

Michigan Commission of Agriculture Meeting Minutes

November 1999

**Michigan Department of Agriculture
Michigan Commission of Agriculture Meeting Minutes
611 West Ottawa Street, 4th Floor, Dean Pridgeon Conference Room
Lansing, Michigan
November 10, 1999**

PRESENT:

Deanna Stamp, Chair, Commission of Agriculture
James Maitland, Vice-Chair, Commission of Agriculture
Jordan Tatter, Secretary, Commission of Agriculture
Shirley Skogman, Commission of Agriculture
Douglas Darling, Commission of Agriculture
Dan Wyant, Director, Michigan Department of Agriculture

OTHERS PRESENT: *(all or part of the meeting)*

Michigan Department of Agriculture Staff
Ron Zellar, Attorney General's Office
Robert Bender, State Bovine Tuberculosis Eradication Coordinator
Gary Boersen, Michigan Department of Environmental Quality
Tom Frazier, Office of Senator Spencer Abraham
Jim Goodrich, Michigan Farm Bureau
Dr. Maynard Hogberg, Michigan State University
Dr. Lee Jacobs, Michigan State University
Rick Mundy, East Lansing
Ron Nelson, Michigan Farm Bureau
Bridgett Voisinet, Michigan Cattlemen's Association

CALL TO ORDER AND ROLL CALL

Chair Stamp called the meeting to order at 8:30 a.m., on November 10, 1999. Secretary Tatter called the roll with Director Wyant and all Commissioners present.

APPROVAL OF AGENDA

MOTION: COMMISSIONER SKOGMAN MOVED TO APPROVE THE NOVEMBER 10, 1999, AGENDA AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF MINUTES

MOTION: COMMISSIONER TATTER MOVED TO APPROVE THE OCTOBER 13, 1999, COMMISSION OF AGRICULTURE MEETING MINUTES AS PRESENTED. MOTION CARRIED UNANIMOUSLY. SECONDED.

NEXT MEETING:

The next meeting of the Commission of Agriculture will be held on Friday, December 10, 1999, in the Michigan Department of Agriculture, 4th Floor, Dean Pridgeon Conference Room, 611 West Ottawa Street, Lansing, Michigan.

APPROVAL OF COMMISSIONERS' PER DIEM/TRAVEL:

MOTION: COMMISSIONER DARLING MOVED TO APPROVE CHAIR STAMP'S PER DIEM AND TRAVEL

ON OCTOBER 27, 1999, AND NOVEMBER 9, 1999, TO ATTEND MEETINGS OF THE DEPARTMENT OF NATURAL RESOURCES BAITING AND FEEDING WORKGROUP IN LANSING, MICHIGAN. SECONDED. MOTION CARRIED UNANIMOUSLY.

COMMISSIONERS' COMMENTS:

Commissioner Jordan Tatter reported that the Southwest Michigan soybean harvest is completed and the corn harvest is almost finished. The apple crop was too large to fit in available cold storage space, but is completed. There is still a lot of fruit yet to be delivered to packers or processors, so quality is going down hill as the fruit sits in the bins in the orchards or yards.

Commissioner Tatter participated in the following:

- Michigan Frozen Food Packers Association October meeting, hosted by the Southwestern Michigan Research and Extension Center of Michigan State University.
- Monthly meeting of the Benton Harbor Area Economic Adjustment Task Force, where Commissioner Tatter represented agricultural and food processing interests. This local effort is funded by the Economic Development Administration with a \$100,000 grant.
- Fort Miami Historical Society where Commissioner Tatter presented a talk entitled, "*The Western Michigan Fruit and Vegetable Industry and Why It's Here—A Geographical, Climatological and Historical Review.*"
- Act 51 Transportation Funding Study Committee meeting.
- Berrien County Farm Bureau annual meeting; Michigan Farm Bureau President Jack Laurie was the speaker. Senator Gast and Representatives LaSata and Jelinek also attended and spoke on legislative and agricultural issues. Commissioner Tatter shared the resolutions passed at the meeting with Director Wyant.
- Eye Opener Breakfast Legislative Panel Discussion sponsored by the Twin City Area Cornerstone Alliance. Congressman Upton and Representative LaSata spoke and responded to questions.
- Public meeting held at Western Michigan University in Kalamazoo to explain and receive comment on Senate Bill 205 and House Substitute H-4, which amends the Right to Farm Act. The Director and staff took part in the meeting as both listeners and respondents to audience questions. The legislation, in its present form, is divisive within the agricultural community and is not acceptable to several other constituent groups.

Commissioner Tatter was disappointed to learn that the "*Michigan Farmer*" magazine will no longer be located in Michigan and that the editor's position held by Dean Peterson was eliminated. He added that MDA staff now would need to work with Ohio-based publishers and writers to help keep the publication on top of Michigan agricultural issues.

He also expressed appreciation to Dale Sherwin on behalf of the Michigan Peach Sponsors, especially its Berrien County members. Mr. Sherwin's efforts assisted in getting USDA to recognize the fault in the crop insurance calculation for payment of the early January peach crop freeze loss that was basically confined to Berrien County.

Commissioner James Maitland reported that the apple harvest has been completed in Northern Michigan, but growers are experiencing a problem of limited storage capacity. He recently met informally with Senator McManus and other township representatives to discuss the Right to Farm issue. Commissioner Maitland expressed his appreciation for Senator McManus' efforts in presenting the legislation.

Commissioner Maitland attended the Harvest Gathering reception held in Lansing. He commended the Michigan Department of Agriculture on its ongoing efforts with the Food Bank.

Commissioner Shirley Skogman reported that the area potato harvest was very good. The outlook for Burbank potatoes looks better this year, but the White Snowden variety may be discontinued due to Frito-Lay's decision not to purchase that particular variety. She also has been invited to a December 7, 1999, meeting hosted by the Michigan Potato Commission to discuss options to better serve fresh markets. Commissioner

Skogman attended the annual Dickinson County Soil Conservation District meeting held in October. She reported that the fire danger in her area of the Upper Peninsula is extremely high and all burning permits have been cancelled.

Commissioner Skogman has received many negative comments about the Memorandum of Understanding between the DNR and MDA. She said that deer baiting continues in full force in the Upper Peninsula. Some feel that compliance and enforcement are not being taken seriously.

Commissioner Douglas Darling reported that Southeast Michigan harvest is almost completed. He commented that truck weight enforcement this year appears higher than normal. He attended and was a judge at the FFA National Convention held in Louisville, Kentucky. More than 40,000 were in attendance and it was refreshing to see so many young people excited about agri-business and the future of agriculture.

Commissioner Darling said he has received calls on the Right to Farm issue. There is a lot of emotion that is charged into this issue. He believes that it is partially due to the lack of agriculture awareness in the school system. People don't always recognize where food comes from; however, he added that agriculture must be conscientious about its neighbors. He also said that the movement of grain has been a challenge due to the large crop.

Commissioner Deanna Stamp reported that she has received concerns about the Memorandum of Understanding and also about the testing of Deacon calves, the funding of the program, and the amount of deer bait being sold. She believes that education needs to occur and that the DNR must enforce the rules and penalties. Commissioner Stamp reported that harvest is complete; however, there still is corn standing in the fields because of storage and rail shortages. She reported that dry conditions in the area are causing dry wells. Commissioner Stamp attended two of the baiting and feeding workgroup meetings where discussions were held about baiting materials and how the situation should be approached scientifically.

LEGISLATIVE REPORT: Brad Deacon, Legislative Liaison

Brad Deacon, Legislative Liaison, distributed copies and reviewed the *November 1999 Legislative Report*. Legislation that has not yet been introduced, but most likely will be this year includes the food code, groundwater reauthorization to reset the sunset that expires next year, and controlled atmosphere storage.

Mr. Deacon distributed copies of the *House Substitute for Senate Bill No. 205*, a bill to amend 1981, PA 93, "Michigan Right to Farm Act." Amendments to the bill include:

- *"By April 1, 2000, the Commission of Agriculture shall issue generally accepted agricultural and management practices for site selection and control of manure odors," and*
- *"If a local unit of government wants to establish a zoning ordinance that goes beyond the generally accepted agricultural and management practices the Department of Agriculture shall hold a public meeting in that local unit of government to determine the nature and extent of adverse effects on the environment or public health. To make its determination the Department of Agriculture shall also consider any recommendations of the county health department of the county where the adverse effects on the environment or public health will allegedly exist."*

Director Wyant explained that the bill passed the Senate generally as introduced, with an outright preemption of local units' ability to pass ordinances that duplicated or conflicted with right to farm. He said there was some opposition by local governments. Therefore, language was added that actually mirrors current pesticide and fertilizer laws. Director Wyant said it gives the ability, if there is an adverse local public or environmental impact based on scientific bases, for those issues to be brought forward to the Commission.

Director Wyant said that the siting GAAMP is a dramatic change from the Senate version and the majority of conflict centers around new and expanding operations. Dr. Maynard Hogberg of Michigan State University has indicated that those siting guidelines could be added to existing GAAMPs. These additional guidelines will help to assure both farmers and local units of government that when these sites are established there will be consideration given to animal unit number and kind with respect to site location.

Director Wyant distributed and referred to the *Michigan Right to Farm Act*, Section 286.472 (d) "Generally

accepted agricultural and management practices" means those practices as defined by the Michigan commission of agriculture. The commission shall give due consideration to available Michigan department of agriculture information and written recommendations from the Michigan state university college of agriculture and natural resources extension and the agricultural experiment station in cooperation with the United States department of agriculture natural resources conservation service and the consolidated farm service agency, the Michigan department of natural resources, and other professional and industry organizations." Speaker Perricone would like to add the following to the end of the last sentence, "including the Michigan township association, the Michigan municipal league, and the Michigan association of counties."

Speaker Perricone also would like to see a copy of the draft siting GAAMPs released to the public prior to the effective date of the bill. Currently, the bill states April 1, 2000, is the effective date, which is the same date the GAAMPs must be adopted. Director Wyant has recommended that April 1 be the public release date, and that the adoption and effective date be a month or two later.

Speaker Perricone also would like MDA to establish an 800 emergency response line. Director Wyant has indicated that MDA currently has an 800 line available. Speaker Perricone also would like MDA to verify on-farm abatement of a complaint by having MDA invite a local township official to on-farm visits. This would not be a legislative change, but a departmental procedural policy.

Director Wyant said that the Legislature has requested receipt of GAAMPs, once they have been adopted by the Commission.

Commissioners Tatter and Stamp both stated that they see no problem with the requests made by the Speaker.

Commissioner Darling agreed and added that it is important to realize that even though every complaint received by MDA did not warrant action, the person filing the complaint may perceive that lack of action as being non-responsive.

Commissioner Maitland referred to the term "local official," and questioned whether the term should be more specific in its definition.

Director Wyant asked Ron Nelson of the Michigan Farm Bureau to join the discussion and give his view of the public meeting held November 9, 1999, in Kalamazoo, Michigan.

Mr. Nelson said that the concern raised at the meeting about manure on the road is not the responsibility of MDA. Generally, Mr. Nelson does not see a problem with the suggestions made by Speaker Perricone and having local involvement in the development of GAAMPs is not a problem. However, he does question whether or not it needs to be statutory. He said that the list of those who want to be included in the discussions and listed in the law could become very long. The Michigan Farm Bureau would certainly want to be included in that list.

Commissioner Darling agreed and restated the fact that the public meetings held before the adoption of the GAAMPs offer the opportunity for discussion and input. He also suggested that the Commission send a letter to Speaker Perricone supporting public input, but not necessarily supporting specific organizations being written into the statute.

Mr. Deacon will draft a letter to Speaker Perricone for Commission approval.

UPDATE ON BOVINE TUBERCULOSIS: Dr. H. Michael Chaddock, State Veterinarian, Animal Industry Division, and Robert Bender, State Bovine Tuberculosis Eradication Coordinator

Dr. H. Michael Chaddock, State Veterinarian, Animal Industry Division, distributed copies of the "*Northeast Michigan Bovine Tuberculosis Surveillance Program Summary Report*," dated November 9, 1999.

Dr. Chaddock referred to the report and highlighted the following:

- Over 50,000 animal tests have been completed in northeast Michigan;
- Approximately 1,100 farms have been tested;

- Five herds remain to be tested in the original five-county area;
- Five herds remain to be tested in the buffer zone (surveillance zone).

Dr. John Clifford, USDA-APHIS, Assistant Deputy Administrator for Veterinary Services, recently visited Michigan and met with MDA and industry representatives. Dr. Clifford has assumed the responsibility of National Bovine Tuberculosis Eradication Coordinator. During his visit, Dr. Clifford focused on the importance of the eradication program in Michigan from a national and international perspective. There are very few places where bovine tuberculosis is found in the United States. Dr. Clifford also was taken on an aerial tour of the bovine tuberculosis area. He also visited a captive cervidae operation and a beef operation. Dr. Clifford met and answered questions from cattle producers and wildlife interests.

Dr. Chaddock distributed copies of the *Interim Rule*, published in the November 1, 1999, Federal Register. The Interim Rule states that effective November 20, 1999, Michigan will be zoned accredited-free and non-modified accredited. The Interim Rule also outlines the testing requirements to maintain that zoning. The USDA will be accepting comments through January 3, 2000. Once the comments are received, it will review each comment and decide whether or not the rule will stand as is, will be amended, or if the rule should be repealed. Dr. Chaddock said that Dr. Clifford emphasized the need and importance of receiving specific and constructive comments from citizens in all areas of Michigan.

Dr. Chaddock distributed copies of the draft *Memorandum of Understanding (MOU)* between the Michigan Department of Agriculture, Michigan Department of Natural Resources, and the USDA. The MOU will establish the criteria for the maintenance of split status zones specifically for Michigan. The MOU not only deals with specifics, but also allows an opportunity for Michigan to adapt the requirements to meet the needs of Michigan and its industry. Dr. Chaddock stressed that the Interim Rule and the MOU both fit into the USDA's national and international TB situation as it affects worldwide trade.

Director Wyant added that Dr. Clifford indicated USDA's desire to work with Michigan to minimize economic hardship. However, Dr. Clifford was very clear in saying that there is only so much that USDA can do. USDA will not put other states or export markets at risk.

Dr. Chaddock said Michigan is continuing to work on the draft MOU. There are three issues Dr. Chaddock continues to discuss with USDA:

1. The possibility of moving calves without individual calf testing.
2. The sale of cull cattle. The current draft states that cull cattle must go directly to slaughter, not through a sale yard.
3. The recognition of accredited cattle herds or qualified captive cervid herds.

He also said that once the Memorandum of Understanding is in place, it would necessitate changing the current quarantine and its requirements.

Commissioner Tatter referred to a letter written to the Commission from Susan Nowak, District X Director, Michigan Farm Bureau, 4392 Nowak Road, Gaylord, Michigan 49735, representing a group of concerned cattle producers.

Dr. Chaddock said that he and Deputy Director Keith Creagh have met to review and discuss the concerns of Ms. Nowak and her group. Dr. Chaddock indicated that many of those concerns are currently being addressed. However, some of the other concerns raised in the letter will require further discussion. MDA will continue to work with the producers to address those issues.

Dr. Chaddock reported that a beef cattle herd, consisting of approximately 130 animals, located in Presque Isle County, a county within the bovine TB quarantined area, received its whole herd test about 10 days ago. In that herd, eight animals have responded to the caudal fold test. These animals were then administered the comparative cervical test and five of those animals were clearly in the reactor range.

In reviewing the information and history about the herd, Dr. Chaddock recommended to the Director that 10 of

those animals be destroyed. This number includes five animals clearly in the reactor zone, the other three that responded, and two calves that were nursing from this group. These animals have been delivered to the MSU laboratory. Five of those animals had lesions suggestive of bovine tuberculosis. The other five animals did not show any visible gross lesions. Tissues have been sent to the laboratory in Ames, Iowa, and MDA is currently awaiting results. Once all of the information has been received, it will be reviewed, and final diagnosis will be determined. The herd is currently under quarantine.

Dr. Chaddock provided some history about this herd. He said that the state attempted to test the herd in the summer of 1998. The state was not able to do testing because the owners, two brothers, were involved in legal litigation about who owned the facility and its premises. A private practitioner, however, conducted testing on May 7 of this year on 118 animals that one of the owners wanted to move. The findings on those tests were negative. However, a whole herd test was done on 131 animals by the same private practitioner, who discovered the caudal fold responders.

Mr. Bender discussed his concern about the importance of bringing deer numbers down this year. There was tremendous progress last year. The issue for the DNR will be how effective the no baiting policy has been. If the numbers go down there may be pressure from the Natural Resources Commission to discontinue the bait ban.

Mr. Bender reported that a suspect deer has been found about six miles south of M55. The animal is being tested at MSU and Community Health laboratories. Mr. Bender also said that he has received comments about the lack of strict enforcement of the feeding and baiting ban. On the other hand, however, he also has heard comments to the contrary.

Director Wyant expressed his appreciation to the staff of the Animal Industry Division and Mr. Bender for their hard work on these difficult issues.

Commissioner Skogman said she believes it is important to educate citizens about the Memorandum of Understanding and the Interim Rule.

MOTION: COMMISSIONER TATTER MOVED TO RECEIVE THE DRAFT MEMORANDUM OF UNDERSTANDING AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT ON GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES

No public comment was received at today's meeting.

APPROVAL OF THE GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR NUTRIENT UTILIZATION: Dr. Lee Jacobs, Chair of the Review Committee

Dr. Lee Jacobs, Chair of the Review Committee, reported that the comments received during the public comment period pertained mostly to the process and the role of MDA in that process. He said that he and the review committee did not feel that these issues were appropriate to address in the Generally Accepted Agricultural and Management Practices. There were, however, minor adjustments received and appropriately incorporated into the GAAMPs. Dr. Jacobs said there also were comments from the NRCS that would be more appropriately addressed during next year's review.

Director Wyant asked that Vicki Pontz-Teachout, director of the Environmental Stewardship Division, address the issue on how the review committee is established.

Ms. Pontz-Teachout stated that historically the Commission has worked with the Dean of the MSU College of Agriculture and Natural Resources in the appointment of a committee chair. The committee chair then selects those individuals who possess the expertise and scientific background appropriate to assist in the development of the recommended GAAMPs.

Dr. Hogberg agreed with Ms. Pontz-Teachout, adding that he took over as chair of the Nutrient Utilization GAAMPs from Dr. Maurice Vitosh. He said that current members of his committee include those with expertise in greenhouse nutrient management, horticulture, irrigation, etc. There is also representation by the NRCS,

Michigan Farm Bureau, Department of Environmental Quality, MDA, etc. Dr. Hogberg said that if the committee members do not possess the expertise needed on a particular point, that expertise is gleaned from the appropriate university or agency.

Director Wyant said that this is a science-based, technical committee with a focus and a predisposition for expertise in science and technical application. He added that there is an opportunity for public input if there is social debate that desires to be added into the discussion.

Commissioner Maitland expressed his support of the GAAMPs' review committees, but questioned whether or not the Commission should be included in the selection of committee members. He also recommended that the Commission receive a written outline of the entire GAAMP process from a historical perspective.

Dr. Jacobs responded that the committee is certainly open to any recommendations.

Commissioner Tatter agreed with Commissioner Maitland's desire to have the entire process be as open as possible.

Commissioner Darling restated the fact that there is a public comment period held prior to GAAMPs adoption by the Commission. He also believes that it is critical to keep the committee technically and scientifically based.

MOTION: COMMISSIONER TATTER MOVED TO APPROVE THE GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR NUTRIENT UTILIZATION. SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF THE GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR MANURE MANAGEMENT: Dr. Maynard Hogberg, Chair of the Review Committee

Dr. Maynard Hogberg, Chair of the Review Committee, has been involved from the beginning in this process. He said that when the process began in 1987 it was during a very emotional time when people were trying to discover what Right to Farm actually meant. He said that at that time the Commission asked the Dean of the MSU College of Agriculture and Natural Resources to appoint a committee with a sound scientific basis, at the urging of industry. Dr. Hogberg was asked to chair the committee and he agreed if he could select a committee that was balanced and had a scientific basis. Dr. Hogberg felt it was necessary to move the discussion out of the emotional arena into a scientific area. After the committee was selected and defensible management practices were written, they were taken statewide to the public for comment.

Dr. Hogberg highlighted the changes made to the *Generally Accepted Agricultural and Management Practices for Manure Management*. He stated that one issue the committee looks at is what needs to be changed now and in the future to continue to protect the environment, make those changes in a rational manner, and continue to be economically viable. The economic aspect is important and that is why an agricultural economist is part of the review committee. Dr. Hogberg said that the manure management system plan was rewritten to instill two aspects: 1) nutrient management; 2) odor management.

Commissioner Tatter asked if the title of the GAAMP should be expanded to include organic materials. He also said he believes it is important for the committee chairs to not only look at the GAAMPs, but the titles as well to make sure they are still appropriate.

Dr. Hogberg agreed and responded that he believes the title for the manure management GAAMPs is still appropriate.

MOTION: COMMISSIONER MAITLAND MOVED TO APPROVE THE GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR MANURE MANAGEMENT AND UTILIZATION. SECONDED. MOTION CARRIED UNANIMOUSLY.

INITIAL SUBMISSION OF GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR CRANBERRY PRODUCTION: Marv Johansen, Environmental Stewardship Division

Marv Johansen of the Environmental Stewardship Division presented the draft of the *"Generally Accepted*

Agricultural and Management Practices for Cranberry Production." This initial submission is for the Commission to approve release of the document to the public for comment. The public comments will be given to the task force chair and the final draft will be presented to the Commission at a future meeting. A public meeting will be scheduled to receive public comment after a draft document is available.

MOTION: COMMISSIONER MAITLAND MOVED TO INITIATE THE ANNUAL REVIEW OF THE GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR CRANBERRY PRODUCTION AND MAKE THEM AVAILABLE FOR PUBLIC COMMENT. SECONDED. MOTION CARRIED UNANIMOUSLY.

INITIAL SUBMISSION OF GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR THE CARE OF FARM ANIMALS: Marv Johansen, Environmental Stewardship Division

Marv Johansen of the Environmental Stewardship Division presented the draft of the "*Generally Accepted Agricultural and Management Practices for the Care of Farm Animals.*" This initial submission is for the Commission to approve release of the document to the public for comment. The public comments will be given to the task force chair and the final draft will be presented to the Commission at a future meeting. A public meeting will be scheduled to receive public comment after a draft document is available.

MOTION: COMMISSIONER MAITLAND MOVED TO INITIATE THE ANNUAL REVIEW OF THE GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR THE CARE OF FARM ANIMALS AND MAKE THEM AVAILABLE FOR PUBLIC COMMENT. SECONDED. MOTION CARRIED UNANIMOUSLY.

Director Wyant acknowledged and thanked Mr. Gary Boersen of the Michigan Department of Environmental Quality for his assistance in the GAAMP and Right to Farm process.

UPDATE ON THE SOYBEAN INDUSTRY: Keith Reinholt, Executive Director, Michigan Soybean Committee:

Mr. Keith Reinholt, Executive Director of the Michigan Soybean Committee, provided an update on the soybean industry in Michigan. He highlighted the following:

- Michigan has had a check-off program since 1976. In 1991 it became a federal program with the committee administering the program existing by virtue of PA 232. The federal program states that 50 percent of the collections must go to the U.S. Soybean Board. The federal program differs from the state program in that the state program authorizes that every five years there shall be a referendum. The federal program states that every five years there shall be an opportunity to request a referendum. Currently, there is a request for a federal referendum that began October 20, 1999, through November 16, 1999. Any grower who would like to have a referendum on the soybean program nationally can contact the Farm Service Agency to request a referendum be held. If 10 percent of the growers across the United States, or about 60,000 producers, request a referendum, the Secretary of Agriculture determines that a referendum be held within 12 months.
- There was record crop this year in Michigan in terms of acreage. Acreage is growing across the state.
- There was record production this year of about 80 million bushels Michigan.
- The soybean check-off is different than other programs in that it is based on production times price. There will be a collection of about \$1.6 million this year, with 50 percent being sent to the federal program.
- In the last five years, processing is up in the state by 10 to 12 percent, especially in the Zeeland area.
- 50 percent of the \$800,000 goes into research, and it is not all production research. There is a research component for new uses, for domestic issues, etc.
- The challenge facing the soybean committee is to commercialize the new uses for soybeans.

- Henry Ford was instrumental in forwarding the soybean industry. There is a building at Greenfield Village where Henry Ford did soybean research that the committee would like to restore and make into an agricultural museum.

APPROVAL OF THE 1999 COMMISSION AWARD OF EXCELLENCE: Dave Charney, Commission Liaison

Dave Charney presented the following *1999 Commission Award of Excellence* to the Commission for approval. The award will be presented at the December 10, 1999, Employee Recognition Ceremony, to be held at the State Library and Historical Center, in Lansing, Michigan.

The Michigan Commission of Agriculture Excellence Award is presented to the staff of the Marketing and Communications Division for its outstanding efforts in successfully coordinating and planning two major conferences, the Midwest Association of State Departments of Agriculture (MASDA) and the North American Agricultural Marketing Officials (NAAMO).

Preparations for these two events, which were held simultaneously in July of 1999, began in early 1997. The Marketing and Communications Division staff worked many long hours to accomplish the task of planning and coordinating major conferences for two distinct groups. In addition to planning the daily meeting agendas and speakers for each meeting at two different locations in Traverse City, activities also were planned for conference participants' spouses and children. This included arranging tours to Suttons Bay and area wineries, coordinating meals, visiting a local museum and water park, climbing the Sleeping Bear Dunes, staffing and hosting a children's activity room, and ensuring that spouses and children enjoyed their stay in Michigan. Conference attendees even enjoyed a Michigan Luau.

Participants of both conferences thoroughly enjoyed their visit to Michigan, which was evidenced by the many positive comments received. Not only did the meetings provide important and valuable interaction between the states and provinces, but the conference also offered fun and enjoyable activities for all conference attendees.

The success of these two conferences was the direct result of the innovation, creativity, dedication and team spirit of the Marketing and Communications Division staff. It is with great pleasure that the Michigan Commission of Agriculture presents the 1999 Commission Award of Excellence to the Marketing and Communications Division for its success in showcasing Michigan to its guests.

MOTION: COMMISSIONER MAITLAND MOVED TO APPROVE THE 1999 COMMISSION AWARD OF EXCELLENCE AWARD AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF THE COMMISSION OF AGRICULTURE 2000 MEETING SCHEDULE: Dave Charney, Commission Liaison

Dave Charney, Commission Liaison, presented the following proposed Commission of Agriculture Meeting Schedule for the Year 2000 for approval.

Meeting Date Location

January 13-14, 2000 Dearborn
February 8-9 East Lansing
March 8-9 East Lansing
April 12 (*Tentative*) Lansing
May 10 Lansing
June 13-14 Saginaw
July 10-11 East Lansing
August 17-18 Escanaba
September 13 Lansing
October 11 (*Tentative*) Lansing
November 8-9 Southwest Michigan
December 7-8 Traverse City

MOTION: COMMISSIONER DARLING MOVED TO APPROVE THE COMMISSION OF AGRICULTURE MEETING SCHEDULE FOR THE YEAR 2000. SECONDED. MOTION CARRIED UNANIMOUSLY.

MDA WEBSITE DEMONSTRATION: Willie Vinson, Marketing and Communications Division

Willie Vinson of the Marketing and Communications Division provided a demonstration of the Michigan Department of Agriculture Website. The Website address is: <http://www.mda.state.mi>

Director Wyant stated that technology is one of Governor Engler's top priorities for the future. The Governor would like Michigan to be a model in the country for integrating state departments into one web page. This will offer citizens the ability to obtain licensing, etc., by accessing one State of Michigan web page.

PUBLIC COMMENT

Transportation Funding Study Committee: No public comment was received at today's meeting.

Other Issues: No public comment was received at today's meeting.

GENETICALLY MODIFIED ORGANISMS: Kenneth Rauscher, Director of the Pesticide and Plant Pest Management Division:

Kenneth Rauscher, Director of the Pesticide and Plant Pest Management Division distributed materials providing information about Genetically Modified Organisms (GMOs).

Mr. Rauscher reported that he attended a meeting recently hosted by the Illinois Department of Agriculture. The purpose of the meeting was to discuss GMOs or Genetically Enhanced Organisms (GEOs). He provided an overview of the meeting discussions:

- Planting: The issues in Illinois are the same as in other states. The feeling is that in the next 60 to 120 days there will be more clarity in terms of information available for farmers as to what they should or should not plant.
- Segregation: Currently, about 10 percent of the grain and soybeans in storage can be segregated. The belief is that segregation will become a reality if consumers demand it. It would probably be two to three years before it becomes a reality. There will be extra cost involve in segregating.
- Labeling: The group would rather that labeling not be an issue at the World Trade Organization (WTO) meeting. The Illinois Soybean Growers Association is supporting an opportunity for voluntary labeling if niche markets and consumers demand it.
- Supplies: Feed supplies appear to be adequate for this next year if farmers look at switching 10 to 15 percent from GMOs to non GMOs. However, Pioneer believes that if the swing is 50 percent or more, seed supplies will become extremely tight. Quick Tests are available for people that are shipping; however, there is a lot of variability in terms of accuracy of these tests.
- Public Communication: The group believes that there should be short-term message on GEOs, occurring within the next 60 to 120 days, with the long-term message relative to its benefits to follow. It was suggested that the messages be disseminated through university extension, farmers, and regulatory agencies.

A number of meetings will be held in the future:

- FDA is sponsoring a series of public meetings, the first one in Chicago, Illinois, on November 18, 1999, with follow up public meetings in Washington, D.C. and in Oakland, California.
- Michigan Farm Bureau, the Michigan Agri-Business Association, MSU and MDA will be sponsoring a meeting on December 17, 1999, at the Radisson Hotel in Lansing.
- Sessions also will occur at the Michigan Farm Bureau Annual Meeting on December 2, 1999, in Traverse City.
- Michigan Agri-Business Association Annual Conference will be held February 10, 2000. One-half

day will be devoted to GMOs.

- MSU is planning a conference some time in February 2000.
- Mr. Rauscher will chair a MDA committee that will be formed to look at GMOs to determine the department's role and responsibilities as they relate to GMOs. Committee recommendations will be shared with Director Wyant.

Mr. Rauscher also distributed copies of the US-EPA Progress Report, *"Implementing the Food Quality Protection Act."*

RECESS

The meeting recessed at 12:15 p.m.

RECONVENE

The meeting reconvened at 1:15 p.m.

DIRECTOR'S REPORT:

Director Wyant reviewed the following:

Pseudorabies Stage IV: USDA has announced that Michigan is now in Stage IV of the Pseudorabies Eradication Program. This is good news because Canada requires that Michigan be in Stage IV to receive any hogs into the Province of Ontario. In fact, the first two hog shipments to Canada have already been made.

Michigan State Fair: The Michigan State Fair announced last week that it broke even (a profit of \$26,000) for the first time in over 30 years. Director Wyant commended Barbara Hensinger and her staff, as well as John Hertel and his staff of the Michigan State Fair.

McManus Task Force Update: The Governor would like to move toward a use value assessment on all agricultural property and have a recapture on the use value if the use changes, with the recapture going to farmland preservation efforts. A meeting has been convened with the Michigan Farm Bureau and the Michigan Department of Treasury to look at what a use value program would look like. Such a program would require a constitutional amendment and would have to be initiated through legislation.

Project GREEN: Director Wyant distributed copies of the *Legislative Annual Summary 1999 for Project Green*.

ITC Ruling/Chinese Apple Juice: Director Wyant distributed copies of the U.S. Apple Association News Release entitled, *"Commerce Department Issues Retroactive Duty Ruling Against Chinese Apple-Juice Concentrate Imports."* The Legislature, primarily with Senator McManus' leadership, gave MDA a \$20,000 appropriation to support this suit. Senator Sikkema presented a check to Michigan Apple Industry last week. Dale Sherwin and other MDA staff participated in a Michigan Apple Task Force designed under the model of the beef and pork initiative whereby bringing all aspects of the apple industry together.

Brad Deacon and Vicki Pontz-Teachout presented the following draft letter to Speaker Perricone from the Commission of Agriculture regarding the Right to Farm program and the Generally Accepted Agricultural Management Practices (GAAMPs).

Dear Speaker Perricone:

The Michigan Commission of Agriculture appreciates your interest in the Right to Farm program and the Generally Accepted Agriculture Management Practices (GAAMPs). The discussions regarding Senate Bill 205 have recently focused greater attention on the program and the GAAMPs, and we welcome the opportunity to look at the process and what we feel has been a **(national)** model in complaint resolution and environmental protection.

The Commission of Agriculture is committed to having GAAMPs developed by April of 2000 on the issues of odor management and the siting of livestock operations. Michigan State University has already been made aware of our intention to begin the GAAMP formulation process. Please know that we welcome and desire comment and input from the public as well as local government and any other interest group, and you have our assurance that we will actively seek that input. However, we feel it is critical that the body charged with the formulation of the GAAMPs remain focused and make its decisions based upon the best available scientific information.

We also recognize that there is room for greater public and local government involvement in the entire Right to Farm process. As always, we welcome all public comment at every one of our meetings and through the development and formulation of GAAMPs. We will direct the Department of Agriculture to make greater efforts in publicizing a toll-free number for citizens to make complaints under the Right to Farm program. We will also improve our notification to local units of government about complaints made and the actions taken on individual Right to Farm cases. We agree that the Legislature should be provided with more information about the program and the development and annual review of the GAAMPs and have directed the Department to do so.

The Commission appreciates the ongoing support for agriculture in the Michigan House of Representatives.

MOTION: COMMISSIONER MAITLAND MOVED TO APPROVE THE LETTER TO SPEAKER PERRICONE AS PRESENTED. SECONDED.

MOTION TO AMEND: COMMISSIONER TATTER MOVED TO ADD THE WORD "NATIONAL" TO THE LAST SENTENCE OF THE FIRST PARAGRAPH PRECEDING THE WORD "MODEL."

THE AMENDED MOTION CARRIED UNANIMOUSLY.

Director's Report (continued)

Transportation of Grain Products: Jim Byrum of the Michigan Agri-Business Association and Tom Frazier of Senator Spencer Abraham's Office discussed the current grain transportation crisis facing Michigan agriculture. There is a problem in Michigan with elevators' inability to receive any more grain due to a large and early crop. There is also a problem with railroad hopper car delivery to elevators. Senator Abraham formed an Agriculture Transportation Task Force, and the railroads were contacted. He also held a press conference, along with State Senator Jim Barcia, to bring awareness to the issue. At the last task force meeting, CSX railroad indicated that two-unit trains (120 cars) had arrived in Michigan and by the weekend another eight would arrive. CSX then announced yesterday that another 15-unit train would arrive this week. Unfortunately, the main rail interchange in Toledo has virtually shut down, closing off rail access to Michigan. Trains are committed, but have not arrived in Michigan. The task force continues to monitor this situation.

Director Wyant said that the task force was set up not only to look at the immediate concern, but also long-term needs.

Mr. Byrum expressed his appreciation to the department and Senator Abraham for their assistance.

Exporting Opportunities: Dale Sherwin and Paul Burke recently met with Gus Schumacher, Under Secretary of Agriculture for Domestic and International Programs, in Washington, D.C. to discuss exports and grant programs available. The Michigan Legislature appropriated \$100,000 for the market export program, with a caveat that USDA would match these funds. Mr. Sherwin and Mr. Burke discussed possible funds that may be available and how Michigan' commodity groups could apply for those funds. The challenge now is to work with the commodity groups to inform them of the funds and get applications in for approval. In January 2000, MDA will host a Commodity Executives Meeting and bring in the Foreign Agricultural Service to discuss the funds available in these programs.

Agricultural Marketing and Bargaining Board Appointment: Governor Engler has appointed Fred Tubbs from Oceana County to the Agricultural Marketing and Bargaining Board, replacing Ronald Bodtke, whose term expired. The appointment requires Senate approval.

MOTION: COMMISSIONER MAITLAND MOVED THAT THE COMMISSION OF AGRICULTURE SEND A LETTER TO DEAN PETERSON, FORMER EDITOR OF THE "MICHIGAN FARMER" MAGAZINE CONGRATULATING HIM ON HIS YEARS OF SERVICE TO MICHIGAN AGRICULTURE. SECONDED. MOTION CARRIED UNANIMOUSLY.

ADJOURN

MOTION: COMMISSIONER SKOGMAN MOVED TO ADJOURN THE MEETING AT 2:10 P.M. SECONDED. MOTION CARRIED UNANIMOUSLY.

ATTACHMENTS:

Attachment A Commission of Agriculture October 13, 1999, Meeting Minutes
Attachment B November 1999 Legislative Report
Attachment C House Substitute for Senate Bill No. 205
Attachment D Michigan Right to Farm Act
Attachment E Northeast Michigan Bovine Tuberculosis Surveillance Program Summary Report, November 9, 1999
Attachment F Interim Rule, published in November 1, 1999, Federal Register
Attachment G Draft Memorandum of Understanding between the Michigan Department of Agriculture, Michigan Department of Natural Resources, and the USDA
Attachment H Correspondence from Susan Nowak, District X Director, Michigan Farm Bureau, Gaylord, Michigan
Attachment I Generally Accepted Agricultural and Management Practices for Nutrient Utilization
Attachment J Generally Accepted Agricultural and Management Practices for Cranberry Production
Attachment K Draft Generally Accepted Agricultural and Management Practices for Cranberry Production
Attachment L Draft Generally Accepted Agricultural and Management Practices for the Care of Animals
Attachment M 1999 Commission Award of Excellence
Attachment N Commission of Agriculture 2000 Meeting Schedule
Attachment O Genetically Modified Organisms
Attachment P US-EPA Progress Report, "Implementing the Food Quality Protection Act"
Attachment Q Director's Report – November 1999
Attachment R Legislative Annual Summary 1999 for Project GREEN
Attachment S U.S. Apple Association News Release, "Commerce Department Issues Retroactive Duty Ruling Against Chinese Apple-Juice Concentrate Imports"
Attachment T Letter to Speaker Perricone from Commission of Agriculture, dated November 10, 1999

I, Jordan B. Tatter, Secretary of the Michigan Commission of Agriculture, do hereby certify that I have read the minutes of the November 10, 1999, meeting of the Commission of Agriculture and they are a true and accurate description of the proceedings thereof.

Jordan T. Tatter, Secretary

I, Daniel J. Wyant, Director of the Michigan Department of Agriculture, do hereby certify that I have read the minutes of the November 10, 1999, meeting of the Commission of Agriculture and they are a true and accurate description of the proceedings thereof.

Daniel J. Wyant, Director

Approved on December 10, 1999
Lansing, Michigan