

Oregon Seed Association Newsletter
March 19, 2018

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A MESSAGE FROM YOUR PRESIDENT

Hopefully this newsletter finds everyone well and enjoying an early start to a busy spring season. I would like to thank everyone who attended our Mid-Winter Meeting for making the event successful and informative. The success of our meeting ties directly to the participation of membership and the generous contributions from all our sponsors. Please see the list of annual and Mid-Winter Meeting sponsors in this newsletter, and join me in thanking them all for their continued support.

Your Board continues to push to advance OSA's position in the seed industry, not only with the lawmakers but with other industry entities, including OSU and ODA. While it is important your Board remains active in this area, we need membership to be engaged as well. In recent months there was a confidential survey sent to membership that was used to identify the economic impact OSA members have to Oregon's economy. We then summarized the data to present at the OSA Advocacy Day at the Capitol. This will become an annual survey used to support and promote OSA as

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The Board has been engaged in several key issues over the past nine months, some of which OSA launched or directly affected. But there are still issues to address. Issues that have been around for many years that we have not quite been able to completely solve, and issues that tie closely together. We can resolve these issues if we choose, but it won't be easy and it will take a few years of dedication, hard work, and membership taking a unified approach. At the Summer Convention, we will present ideas to address a couple of these issues, along with a road map for each option. These issues can have a lasting effect on the seed industry and feedback from membership will be key in how we move forward as an organization.

I hope you all can join us for a fantastic summer meeting June 20 and 21 at Skamania Lodge in Stevenson, Washington, and help direct the future of your organization while enjoying fun with friends, family and colleagues.

~**Jeff Martin, OSA President**

What's New

Sponsor Packages Available



OGSBA Representation Overview

Last fall, your Board executed on an idea brought up at a Past President's lunch and set out to find a qualified person to represent seed dealers at the OGSBA negotiations. After narrowing the list of candidates, we approached Jim Cramer. As many recall, Jim worked at the ODA and retired in 2014 after many years promoting the Oregon seed industry.

Getting Jim to agree to the role was the easy part. Implementation of the plan involved a couple of legal hurdles, as well as divided opinions regarding OGSBA participation that complicated the process further. As a result, we landed on a process that achieves these goals:

- Ensures complete voluntary participation
- Provides a benefit to OSA members that choose to participate
- Ensures OSA is not viewed as a participating party

Achieving these goals required OSA to hire Jim as a consultant, mainly to ensure prompt, proper and full payments to him. Second, each member company that chooses to have Jim represent their company at OGSBA negotiations must complete a contract and submit \$100 payment (\$103 if paying by

Once payment and the signed contract is received by OSA, arrangements will be made with Jim to sign and execute each individual contract. The executed contract is important. Not only is it needed to show Jim's representation of each individual company, it also provides clarity that OSA members are not automatically "opted in" and that participation is a deliberate decision.

Rules need to be followed to make the process successful:

1. Contracts must be fully executed (payment received, contract signed by all parties) prior to Jim representing that company.
2. Prior to each OGSBA meeting, Jim must advise OGSBA and ODA the names of the companies he represents. The executed contracts provide the support for this list.
3. Each participating company is still responsible for the \$100 fee collected by the ODA.

To help ensure contracts are fully executed prior to the first OGSBA meeting, a deadline of March 20 has been set for contract returns and receipt of payment.

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2018 Legislative Update

We pinpointed several bills that were of interest to the industry prior to the 2018 session and asked that our Pac/West lobbyist, Courtney Johnston, monitor and report on those bills. As the session progressed, many of the bills died in Committee. Of the ones that moved forward, we were updated each Friday on their progression. Here is a recap:

HB 4068—Slow Pay/No Pay Contracts for all Seeds (Passed both chambers)

The bill was referred to as the "Slow pay/No pay bill" after an earlier grass seed bill. It established requirements for production contracts and purchase contracts for seed other than agricultural seed. Anna Scharf, Amity farmer; Jenny Dressler, Oregon Farm Bureau, and Roger Beyer, Oregon Seed Council testified in favor of the bill.

Anna Scharf testified, explaining the history of the bill and the lawsuit brought by the bank against growers of proprietary seeds seeking seed as collateral on a defaulted loan. She testified that a bill brought to protect grass seeds in 2011, HB 2159, established financial assurance for grass seed growers in statute but did not include specialty seeds.

Jenny Dressler, Oregon Farm Bureau, testified that an interim work group, including the Oregon Farm Bureau, Oregon Seed Council, Oregon Seed Association and others, had worked through the logistics of the bill. It went to the Floor with a unanimous vote from the House Ag Committee.

HB 4001—Cap and Trade (Died in Committee; will most definitely be back in 2019)

HB 4001 and SB 1507 were sister bills dubbed "Clean Energy Jobs Bills." In previous sessions, they had been called "Cap and Trade" and sought to cap green house emissions. Although they continued to be worked in hopes of moving the ball forward before 2019, both bills were considered dead from the start by leadership offices on both sides of the building.

HB 4002—Air Quality Program (Died in Rules Committee)



Unfortunately, there were not a lot of detail about which industries this bill would have affected because the bill did not provide those details. DEQ issues classifications for air quality by rule, so any changes to classifications would have happened by rule. This bill simply allowed them to establish a fee based on a complicated national algorithm to assess on certain industries - to be determined through rule. The bill was complex and was subsequently sent to the Rules committee where it died but we may see it again in amended form in 2019

HB 4126—Household Fertilizers as Hazardous Waste (Died in Ways and Means)

We were monitoring this for its affect on fertilizers, but the bill remained specific to household products, not industrial use.

Click [here](#) for a full report of the 2018 Session.

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Update on OSA's Day of Advocacy

We want to thank all of you who signed up to participate in the March 5 Advocacy Day at the Capitol. Unfortunately, the event had to be postponed due to the early adjournment of the legislature. The Board will be researching dates to reschedule in the months ahead and will keep you posted.

Committee Updates

Science and Technology

Chair: Mandi Mack, Vista Seed Partners

GOALS:

- Partner with other groups and agencies to find a long term solution to Oregon's containerized shipping problems.
- Quantify seed exports from Oregon, Washington, and Idaho. This will help articulate that Oregon leads in grass seed exports and is significant in showing the vested interest OSA has to local and state economies.
- Work with federal and state agencies on the challenges facing phytosanitary issues.

International Committee**Chair: Paul Hedgpeth, Columbia River Seed**

GOALS:

- Partner with other groups and agencies to find a long term solution to Oregon's containerized shipping problems.
- Quantify seed exports from Oregon, Washington, and Idaho. This will help articulate that Oregon leads in grass seed exports and is significant in showing the vested interest OSA has to local and state economies.
- Work with federal and state agencies on the challenges facing phytosanitary issues.
- Invite an international speaker to speak about the Oregon seed industry from a global perspective.

Legislative Committee**Chair: Phill Lindgren, Grassland Oregon**

GOALS:

- Work on a company farm tour for legislators. Get input on places to visit and legislators to invite.
- Develop a long term legislative strategy that includes advocacy at the capital.
- Stay engaged and keep membership informed on bills affecting the industry.

Domestic Committee**Chair: Doug Pickles, Lewis Seed**

GOALS:

- Production Data – the Production Data Subcommittee is hard at work compiling data for our ongoing surveys. Lots of effort last fall resulted in a new survey we are still working to improve.
- Transportation – continue to monitor ongoing efforts at Port of Portland, and those by groups.
- Emerging Professionals – this group continues to meet regularly. We are exploring ways to integrate the group more within OSA.

Production Survey Subcommittee**Chair: James Schneider, Barenbrug USA**

UPDATE: It has been exciting over the past couple of years to see the focus on having “good data” within the grass seed industry to help make critical decisions. It has become abundantly clear that while there are many individual sources of data that give insight and a snapshot into this data, no one source alone captures the full picture. One of the challenges the industry has is that different methodologies of surveying for this data have come back with large variances. Two of the most cited surveys in the industry are our very own OSA production survey and the NASS survey. These two surveys running under completely different methods should produce similar results, but as you will clearly see, they do not.

The OSA survey has participation by 26 seed dealers that arguably makes up the majority of contracted seed production, especially for turf type tall fescue and perennial ryegrass. As a comparison, our survey showed that in 2017 there were 86,000 acres harvested for perennial ryegrass and 94,000 for tall fescue. When these are extrapolated, using OSU certified acres, our estimates would show that total acres in Oregon (including non-contracted) would be closer to 95,000 for perennial and 107,000 for turf type tall fescue. The NASS survey, which had a 74% participation rate, showed total perennial acres harvested in 2017 as 77,000 for perennial ryegrass and 96,000 for turf type tall fescue. Clearly, the difference between the two surveys should cause concern as it represents a large amount of seed that either gets sold or becomes industry carry-over.

The goal is not to minimize the industry for these differences, as our shared goal should be accuracy. The OSA remains committed to continuing to improve data collection, and we look forward to other parts of the industry taking a more active approach as well. The future of the industry is at stake, and we want to leave a positive legacy for others to follow.

Scholarship Committee

Chair: Nancy Aerni, Turf Merchants

UPDATE: We introduced the OSU recipients to you during lunch at the Mid-Winter meeting: Ty Seely, Adan Avila, Arron Zielinski, and Garrett Hightower. The Wiley Fellowship for a graduate student was awarded to Colette Richter. The committee met on March 1 to prepare for the Memorial Scholarships. Applications are available for students of current members at the website and must be received or postmarked by April 15, 2018.

The scholarship committee would like to congratulate Andrew Altishin as the new Oregon Seed Certification manager. Andrew was a recipient of the William Kent Wiley, Jr. Memorial Fellowship. The OSA Scholarship Committee conducts the interviews and selects the recipient for this annually.

Public Relations Committee

Scott Harer, Columbia Seeds

UPDATE: In cooperation with the EP group and Samantha Miller with Barenbrug, new display banners were developed along with an advertising piece highlighting career opportunities in the seed industry.

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Breaking News!

Amaranth Species Now Listed as Restricted in Federal Seed Act

2018 State Noxious-Weed Seed Requirements Recognized in the Administration of the Federal Seed Act - 31 - INDIANA

It is unlawful for any person to distribute agricultural seed if the seed contains or consists of prohibited noxious-weed seeds.

Prohibited

Bindweed, field Convolvulus arvensis
Garlic, wild and Onion, wild Allium spp.
Johnsongrass and Sorghum alnum Sorghum halepense
Knapweed, Russian Centaurea repens
Onion, wild and Garlic, wild Allium spp. Peppergrass, perennial Lepidium draba
Quackgrass Agropyron repens
Sowthistle, perennial Sonchus arvensis Thistle,
Canada Cirsium arvense

It is unlawful for any person to distribute agricultural seeds if the seed consists of or contains restricted noxious-weed seeds in excess of 0.25 percent, or if it contains more than 2.5 percent of all weed seeds. If less than 0.25 percent of such weed seeds by weight are present, the number per pound must be declared on the labeling.

Restricted

Amaranth species Amaranthus spp.
Buckhorn Plantago lanceolata
Corncockle Agrostemma githago
Cocklebur Xanthium pensylvanicum

Daisy, oxeye *Chrysanthemum leucanthemum*York, curly *Brassica crispus*Dandelion *Taraxacum spp.*Foxtail, giant *Setaria faberi*Horsenettle *Solanum carolinense*Mustard *Brassica arvensis*Nightshade, eastern black *Solanum ptycanthum*Pennycress *Thlaspi arvense*Peppergrass, field *Lepidium campestre*Wintercress, bitter *Barbarea vulgaris*

Memorial Scholarship Applications Now Being Accepted

OSA is now accepting applications for the Memorial Scholarship.

Apply by April 15 [online](#) or by [download](#).

Applicants:

- Must be a relative of a current OSA member in good standing.
- Must be attending or planning to attend a college, university, or trade school the next academic year.
- Must be enrolled or plan to be enrolled in a program leading to at least a BA or BS or trade school certificate.
- Did not receive a Memorial Scholarship from OSA for the previous year.

More information is available [here](#).



Mid-Winter Meeting Recap

Recently, more than 150 people attended the Oregon Seed Association's (OSA) annual Mid-Winter Meeting at the Salem Convention Center. The meeting opened with a keynote address from Alexis Taylor, Director, Oregon Dept. of Agriculture. Other noted guests were Dan Curry and Dave Stimpson from OSU Seed Certification lab; Nate Miller and Lindsay Eng also from the Oregon Dept. of Ag with regulatory updates; Courtney Johnson, Lobbyist from Pac/West Communications, with the 2018 legislative session forecast, and Anthony Kuchulis, Attorney with Barran Liebman

One of the highlights of the meeting was awarding \$8,000 in scholarships to five Oregon State University students. Three different scholarships were awarded to students seeking higher education in agriculture with aspirations for a future in the seed industry. Committee co-chair Jake Stockfleth, Oregon Seed Cleaning, presented the scholarships. Recipients were invited to attend the meeting to accept their awards.

Recipients of the OSA/OSU scholarship awards included James Tyler "Ty" Seely, Hillsboro, Ore.; Adan Avila, Canby, Ore.; Aaron Zielinski, Gervais, Ore.; and Garrett Hightower, Junction City, Ore. Garret also received the Oregon Seed Cleaning Award. In addition, Colette Richter received the William Kent Wiley Jr. Fellowship award.

OSA membership continues to grow with the addition of five new companies—Ampac Seed Company, Boldt Carlisle + Smith LLC, DSV, Harvest Capital Company and Pratum Co-op.

Thank you to these Mid-Winter Meeting sponsors:



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Intermodal Transportation Overview 2017 & 2018

By Jim Anderton, Mode Transportation



With 2017 behind us, it is now time to address the debacle and the reasons why there were equipment issues and allocations by all providers, subpar transit times, and drayage capacity issues that still exist today.

Yes, Mother Nature and her hurricanes plus one well-timed fire did not help the situation, but the reality was as follows.

1. In early July, CSX (one of the four class 1 railroads) out of Jacksonville, Florida, imploded and the federal government stepped in to take control. The issue was the volume of freight moving to intermodal due to the lack of over-the-road truck capacity. Drive issues, escalating rate structures and a strong economy produced higher demand than usual.

This represented and produced an imbalance of equipment supply with 65 percent of the national intermodal fleet stuck on the East Coast and a bottleneck with dray capacity and drivers issues. Next, the LTL shippers opted to move their business over to the other class 1 Eastern railroad, Norfolk Southern, (NS) which also could not handle the increase for the same issues and reasons as CSX, producing a complete bottleneck of the East Coast and demand rising on the West Coast during peak season demand.

End result: equipment allocation came into play five weeks early, the first week of August, at the highest demand point or true start of the grass seed fall shipping season. Parallel to our needs, the import containers stockpiled in the LA market. Containers stuck on the East Coast with full trainloads of empties sent west to meet demands resulting in surcharges of \$500 to \$1000 per container to cover cost and control needs.

2. Subpar transit times is a cause and effect of item number one. Basically, with the East bottlenecked by both railroads (CSX & NS) the only way out of the situation was to slow down the inbound trains. This resulted in new bottlenecks in Chicago and produced the same results as the East Coast.

End result: the standard transit time of 9 to 11 days (West coast to East coast) increased to 13 to 15 days and longer because dray capacity and present backlogs for pickup and delivery.

3. Dray capacity and the issues- Nationally, all intermodal ramps in the US are facing the same issues, drive capacity and increased volume with all ramps running at full capacity and above/ 110 to 115 percent.

In the Pacific Northwest we have the same issues as everyone else, with 2017 producing other challenges--we do not have enough dray capacity. With volumes increasing in the local

driver turns. This further reduced the appetite for drivers to make the trip into the valley. The reality of the situation is that your business became secondary and a filler for their needs.

End result: requested 3 day notification for pickup became 7 to 10 days during peak season.

Overview: 2017 was the worst year I have seen in 28 years. Implosion of a railroad, imbalances of equipment, dray capacity issues, allocation early with what equipment we had, and a timely fire basically doubled the anticipated transit time, sending the industry into turmoil.

What to Expect in 2018

Spring Business

- Equipment- Slower time of the year with possible a two or three-week spike because the nursery stock industry. No real issues foreseen.
- Dray Capacity- New problems will arise with the implementation of the new ELD laws that went into effect December 2017. Presently, the first reports indicate a 10 percent decrease in driver numbers. Companies are offering incentives to poach other company's drivers.
- Prices- Normally we see minor or no increases. This year, we can see major increases in some lanes, which is the carrier's way of saying they do not want the business. Dray capacity, equipment imbalances, long hauls from ramp, the cause and effect of the ELD laws, and simple economics of supply and demand will all drive prices up.

Fall Season

This will be a repeat of 2017, but worse because of all the things stated above. With higher demands on equipment supply and fewer drivers plus the ELD laws, we will again see increases. Companies will be more selective on what they want to handle.

Immediate Changes

- No more multi stop pickups or deliveries. You will now need to work internally with each shipper/customer. Dray carriers do not have the time with the new ELD Laws and congestion in all markets.
- Cut the weight to 41,000 product weight plus pallets with a gross weight of 42,000. Overweight issues add cost, and take time that drivers no longer have. The more we see of these types of issues, the less dray capacity we will have producing new issues. Cut the weight.
- Longer drays and hours of service. We have been informed by our carrier base that anything out 200 miles or a four-hour average could cause a shutdown situation with the ELD laws in effect. If layovers happen, they will be billed in separate line items, and charged accordingly.

Looking to the future, I see that we need to be proactive in how we approach the seed industry, not only today but the future.

Start thinking about the fall now and get us projections of what equipment supply you will need (regardless of who your carriers are). Start thinking about drop and pull with equipment pools. If you have tractors/trucks, start thinking about doing your own dray. Think outside the box and start talking now about fall 2018.

Thank you for reading this. Reach out to us if you have thoughts or questions so we can work together in resolving a new storm called the ELD laws.

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Upcoming Events

May 3, 2018: Blue Mt. Seeds 50th Anniversary

Find out more [here](#).

June 12-15, 2018: Agriculture Transportation Coalition's (AgTC)

30th Annual Meeting

Tacoma, WA

Join the largest gathering of agriculture and forest products transportation professionals to discuss issues impacting YOUR business. Find out more [here](#).

June 20-21, 2018: OSA Summer Convention

[Skamania Lodge](#), Stevenson, Wash.

See [here](#) for more information and lodging reservations details. Registration will open in April 2018.



Have you ever wondered where the incredible OSA auction items come from? Do you have a great idea for the auction committee or is there something you would want to bid on?

Now is your chance – we need your donations for the 2018 OSA Silent Auction, held in June 2018 at the Summer Convention. We can accept cash, gift item or basket.

You are the *bridge* to a successful auction.

All proceeds benefit the OSA Scholarship Fund. Thank you!

Contact: Denise Conroy, The Scotts Co.
denise.conroy@scotts.com or 503-792-6242

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**What's
new?**

OSU Seed Services would like to announce that Andrew Altishin has accepted the position of Manager of the Oregon Seed Certification Service (OSCS). Andrew has worked for Seed Certification since 2013 providing inspection services in grass seed, cereal grains, sunflowers and seed warehouses. As the OSCS Manager, Andrew will contribute to the missions of the College of Agricultural Sciences and Oregon Extension Service and be a member of the OSU Seed Services administered within the Department of Crop and Soil Science.

OSU COLLEGE OF AGRICULTURAL SCIENCES

The search for the next Dean of the College of Agricultural Sciences continues. The search committee met to discuss the applicant pool and select a group of semifinalists for confidential interviews. The committee is enthusiastic about the quality of the individuals who have expressed an interest in the position. Finalists will be interviewed on campus in late April or early May. Campus interviews will be comprehensive, providing stakeholders ample opportunities to learn about the candidates. Information will be provided about the candidates who will visit campus at the very earliest opportunity. [CAS Dean Search Committee Members](#)

OREGON DEPARTMENT OF AGRICULTURE

Changes taking place at ODA include the departure of Lindsay Eng as Director of Market Access and Certification. Casey Prentiss is filling that role until a replacement is found. Elizabeth Savory has replaced Nancy Osterbauer as the ODA Plant Health Program Manager. Ron Pence will be retiring this year but will help with the transition.

OSA IS NOW ON FACEBOOK!

As part of our legislative strategy, we have launched a new [Facebook page](#). "Like Us" on Facebook and share our page with your friends!

**NEW MEMBER RECRUITMENT PROGRAM**

Recently, the Board launched an exciting program that will save you money while growing the association! The plan awards member companies that recruit a new member into the organization with a credit equal to 20 percent of their dues for one year, which can be applied towards dues, sponsorship packages or registration at Events. New members will receive prorated dues if joining mid-year.

Please contact Angie Smith at 503-685-7555 for more information.

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at smith@pacwestcom.com

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Our contact information is:

Oregon Seed Association

PO Box 4277

Wilsonville, OR 97070

503.685.7555

smith@pacwestcom.com

www.oregonseed.org

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