



## AGRICULTURE COUNCIL OF INDIANA NEWSLETTER

*Promoting Agribusiness Policy in Indiana*

**June 2, 2017**

### **Indiana Pesticide Review Board Meeting Update**

Mark Shublak represented ACI at the 150<sup>th</sup> meeting of the Pesticide Review Board. The meeting convened with a presentation of a resolution by Governor Eric Holcomb that named June 1, 2017 as Indiana State Pesticide Review Day. The Board reviewed cases involving civil penalties and accepted the findings. Almost 1/3 of the violations involved:

1. Careless or neglectful application of pesticides;
2. Failure to follow label instructions regarding drift to non-target areas;
3. Storage of bulk pesticides outside of secure containment.

Under the Board rules, some of the penalties incurred for these violations were severe. Overall, total complaints are slowly trending upward but total violations are trending down. ACI members are urged to implement risk management measures to train personnel and proactively reduce similar violations.

Dave Scott presented an update on the status of the rulemaking for all pesticides containing Dicamba with an active ingredient over 6.5%. The Pesticide Review Board has been studying and having public discussions about Dicamba since 2011. In part, the Pesticide Review Board is concerned about more weed pressure and that 50% of Indiana soybeans this season have Dicamba resistant traits. While Indiana has had a long experience using pesticides containing Dicamba, there are concerns that old formulations acquired through online retailers will create more risk this upcoming growing season.

A notice of the proposed rule was released in April 2017 and the Office of Management and Budget has approved moving forward with the proposed rule. It is our understanding that the rule would make these Dicamba products a restricted use pesticide. Currently, Golden Marlin is the only pesticide on the restricted use state list. The proposed rule will be published on June 7, 2017 and we will feature the rule in future newsletters. A proposed public hearing is set for July 6, 2017. ACI will be offering comments on the record regarding this rule making.

**Please contact Mark Shublak at [mark.shublak@icemiller.com](mailto:mark.shublak@icemiller.com) or Lesa Dietrick at [lesa.dietrick@icemiller.com](mailto:lesa.dietrick@icemiller.com) if you have comments on this proposed rule.**

**ADVOCACY ALERT: Take Action on the Regulatory Accountability Act of 2017**

*Source: The Fertilizer Institute*

TFI needs your help! We're asking you to [write your senator](#) asking him or her to support S.951, the Regulatory Accountability Act of 2017. This bipartisan legislation would ensure a transparent, accountable, and common sense regulatory process that would yield more effective regulatory outcomes for American businesses.

The Senate Committee on Homeland Security and Governmental Affairs passed the bill on May 17, moving it to the full Senate for a future vote. Specifically, the bill would require effective cost-benefit analysis; improve transparency and accountability in the federal regulatory process; provide certainty for businesses and consumers; create an automatic review process for major regulations; allow federal agency hearings on the most significant regulations.

TFI has provided a [pre-populated letter](#) that you can personalize to send to your senator. Please make sure to fill in the blank sections before sending the letter.

**Negotiations on modernizing NAFTA likely to begin in mid-August**

*Source: National Grain & Feed Association*

It appears that negotiations between the United States, Mexico and Canada to "modernize" the North American Free Trade Agreement (NAFTA) will begin in mid-August, following the conclusion of the mandatory 90-day internal consultation period within the United States required under U.S. trade law.

The consultation period was triggered once the Trump administration formally notified Congress on May 18 of its intent to engage in the talks. In preparation for the start of formal negotiations, the NGFA is working as part of the U.S. Food and Agriculture Dialogue for Trade's (Dialogue) North American Market Working Group to develop consensus, targeted recommendations on areas where modernization of the NAFTA accord would be beneficial to facilitating increased agricultural trade between the three countries, while preserving the substantial benefits NAFTA has brought to the sector. More than 200 associations, companies and individuals nationwide currently participate in the Dialogue. During the current consultation period, the Dialogue has requested separate meetings in June with new U.S. Trade Representative Bob Lighthizer and Secretary of Agriculture Sonny Perdue. Meanwhile, NGFA and the North American Export Grain Association, along with a small select group of other grain-based producer and agribusiness organizations, have been invited to meet in mid-June with the top trade staff at USTR and USDA to convey NAFTA-specific recommendations. NGFA also will be participating in a June 27 NAFTA public meeting co-hosted by USTR, USDA and the Commerce Department.

**NGFA supports effort to update truck weight limits**

*Source: National Grain and Feed Association*

The National Grain and Feed Association (NGFA) recently joined in signing a letter to Congress

supporting a pilot program designed to obtain information on the safety and environmental benefits of increasing the maximum commercial truck weight on interstate highways.

In the letter sent to leaders of the House Appropriations Committee, more than 80 transportation stakeholders noted that it's been 35 years since the government last updated the gross vehicle weight (GVW) limit of 80,000 pounds for federal interstate highways. Meanwhile, all 50 states have passed exceptions allowing trucks greater than this weight limit to operate on local roads. In addition, more than 30 states have higher GVW limits on their portions of interstate highways.

While states rightfully have updated GVW limits to better suit their individual needs, this often means trucks hauling more than 80,000 pounds are forced to operate on less ideal state highway infrastructure, "traveling on more local roads past schools, churches and playgrounds where pedestrians often are present," stated the letter. The current 80,000-pound weight limit for trucks on interstate highways also results in some trucks remaining more than 40 percent empty, creating economic inefficiencies and forcing more trucks onto the highway system than otherwise would be needed, the letter noted.

The transportation stakeholders proposed to include language in the fiscal year 2018 appropriations bill to create a pilot program for states to study the effects of modernizing truck weight limits, which haven't been updated since the standardization of anti-lock brakes on Class-8 tractors in 1982. The results should provide information on whether "there are more safe, more sustainable, and more productive ways to modernize the current 80,000-pound limit on federal Interstate Highways and give the states flexibility to move those loads on the safer Interstates and away from roads with pedestrians."

Under the pilot program, 10 states could opt-in to allow 91,000-pound, six-axle, bridge formula-compliant trucks on federal interstate highways within their borders, and collect additional safety data regarding the GVW and axle configurations of commercial trucks involved in serious accidents.

"Such a pilot, similar to others included in previous appropriations bills, will provide critical information currently lacking but necessary to determine if significant benefits affiliated with this configuration can be realized in a way to preserve or enhance the safety our nation's roads," the letter stated.

The letter also cited a 2016 U.S. Department of Transportation study that found potential benefits of modernizing the baseline GVW limit to 91,000 pounds, including reductions in: stopping distance during braking, carbon dioxide emissions, fuel consumption, and life-cycle pavement costs.