

In This Issue

MEMBER NEWS

REGULATORY NEWS

NEWS YOU CAN USE

UPCOMING EVENTS

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May 5, 2010

MEMBER NEWS

2010 MO-AG Recycling Program Registration

The application for the 2010 MO-AG Pesticide Container Recycling Program is now available and due on **May 7th**. The containers are tentatively scheduled to be picked up in August this year. you can download the brochure by [clicking here](#).

REGULATORY NEWS

HazMat Annual Registration Expires on June 30th

On March 30, 2010, the Pipeline and Hazardous Materials Safety Administration (PHMSA) published a Final Rule in the Federal Register (pp. 15613-20) increasing Hazardous Materials Registration fees; however, small businesses and not-for-profit organizations exempt from taxation under 26 U.S.C. 501(a) will not be affected. The fee increase will fully fund approximately \$28.3 million a year towards PHMSA's Hazardous Materials Emergency Preparedness Grant Program, which provides grants to states and Indian tribes for hazardous materials (hazmat) emergency response planning and training; and to certain professional organizations for training purposes; and for related assistance, including the revision, publication, and distribution of the [North American Emergency Response Guidebook](#). These grants help to prepare emergency personnel to respond to hazmat incidents. By law, 75 percent of Federal grant monies awarded to states must be further distributed to local emergency response and planning agencies.

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Riggins R-Co, LLC
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Jason Paris
MFA Inc.
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Duane Simpson
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St. Louis

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A person, as defined by the Federal hazmat transportation law, must register with PHMSA if he/she offers or transports in intrastate, interstate, or international commerce any of the following materials:

1. Any highway route-controlled quantity of a Class 7 (radioactive) material;
2. More than 25 kilograms (55 pounds) of a Division 1.1, 1.2, or 1.3 (explosive) material in a motor vehicle, rail car, or freight container;
3. More than one liter (1.06 quarts) per package of a material extremely toxic by inhalation (i.e., "material poisonous by inhalation" meeting the criteria for "hazard zone A");
4. Hazmat in bulk packaging having a capacity equal to/greater than 13,248 liters (3,500 gallons for liquids or gases, or more than 13.24 cubic meters (468 cubic feet) for solids;
5. A shipment, in other than bulk packaging of 2,268 kilograms (5,000 pounds) gross weight, or more, of one class of hazmat for which placarding of a vehicle, rail car, or freight container is required; or
6. A quantity of hazmat requiring placarding (activities by farmers in direct support of farming operations are accepted).

The 2010-11 registration year begins July 1, 2010, and ends June 30, 2011. Persons engaging in the above activities during the 2010-11 registration year must file registration statements and pay associated fees before July 1, 2010, or before engaging in any activities, whichever is later. The fee for a small business or not-for-profit organization remains \$275 for 1 year (2010-11), \$525 for 2 years (2010-12), or \$775 for 3 years (2010-13). The fee for all other registrants is \$2,600 for 1 year (2010-11), \$5,175 for 2 years (2010-12), or \$7,750 for 3 years (2010-13).

Persons whose registrations expire on June 30, 2010, will be mailed a registration form and brochure in May. Prior registrants who have supplied current e-mail addresses will be sent notification of the new registration year.

Registrants are encouraged to file their applications and pay the fee via the On-Line Registration by [clicking here](#). For more information, the 2010-11 brochure and application form can be printed from the website above, requested by calling 202-366-4109, or requested by e-mail at register@dot.gov.
[Source: PHMSA]

CVSA Re-Schedules Roadcheck for June 8-10

The Commercial Vehicle Safety Alliance (CVSA) has re-scheduled its annual Roadcheck event for June 8-10, a week later than previously announced. During the 72-hour period, thousands will be examining over 75,000 vehicles. What they find (or don't find) can affect your CSA 2010 scores. Even violations not resulting in an out-of-service order will be tabulated into the CSA 2010 Safety Measurement System. During last year's Roadcheck event, a record 72,782 inspections were conducted. Of the vehicles inspected, 19.6% (over 14,000 vehicles) were placed out of service for mechanical problems. On average, approximately 17 trucks or buses were inspected every minute. Even though Roadcheck 2010 is about a month away, there is still enough time to adjust any deficiencies in your operation. [Source: Asmark Institute]

CSA 2010 Data Preview Now Available for Motor Carriers

DOT announced the Comprehensive Safety Analysis (CSA) 2010 Data Preview, which will allow individual motor carriers to review their safety performance data by the CSA 2010 Behavior Analysis and Safety Improvement Categories (BASICs). The data preview begins April 12, 2010 and ends on November 30, 2010, the national launch date for the CSA 2010 Safety enforcement program. During the data preview period, motor carriers are encouraged to closely examine their performance data and immediately address any safety problems. This is also an opportunity for motor carriers to update and verify their their safety performance data online. This important step is designed to focus motor carriers on identifying and addressing unsafe behaviors that can lead to crash risk. It also underscores FMCSA's

commitment to data integrity and the motor carrier industry's responsibility for ensuring commercial vehicle safety. Complete details on the Data Preview and the CSA 2010 implementation schedule are published in the Federal Register. Sounds to us like DOT is asking you to preview and "proof" your data before the program is launched officially in December. Full implementation of the CSA 2010 program, originally expected to start in July, is likely to be delayed until 2011. [Source: *Asmark Institute*]

IRS Issues Small Employer Health Insurance Coverage Tax Credit Info

Many small businesses that provide health insurance coverage to their employees now qualify for a special tax credit. The credit is specially targeted to help small businesses that primarily employ low and moderate income workers. It is generally available to employers that have fewer than 25 full-time equivalent (FTE) employees paying wages averaging less than \$50,000 per employee per year. In general, the credit is available to these employers that pay at least half the cost of single coverage for their employees. The maximum credit is 35% of premiums paid in 2010 by eligible small business employers. In 2014, this maximum credit increases to 50% of premiums paid. Eligible small businesses can claim the credit as part of the general business credit starting with the 2010 income tax return they file in 2011. [Click here](#) for more information about the credit. [Source: *Asmark Institute*]

NEWS YOU CAN USE

Oil Rig Blast Complicates Push for Energy and Climate Bill

The loss of life and the looming ecological catastrophe from the oil rig explosion in the Gulf of Mexico have piled political complications onto the push for energy and climate change legislation here, officials and interest groups say. Expanded offshore oil and gas drilling is a central component to the compromise plan being written in the Senate to address the nation's energy needs and the emissions of the gases that contribute to global warming. The plan, which still does not exist in legislative form,

would also include multibillion-dollar incentives for nuclear power and so-called clean-coal research. [Source: *The New York Times*]

Details from the President's MO Family Farm Visit

One of the less-publicized parts of President Obama's visit to rural Missouri was his stop at a small farm in Palmyra. After his speech at the Poet Biorefinery in Macon last Wednesday, the President paid a visit to Lowell Schachtsiek at his farm in Marion County. Schachtsiek's one of the founders of the Missouri Farmer's Union, but he has an independent farm. "I don't claim to represent all of agriculture, and I don't want to represent all of agriculture," Schachtsiek said.

Schachtsiek says he gave the President and Agriculture Secretary Tom Vilsack a tour of his farm; where he grows hogs, cattle and row crops. He says diversification has helped in the slow times as of late, but he knows other farmers who haven't been so fortunate. Among other things, he says he told the President the current low grain and corn prices are a problem for all farmers and that he believes buying local is a key for success in rural communities. He thinks the messages were well received. "To be quite honest in dealing with legislative manners, urban people I think have always understood these things better than some of the rural (politicians)," Schachtsiek said.

The President also talked with the family at their kitchen table during the half hour he spent on the farm. Schachtsiek's son told the President no one his age gets into farming now, because people think there's not enough money in it. "You know, agriculture does not influence local communities as it once did, we all know that. But at least it sure helps," Schachtsiek said.

The President mentioned this factor in his speech at the Poet Biorefinery, saying the next generation sees their only possibilities for success outside of their rural towns. The President said he hopes the creation of new industry jobs for professionals, like those at Poet, might encourage young people in rural communities to return home after college.

Schachtsiek also had an unexpected guest. "Actually the White House chef was here, which was kind of strange," Schachtsiek said, laughing. "I had a nice visit with him. Told him about our meat, he liked our thick cut bacon. I gave them some asparagus from the garden, gave him a package of sweet corn seed. Maybe Mrs. Obama will plow up part of the White House lawn and plant sweet corn on it." [Source: *Missourinet*]

City Cluckers: The Impact of Urban Farming

It wasn't unusual to find chickens clucking in the city yards a century ago. They're starting to come back - and coming back enough that a special legislative committee soon might be studying the return of urban agriculture. A small number of Missouri communities have adopted ordinances allowing urban chickens in limited numbers at private homes. The House and Senate are close to approving formation of a special joint interim committee to study the impact of urban farm cooperatives and sustainable living communities on a statewide basis.

The bill is sponsored in the Senate by Jolie Justus, whose district is in eastern Kansas City. But it has support from Senate Agriculture Committee member Frank Barnitz of Lake Spring, a small community in rural Dent County who says, "We have families that are so far removed from agriculture today that they don't understand where their food source comes from." He says it's time Missouri's young people started to understand that there is work behind their food.

Although only legislators will be on the committee, there will be an advisory committee with representatives of the departments of Agriculture, Economic Development, Natural Resources, and Health and Senior Services plus eight people from fields such as farm policy, sustainable energy, indoor farming, botanical gardening, and urban development. The committee has to hold hearings in at least three urban areas. It has to have recommendations ready for the 2011 legislature. The House has approved one

version of the bill. The Senate has made some changes. It's up to the House to decide whether to accept them. [*Source: Missouri.net*]

Audit of Egg Farm Reveals Very Few Problems

When HSUS released its undercover egg barn video in Des Moines last month, the animal rights organization claimed some of the footage was shot at Iowa barns owned by Rose Acre Farms, one of the nation's largest egg producers. However, a recently-completed third-party audit of the Rose Acre facilities indicated the company is meeting the standards established by the United Egg Producers (UEP) Certified program. Gene Gregory is the president and CEO of United Egg Producers. "We did observe a couple little things as far as handling that we made some recommendations to change," Gregory says, "but we're not sure everything that was shown on the videos could be validated at the Rose Acre Farms." Gregory says the other firm mentioned in the video, Rembrandt Enterprises, does not participate the UEP certification program. They're a good company - I mean no disrespect to them," he says, "but we just don't have any authority there." The egg industry has had to contend with several undercover videos over the past two years. But Gregory says the media coverage of the Iowa video was not nearly as extensive as it has been with others. And he adds, "We often get calls from the retail or restaurant market asking us about this," Gregory says. "We really didn't get any calls on this one. So, it passed quickly and the reason for that, I don't know - but we're happy." [*Source: Brownfield*]

HSUS Ballot Measure Signatures Submitted

More than twice the number of signatures required to place a restrictive dog breeding issue on the November ballot in Missouri has been submitted to the Secretary of State's office for approval. The ballot initiative is backed by the Humane Society of the U.S. (HSUS) which says it's trying to reduce the number of "puppy mills" in the number-one state for them -

Missouri, "When you look at the fact that they plowed probably over a half million dollars into the effort to launch this campaign here in Missouri, it's expected they're gonna have some major success. So, it's disappointing but not a surprise," says Don Nikodim, the head of the Missourians for Animal Care Coalition and executive vice president of the Missouri Pork Producers Association. Nikodim and the Missouri Department of Agriculture say the Department has all the regulations it needs to crack down on irresponsible dog breeders - and is doing so - and that the state does not need a whole new layer of regulation. What it needs, Nikodim says, is more funding and resources to do the job, which this ballot proposal does NOT provide.

The Coalition, made up of Missouri ag groups (including MO-AG), not just animal and livestock groups, backs a House-passed resolution to maintain the rights of responsible dog breeders and livestock operators to continue their practices. Will such a ballot question appear on the November ballot? "That's certainly a possibility. That option is being looked at as we speak," Nikodim says. It'll be several weeks for the signature verification process but both sides expect the "puppy mill" ballot to be certified and placed before voters in November. In the meantime, Nikodim says the Coalition will keep up its public education efforts, letting people know the true agenda of HSUS - of severely restricting or eliminating livestock agriculture. He says the track record of HSUS in other states is to move to restrict livestock industry operations, in many cases starting with increasing regulations on dog breeders. It has already been successful in getting those livestock changes approved in several other states. Nikodim says HSUS "a big money activist machine that's out there raising money to further their cause." [Source: *Brownfield*]

UPCOMING EVENTS

JUNE, 2010

8 4-H Clover Classic Golf Tournament; A.L. Gustin Golf

Course; Columbia, MO

26 MDA Annual Golf Classic; Holts Summit, MO

JULY, 2010

6 Missouri Pork Association's Pork Classic Golf
Tournament; Columbia, MO

**21-23 MO-AG Summer Meeting; Country Club Hotel;
Lake Ozark, MO**

AUGUST, 2010

12-22 Missouri State Fair; Sedalia, MO

OCTOBER, 2010

5 MU CAFNR Career Fair; Columbia, MO

JANUARY, 2011

**5-7 MO-AG Convention; Lodge of Four Seasons;
Lake Ozark, MO**

Note: Items in **red** are new postings since the last Wrap-Up issue.

Letters to the Editor

Do you have a response to the Missouri Agribusiness Wrap Up? Let us know! The Missouri Agribusiness Wrap Up is a bi-weekly publication of the Missouri Agribusiness Association (MO-AG). MO-AG is a member-owned association based in Jefferson City, Mo. which protects members' interests in state legislation and provides educational opportunities.

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