a joint press conference with Brazilian President Jair Bolsonaro. “Brazil makes great product and we make great product and our trade has never been as good as it should be in the past. In some cases, it should be far, far more. Our trade with Brazil will go up substantially in both directions.”

Farm Hands on the Potomac

OFW Law elected **Marshall Matz** to be the new chairman of the firm. Matz has been with the company since 1992 and recently served as principal attorney, specializing in food, nutrition, and agriculture issues. During his career, Matz has served on the board of directors for the Food Research and Action Center (FRAC) and has also served as chairman for the agriculture committee of the Obama for America presidential campaign. OFW Law also reelected **Brett Schwemer** as president and presiding principal. Schwemer heads up the USDA’s practice group and primarily specializes in food safety and labeling laws.

Sarah Hull has announced her retirement from Syngenta effective May 31, 2019. Hull currently serves as the head of business sustainability North America and global head business



Sarah Hull

sustainability for seeds. She has been with the company for 15 years and during that time has led teams in both North America and at Syngenta's global headquarters in Basel, Switzerland. Before joining Syngenta, Hull served as senior vice president, global public affairs at Monsanto Co. She began her career in politics where she was on the press team for Sen. John Glenn, D-Ohio. and worked for Walter Mondale's presidential campaign. She became vice president at Robinson Lake Lerer & Montgomery in 1988.

Adrian Percy, the former head of R&D for the Crop Science Division of Bayer, joined Finistere Ventures as Chief Technology Officer. In his new role, he will provide strategic, technical and regulatory guidance for current portfolio companies. Based in Research Triangle Park, he will support Finistere's continued investment efforts, working with the team to identify and evaluate potential opportunities. He will also be joining the Boards of two Finistere-backed companies, BioLumic and Hi Fidelity Genetics and will help shape their ongoing research and development strategies, as well as supporting their partnership and commercialization efforts.

Adam Putnam will join Ducks Unlimited as its new CEO at the beginning of April. Putnam previously represented Florida in the U.S. House of Representatives for five terms. He then became Florida's Commissioner of Agriculture from 2011-2019, and unsuccessfully ran in 2018's Florida gubernatorial race before losing in the Republican primary.

Leaving the Hill to head to the American Farm Bureau Federation is **Allison Crittenden**. AFBF hired Crittenden as director of congressional relations focusing on farm labor and specialty crops. She comes from the office of Rep. **Rick Crawford**, R-Ark., where she covered agriculture, natural resources, energy, and environmental issues as a senior legislative assistant.

Sen. **Jacky Rosen**, D-Nev., hired **Megan Thompson** to the newly created position of senior policy adviser. Since 2013, Thompson worked in the office of Sen. **Dianne Feinstein**, D-Calif., most recently serving as a legislative assistant.

Meaghan Lynch is headed to the Senate side of Capitol Hill to start a new job as press secretary for Sen. **Kamala Harris**, D-Calif. She previously was in the office of Rep. **G.K. Butterfield**, D-N.C., since March of 2016, most recently serving as communications director.

The International Food Policy Research Institute (IFPRI) appoints **Shahidur Rashid** of Bangladesh as director for South Asia, which will be based in New Delhi. He succeeds **Pramod Joshi** of India who was appointed as director of South Asia in February 2012. Shahidur joined IFPRI in 1999 as a postdoctoral fellow and is trained as a development economist.

The Northern California Water Association (NCWA) awarded **Homer Lundberg**, one of the four founding members of Lundberg Family Farms, the Will S. Green Award in recognition of his long-standing leadership and innovation on water issues. The award is presented to an individual who has devoted their life to the promotion and advancement of irrigation and regional sustainability in the Sacramento Valley. Homer's advocacy for water and land management actions that work in concert with the ecosystem have led to practices that are now considered the foundation of environmentally beneficial farming, including organic farming and weed control, cultivation of cover crops on fallowed ground, and efficient water measurement.

Misionero, an organic leafy greens company, hired **Jeff Cook** as its new chief financial officer. Cook brings CFO experience from Mann Packing by Del Monte and Earthbound Farm. He has also served as vice president of finance for Fresh Express.

The American Farm Bureau Foundation for Agriculture elects four new board members to serve two-year terms. **Katie Aikins** of Arizona will serve as the state Farm Bureau Foundation representative; **Kalena Bruce** of Missouri will represent AFBF's Young Farmers & Ranchers; **Kevin Daugherty** of Illinois was brought on to work with the Ag in the Classroom program; and **Denise Hymel** of Louisiana will serve as American Farm Bureau Women's Leadership representative.

Best Regards,

Sara Wyant

Editor

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