

MINUTES
HOUSE AGRICULTURAL AFFAIRS COMMITTEE
BOLZ SUBCOMMITTEE
Crops Rules

DATE: Monday, January 14, 2013
TIME: Upon Adjournment of the Full Committee
PLACE: Room EW42
MEMBERS: Chairman Bolz, Representatives Agidius, Dayley, Stevenson, VanOrden, Erpelding
**ABSENT/
EXCUSED:** None.
GUESTS: Ben Miller, Mike Cooper, Dan Safford, Laura Johnson, ISDA;. Benjamin Kelly, Nick Noyes, Idaho Honey Industry Association; Jim Lowe, Rick Waitley, Food Producers of Idaho; Brad Hunt, OARC.

Chairman Bolz called the meeting to order at 1:37 p.m.

DOCKET NO. 02-0303-1201: **Ben Miller**, Bureau Chief, Licensing and Recertification, Idaho State Department of Agriculture, presented the Pesticide and Chemigation Use and Application Rule. Due to recent changes to soil fumigation labels by the USEPA, all private applicators will have to attend training every three years in order to purchase or use these products, unless they have the new soil fumigation category on their pesticide licenses. "Soil Fumigation" is added as a third category for private applicator licenses, so that local private applicators may meet the new federal requirements with appropriate label changes in lieu of the training required for professionals.

MOTION: **Rep. Daley** made a motion to recommend approval of **Docket No. 02-0303-1201** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 02-0613-1201: **Mike Cooper**, Bureau Chief, Plant Industries Division, ISDA, explained the rule for Rapeseed Production and Establishment of Rapeseed Districts. The proposed changes update definitions and revise an outdated testing method. Some scientific names and corresponding symbols have changed. Testing requirements are updated with current industry measurements and amounts. The intent is that different varieties of rapeseed do not interfere or cross pollinate with other seeds in designated areas.

MOTION: **Rep. Dayley** made a motion to recommend approval of **Docket No. 02-0613-1201** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 02-0612-1201: **Mr. Cooper** introduced the Idaho Fertilizer Law. This includes incorporation by reference to the 2013 version of Association of American Plant Food Control Officials (AAPFCO), as it pertains to the methodology and practice of conducting regulatory fertilizer registration and label review. It provides official names and consistency in labeling between states.

MOTION: **Rep. Erpelding** made a motion to recommend approval of **Docket No. 02-0612-1201** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 02-0616-1201: Rules Governing Honey Standards was presented by **Mr. Cooper**. A new rule chapter is developed to mirror existing standards adopted by other states, relative to the identity, quality and labeling of honey. Private members of the honey industry and local companies met in conjunction with the Idaho Honey Industry Association and its attorneys to determine the adoption of honey standards and how to handle complaints for infringement of these. This is in accordance with last year's **HB 513**, giving the Honey Commission the authority to investigate and develop statewide regulations for honey. There is no FDA ruling and so states have had to form their own rules regarding definitions, moisture content, sugar content, ratios and exemptions. Naming conventions are outlined, as well as styles of honey, such as liquid, crystallized, filtered, strained, or raw. All those who market and advertise honey in Idaho will need to conform with these policies; this is targeted to avoid so-called honey products adulterated with sugar or corn syrup, which affect concentration and purity, and thus do not conform with industry standards.

Nick Noyes and **Rick Waitley**, Idaho Honey Industry Association, explained that pure honey cannot compete with other blends that use inferior ingredients, which do not meet acceptable percentages of real honey in their product. This also protects consumers who want a guarantee of pure local honey. One non-substantive typo will be corrected before the end of this Legislative Session when these rules would go into effect.

MOTION: **Rep. Agidius** made a motion to recommend approval of **Docket No. 02-0616-1201** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 02-0641-1201: **Mr. Cooper** stated that the Rules Pertaining to the Soil and Plant Amendment Act of 2001 seek to incorporate by reference the above-mentioned fertilization manual (AAPFCO) as published in 2013.

MOTION: **Rep. Erpelding** made a motion to recommend approval of **Docket No. 02-0641-1201** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 02-0614-1201: The Rules Concerning Annual Bluegrass (*poa annua*) were clarified by **Mr. Cooper**. This rulemaking allows for the use of a certificate of analysis, in lieu of tags, and for inspection by the Idaho Crop Improvement Association. Old rules are made relevant in this area, to ensure there is no contamination within the same genus. Comments from the bluegrass production industry supported these standard rules for growing areas. It was noted that the University of Idaho concurred with the Idaho Crop Improvement Association, who has authority to do inspections, regarding this seed certification.

MOTION: **Rep. Stevenson** made a motion to recommend approval of **Docket No. 02-0614-1201** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 02-0631-1201: The Noxious Weed Free Forage and Straw Certification Rules were addressed by **Dan Safford**, Program Manager and Noxious Weed Specialist, ISDA. The purpose of this program is to limit introduction of noxious weed seeds onto Idaho public lands, primarily through hay or straw bales. Penalties are assessed for violations. Only certified forage and straw products are allowed. This rulemaking changes the scope and purpose to clarify and address all possible activities of free forage and straw. Also the year and date on forage tags must accurately reflect the year in which the bale was produced. Mr. Safford noted that certain colors of certification twine no longer used have been deleted from the rules.

MOTION: **Rep. VanOrden** made a motion to recommend approval of **Docket No. 02-0631-1201** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 02-0635-1201: **Mr. Cooper** announced the same changes for Rough Bluegrass (*poa trivialis*) as those concerning Annual Bluegrass. This allows for the use of a certificate of analysis in lieu of tags and provides for inspection by the Idaho Crop Improvement Association. He commented that rough bluegrass has some uses in niche markets with small quantities.

MOTION: **Rep. VanOrden** made a motion to recommend approval of **Docket No. 02-0635-1201** to the full committee. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the subcommittee, the meeting adjourned at 2:21 p.m.

Representative Bolz
Chair

Kim Jensen-Porter
Secretary