



Missouri Agribusiness Association Wrap-Up

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August 2, 2011

FROM STEVE'S DESK

by Steve Taylor



From Steve's Desk

We call this section "from Steve's Desk" when many times it would be better described as "from the road". This is the first time I've been at my desk for many days. During the past two weeks, I have had the chance to touch base with many of you and to advocate on your behalf.

We just recently completed our Summer meeting. Once again, it seemed to be the perfect mixture of business and pleasure. On the business side, we were very pleased to have the Director of the Missouri Department of Natural Resources (MDNR), Sara Parker Pauley, join us as our banquet speaker. We had the good problem of accommodating an unexpectedly large crowd that showed up to hear her speak and lay out her vision for the Department.

Chillicothe

Jerry Foster
Cargill
Jefferson City

Jeff Geisendorfer
Lincoln County
Farmers Coop
Troy

Rex Meyr
Shawnteetown
Feed & Seed
Jackson

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Marshall

Jason Paris
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Columbia

Duane Simpson
Monsanto
St. Louis

Hank Thomas
Van Diest Supply
Marshall

Aaron Wade
Crop Production
Services
Sikeston

Jerry Young
Brunswick



Caption: (Left to Right) Steve Taylor, President MO-AG; Sara Parker Pauley, Director of MDNR; Don Houston, Chairman MO-AG; Bill Jackson, General Manager AGRI Services of Brunswick

Last year's decision to start the golf tournament earlier in the morning appeared to be a good move given the afternoon heat. It was a great day on the course as well as on the water with this year's fishing tournament. The Jim Russell Foundation raised \$ 7,460 during the benefit auction. These funds will help provide scholarships to Missouri college students as well as support agricultural leadership programs in Missouri. In the picture below, Foundation Trustees Donnie Miller and Leo Giezelmann work as 'ring men' to assist auctioneer and Syngenta state government affairs representative, Todd Barlow, with the auction.



Caption: (Left to Right) Donnie Miller, Trustee; Todd Barlow, Syngenta; Leo Giezelmann, Trustee

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Executive Director

Steve Taylor

Director of Member Services

Jeff Leonard

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After hearing from you and the committees, we will be making some changes to next year's summer meeting. One major change will be shortening the meeting and planning for only a 1 night stay. You are busy and work harder every year. We respect the fact that your time is precious. With a shorter agenda, the primary focus of the meeting will continue to be to raise money for the Jim Russell Foundation and to have fun connecting with friends and colleagues.

The week after the Summer meeting I was in Washington DC participating in a 'fly-in' with my state counterparts. Before 'storming the hill', we met with many of our national affiliates to review the issues and strategy. I had several good meetings with members of Congress as well as their staff. One of the top issues didn't involve writing legislation or appropriating money but rather providing Congressional oversight of the federal agencies. For example, the USDA continues to delay the authorization of new biotech products. Why? The EPA and FWS do not accept the work of each other's scientists. Why? The EPA is exceeding its authority by imposing nutrient criteria for state water quality standards. Why? The picture below shows Congresswoman Vicky Hartzler who I believe understands very well the need for oversight hearings in order to have agencies account for their actions. These agency actions can directly impact your business. It's very important to protect your interest and to keep the business of agriculture profitable.

I greatly appreciate the time spent with each member and their staff.



Caption: Jake Secor, Dow Chemical; Congresswoman Vicky Hartzler; Steve Taylor, Missouri Agribusiness Association (MO-AG); Patsy Ashmore, Croplife America

On my way back from Washington, I stopped in St. Louis for a couple days to take in the Missouri Coop Manager's meeting. MO-AG greatly appreciates the support of the Coops, which includes MO-AG Board Member, Jeff Geisendorfer from the Lincoln County Farmers Coop in Troy MO. For my part on the program, I brought with me Steve Feeler, Deputy Director of the MDNR Division of Environmental Quality. Steve did an excellent job describing MDNR's renewed effort to respond better to the needs of businesses regulated by MDNR. MO-AG supported legislation this year that extended MDNR's fees and we supported Governor Nixon's appointment of Director Pauley because of her commitment to work with and not against businesses. I was very pleased to hear some of the Coop managers state that they have already seen a difference during their interactions with MDNR staff. MO-AG will continue to work to keep the momentum in that direction.

Advocacy and networking is a big part of what is MO-AG. That has been on display in a big way these past two weeks. We work on your behalf and we work due to your support.

Until next time,

Steve

MEMBER NEWS

Chance to Support the Tigers

The Tiger Capitol Ball is a gala and auction held in Washington D.C. that benefits the MIZZOU Alumni Association-Alumni Scholars Program and the Tiger Scholarship Fund. Half of the money raised at the ball's auction will be given to the MIZZOU Alumni Association-Alumni Scholars program. This program awards scholarships to MU students from the greater Washington D.C. area. Additionally, half of the proceeds from Tiger Capitol Ball's auction support the Tiger Scholarship Fund. The Tiger Scholarship Fund provides funding for the University's athletic department to continue recruiting athletes with academic prowess. As a 501(c)(3) organization, contributions to the MIZZOU Alumni Association are tax deductible.

For more information on the event and a copy of the sponsorship & donation form (CLICK [HERE](#)) or contact Kellie Bray at 703-731-8106 or kellierbray@gmail.com.

REGULATORY NEWS

Mini-Bulk New Requirements Effective August 16, 2011

Refillable containers will be required to meet the following

requirements:

- One-way valves or tamper evident device on openings is required.
- Containers must have a unique method of identification such as a serial number or other ID code.
- Must meet DOT design, construction, marking.
- No limits on size, except those place by registrants, of the refillable container
- Must be cleaned between uses unless tamper evident and/or one-way valves are intact and filled with same product.
- Containers must be on an approved list from the registrant.
- Must have registrant's cleaning instructions and repackaging authorization on hand.
- EPA Est. # and net contents must be on the product label affixed to the tank.
- Container integrity is the responsibility of both refiller and the registrant.
- Records must be kept for each inspection and fill.

The entire rule can be accessed by clicking [here](#). Another great source of information on the rule change is the Mid America Croplife Association's (MACA) website click [here](#). If you have questions regarding these new requirements please contact MO-AG by phone at 573-636-6130 or by email at jleonard@mo-ag.com.

NEWS YOU CAN USE

Wheat Growers: EPA's Clean Water Act Guidance Would Vastly Expand Water Regulation

A Newly issued guidance document has the potential to dramatically expand regulation under the Clean Water Act (CWA), going against the express wishes of Congress and the Supreme Court in the process, NAWG said in comments last week to the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers.

The comments were made in response to a request from the agencies on new guidance regarding how the government will identify waters protected under CWA, which covers the legally vague "waters of the United States". The new definitions in the guidance will impact action under many Clean Water Act regulatory regimes, including what waters will be covered under the National Pollutant Discharge Elimination System (NPDES) permit program, which is poised to expand dramatically this fall if a legislative fix is not achieved for new and duplicative pesticide permitting requirements established by the Sixth Circuit Court.

NAWG's comments attacked the guidance on both policy and procedural fronts. First and foremost, NAWG told the agencies that the guidance document represents a significant rewrite and expansion

of existing regulatory guidelines. Among other things, the guidance expands the agencies' jurisdiction under CWA beyond the limits set by Congress and the Supreme Court by applying a broadened view of the Court's significant nexus standard not only to wetlands but also to tributaries and isolated water. The guidance allows regulatory decisions to be made based on abstract scientific literature rather than actual analysis of the waters in question. The guidance expands the universe of waters that will be considered "traditional navigable waters" by including for the first time ever waters that support one-time recreational use. It also expands regulation on "intrastate waters," equating them with traditional navigable waters, and making it easier to find jurisdiction for adjacent wetlands, tributaries and other waters. And, the guidance creates a completely new concept of allowing for "aggregation" of the contributions of all similar waters within an entire watershed - creating a blanket jurisdictional determination for an entire class of waters within an entire watershed.

In addition to these severe substantive concerns about the guidance's regulatory expansion, NAWG also commented vigorously on the agencies' highly irregular decision to issue guidance saying what the government will do, versus undertaking a full rulemaking process that involves getting public comment on the details and impact of a proposal. This decision runs contrary to the expressed views of the Supreme Court and the requirements of the Administrative Procedure Act (APA) and ignores requests by agricultural and other stakeholders. It also does an end-run around procedures meant to ensure that new regulations are reasonable and rejects all consideration of the cost of the new and expanded CWA regulation the guidance will cause, estimated by EPA to be between \$87 million and \$171 million without permitting costs or delays taken into consideration.

NAWG works with state associations across the country and agricultural industry colleagues in Washington on a number of environmental regulatory issues, seeking first and foremost to help agencies including the EPA understand the unique nature of agricultural production. More on this work and the full comments submitted this week are available online at www.wheatworld.org/environmentalregulation, under "Statements and Testimony". Source: AgProfessional

State Ag Director Files New Animal-Care Rules

Missouri Director of Agriculture Jon Hagler has filed new rules for the care of dogs at breeding facilities as prescribed earlier this year in Senate Bill 161, also known as the Missouri Solution. Draft permanent rules were filed this past week with the Missouri Secretary of State's Office and are available for public comment. In addition, temporary rules have been submitted to the Secretary of State's Office to comply with the new law and will remain in effect for 180 days.

"This represents a significant step forward in providing our responsible breeders, shelters, rescue groups and other animal-care facilities clear guidelines as we move forward under the Missouri Solution," Hagler

said in a news release. "We take our role in animal welfare very seriously, and these rules are an integral part of ensuring a high-quality breeding industry in Missouri." Changes to the rules include requirements to provide continuous access to potable water, an annual examination by a licensed veterinarian and a documented plan of care for any necessary medical treatment. The rules also ban wire strand flooring in all new construction immediately and set out the larger space regulations required by the law.

According to the Missouri Solution law, Missouri dog breeders with existing facilities must be in compliance with the new veterinary standards and double the size of their enclosures by Jan. 1. The rules filed with the Secretary of State also require all newly constructed facilities and all facilities after 2016, to meet additional size requirements and construction standards.

Under Gov. Jay Nixon and Hagler, the Missouri Department of Agriculture's animal care program has rescued more than 5,100 dogs from substandard conditions over the past two years. This year, a \$1.1 million budget recommendation from Nixon was approved by the Missouri General Assembly. The animal-care program has added two new inspectors and a veterinarian. Source: Missouri Farmer Today

Corps Announces Missouri River Drawdown Plan, Master Manual on the Table

The U.S. Army Corps of Engineers has announced a plan to draw down the levels in upstream reservoirs on the Missouri River to prepare for runoff in 2012. In a statement, Northwestern Division Commander, Brigadier General John McMahan says the plan will gradually draw down excess water from upstream reservoirs to leave 16.3 million acre-feet of storage available by spring for flood control. This is the amount outlined in the Master Manual and based on the 1881 flood.

The General acknowledges runoff from March to July this year was 20 percent greater than what the system was designed to manage, at 49 million acre-feet. However, he says there is not sufficient time to release enough water from upstream to create that much more storage.

The Corps will soon begin an assessment process to study issues such as the possibility of changing the Master Manual to leave more storage open for flood control. Such changes would take effect no earlier than 2013. He says in the mean time, the Corps will focus on repairing damage and preparing the basin for 2012. View the statement from the General [here](#). Source: Missourinet

Lightsquared-GPS Standoff A "Serious Threat"

Developments in Lightsquared's efforts to deploy a terrestrial-based system that would take broadband Internet coast to coast, has garnered a lot of attention over the past year. The deployment of

Lightsquared's system would at best compromise, and at worst render inoperable, global positioning signals for virtually everyone in the country. Lightsquared is a well-financed entity that has spent billions of dollars developing a system that would bring broadband Internet to the entire country. Some 40,000 base stations would be deployed across the country. The Federal Communications Commission took the virtually unprecedented leap of giving Lightsquared permission to move ahead with infrastructure installation even as interference studies were being conducted.

GPS companies formed a working group and tested the effect that Lightsquared's system would have on GPS. The conclusion was that all GPS signals would be compromised, and high accuracy GPS would be particularly vulnerable. Lightsquared's recent offer to "restrict" its signal to its lower band allocation does nothing long term to solve the problem. There's really no alternative spectrum for GPS to move into, and even if possible, a massive reconfiguration of the signal could render current GPS receivers useless and would cost the industry billions of dollars from the manufacturer of technology all the way down to the producer.

The issue is currently in limbo, but it certainly won't stay that way for long with so much money and political capital sitting on the table. Agriculture is not alone in this situation; construction, engineering, and consumer GPS companies are all affected. Click [here](#) to learn more about the issue, including what to say to your representatives. Source: Asmark Institute

Koch Agronomic Services To Acquire AGROTAIN

Agrotain International has signed a definitive agreement to sell its assets to Koch Agronomic Services, LLC, a subsidiary of Koch Fertilizer, LLC. The transaction is subject to regulatory approval and certain other closing conditions. The deal is expected to close in the third quarter.

"The AGROTAIN business has experienced great success and such rapid growth that additional resources are needed to meet demand," said Mike Stegmann, president of AGROTAIN International. "As Koch has a strong presence in the fertilizer business, they approached us about possibly working together. We saw how their resources could help bolster our position as a market leader in the enhanced efficiency fertilizer business and it evolved into an offer to purchase. AGROTAIN International is an outstanding company with a long history of providing value-added products and a dedicated, customer-focused workforce," said Steve Packebush, president of Koch Fertilizer. "The organization truly has an entrepreneurial spirit that lends itself well to take advantage of significant growth opportunities within the enhanced efficiency fertilizer market." Packebush added, "Koch Agronomic Services' vision is to bring enhanced efficiency fertilizers and value-added technologies to the marketplace. By combining the assets, products, research capabilities and global footprint of Koch Fertilizer and Koch Agronomic Services with AGROTAIN International, I believe we will offer our customers the most comprehensive portfolio of value-

added products on the market today."

News of the agreement was shared with AGROTAIN International employees in a company-wide conference call. During the call, Stegmann expressed his sincere desire to continue growing the business and said the potential deal with Koch was the best way to provide for a successful future. He also clarified that Lange-Stegmann Company was not part of the purchase offer and would continue its terminal operations in St. Louis.

Source: Croplife Media Group

US to Propose Ammonium Nitrate Regulations

The proposal comes nearly four years after Congress gave the Homeland Security Department the authority to develop a program to regulate the compound. Ammonium nitrate is one of the most common farm fertilizers in the world, and instructions for turning it into a bomb are available on the Internet. Its deadly potential was once again realized on July 22, when a Norwegian man allegedly blew up a government building in his country, killing eight people with a bomb that investigators believe was made with ammonium nitrate.

More than 15 years after a fertilizer bomb was used to blow up a U.S. government building in Oklahoma City, killing 168 people, the federal government is proposing to regulate the sale and transfer of the chemical ammonium nitrate. The Homeland Security Department would give registration numbers to those who are approved to buy, sell or transfer ammonium nitrate. The registrants would also be required to keep records and report the theft or loss of the chemical within 24 hours of discovering it missing.

On Tuesday, the Homeland Security Department's proposal was posted on the Federal Register website, and the public will have 120 days to comment. As it is proposed, the "Ammonium Nitrate Security Program" would require those who purchase, sell or transfer at least 25 pounds (11 kilograms) of the chemical in the U.S. to register with the government so that they may be screened against U.S. terror watch lists, according to a homeland security official who spoke on condition of anonymity because the proposal had not formally been published. Oklahoma City bomber Timothy McVeigh used 4,000 pounds (1,800 kilograms) of ammonium nitrate to blow up the Alfred P. Murrah Federal Building in 1995.

"In today's ever-evolving threat environment, we must continually reinforce the security of substances, such as ammonium nitrate, which can be used for legitimate purposes or exploited by terrorists," Homeland Security Secretary Janet Napolitano said Tuesday. In late 2007, Congress passed a law requiring the department to develop a regulation program. The department missed its 2008 deadline to publish a final rule, and instead that year, it posted an advance notice in the Federal Register that it would eventually post a proposal for regulating ammonium nitrate. The public had 120 days to comment then, as well. Among the concerns was that farmers who use fertilizer with ammonium nitrate don't have the computers or computer skills to

adhere to the federal government's reporting requirements.

The department already requires that businesses storing certain dangerous or combustible chemicals, including ammonium nitrate, provide regular reports on the security of those materials. But those regulations are centered on the security of the facility and not the sale and transfers of the chemical. The bureau of Alcohol, Tobacco, Firearms and Explosives already regulates explosive mixtures that include ammonium nitrate. The homeland security proposal is designed not to duplicate other federal efforts, the homeland security official said.

After the 1995 Oklahoma City bombing, ATF partnered with the industry group, The Fertilizer Institute, and other members of the agriculture industry to launch a voluntary reporting program for people to report suspicious activities, including thefts of ammonium nitrate. Studies were done to see whether the explosive properties of ammonium nitrate could be made inert, said Kathy Mathers, spokeswoman for the Fertilizer Institute. That was not possible, she said, and over the years it became clear that there needed to be a formal regulating program. Source: Associated Press

Editor's Note: The Homeland Security Department's proposal can be viewed [here](#).

UPCOMING EVENTS

AUGUST, 2011

11-21 Missouri State Fair; Sedalia, MO

SEPTEMBER, 2011

28-30 MO Seedmen's Assoc. Annual Meeting; Lake Ozark, MO

OCTOBER, 2011

5 MU CAFNR Career Fair; Columbia, MO
11 **MO-AG Regional Meeting; Country Club of MO, Columbia**

NOVEMBER, 2011

17 ALOT Annual Meeting; Columbia, MO

DECEMBER, 2011

4-6 MO Farm Bureau 97th Annual Meeting; Lake Ozark, MO
16-17 MO Cattlemen's Assoc. Annual Meeting; Columbia, MO

JANUARY, 2012

11-13 MO-AG Winter Convention; Lake Ozark, MO

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

JOB OPENINGS

Director of Grain Operations

MFA Incorporated, a Midwest-based Agri business, seeks a Director of Grain Operations at our corporate office in Columbia, Missouri. This position will manage the grain operations of the Agri Services Division and advise other corporate operating areas in a manner that will maximize net grain operating revenue. This is a key management position. We are looking for someone who has the experience, knowledge and analytical capacity needed by a senior level commercial merchandising manager as well as a broad base knowledge of elevator operations and business management. An in-depth knowledge of the wheat, corn, soybeans and milo cash grain markets within the Missouri and surrounding trade areas is required. A background in trading of river markets, western terminal markets, soybean processing, wheat milling, and domestic feed markets is necessary. Knowledge of elevator operations; barge, rail and truck transportation; industry trade rules covering grain and freight; various market trade practices; and state and federal programs and requirements is needed. Knowledge of futures instruments and spreads as well as governing rules and regulations is necessary. A strong understanding of various cash contractual forms and their impact on accounting and profitability is required. The person in this position must also have excellent management and business skills; excellent accounting, math and analytical skills; excellent interpersonal and time management skills; excellent oral and written communication skills; and excellent negotiation skills. If you feel you're up to the challenges this busy position offers apply to:

Human Resources
MFA Incorporated
201 Ray Young Drive
Columbia, Missouri 65201
HR@mfa-inc.com

Check out our Web site for more details at www.mfa-inc.com

EOE/M/F/D/V

Note: If you have a job you would like listed on our

Web site's classified page and in the Missouri Agribusiness Wrap Up, please email to mo-ag@mo-ag.com

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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