

MINUTES  
**SENATE AGRICULTURAL AFFAIRS COMMITTEE**

- DATE:** Thursday, January 17, 2019
- TIME:** 8:00 A.M.
- PLACE:** Room WW53
- MEMBERS PRESENT:** Chairman Guthrie, Vice Chairman Den Hartog, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson
- ABSENT/ EXCUSED:** None
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Guthrie** called the meeting of the Senate Agricultural Affairs Committee (Committee) to order at 8:00 a.m.
- MINUTES:** At the discretion of the Chairman, the Minutes of January 10, 2019 will be approved next meeting.
- PRESENTATION:** **President of the Pacific Northwest Economic Region (PNWER), Member of the Legislative Assembly (MLA), Larry Doke**, explained that PNWER was chartered in 1991 by Idaho and other states and provinces of both the United States and Canada in the Pacific Northwest region. **Mr. Doke** explained that the mission of PNWER is to increase the economic well-being and quality of life of all citizens in the region, while also maintaining and enhancing the natural environment. They do this by working to coordinate provincial and state policies throughout the region, identifying and promoting models of success, serving as a conduit to exchange information, promoting a greater regional collaboration, and finding ways to enhance the competitiveness of both domestic and international markets.
- Brandon Hardenbrook**, PNWER Chief Operating Officer, explained the importance of the United States - Canadian trade. He explained that Canada is the United State's number one market with \$2 billion dollars and 380,000 people crossing the Canadian-US border every day. He continued to explain that it is the goal of PNWER to expand this relationship in order to ensure that it is healthy and moving forward in a positive direction. The North America Free Trade Agreement (NAFTA) market is by far the biggest in the world. Canada and Mexico buy more from the U.S. than all of the high-income countries, such as China, France, Germany, Japan, and the U.K. **Mr. Doke** articulated the importance of a relationship between the U.S. and Canada. **Mr. Hardenbrook** further explained that Canada and Mexico are the number one and number three export markets, respectively, for U.S. agricultural products (\$20.6 billion to Canada and \$18.6 billion to Mexico). He also explained that since NAFTA was signed in 1992, agriculture exports from the US have increased from \$18.7 billion in 1992 to \$39 billion in 2017. **Mr. Hardenbrook** concluded by saying that it is very important that the United States-Mexico-Canada Agreement (USMCA) be ratified as soon as possible. Due to the amount of trade between the three countries, they call upon the Administrations of all three countries to renew its original waiver on steel and aluminum tariffs for Canada, and Mexico and they call on Canada and Mexico to eliminate retaliatory tariffs.

**Matt Morrison**, PNWER Chief Executive Officer explained the Colombia River Treaty and that official negotiations began in May of 2018 between the United States and Canada. He explained that continued negotiations and town hall meetings will continue throughout the year in different parts of the region, as well as in Washington D.C. They want to make sure that all states and provinces affected by the Colombia River Treaty are given the opportunity to provide their input on the issue. **Mr. Morrison** went on to summarize that the issue surrounds the quagga/zebra Mussels. He explained that they are a highly invasive creature devastating lakes and rivers across the U.S. A single adult mussel produces one million larvae per year, which impact the country's water intakes, agriculture, recreation, fisheries, and more. These mussels are typically transported via watercraft or ballast water and that is how they infiltrate waters which are beneficial to the states and provinces. **Mr. Morrison** concluded by explaining that the states affected, particularly Idaho, continue to give adequate funding to help prevent this invasive species from entering Idaho's waterways.

**DISCUSSION:** **Senator Patrick** asked **Mr. Morrison** if they have stopped the movement of larvae in Montana. **Mr. Morrison** answered that they have had no adult findings in the state of Montana.

**Senator Bayer** asked **Mr. Morrison** if there is a method of killing the mussels. **Mr. Morrison** answered that there is no known method of eradicating the problem.

**Chairman Guthrie** asked **Mr. Morrison** how big of an issue the quagga mussels are in the Great Lakes region of the United States. **Mr. Morrison** answered that it is a very expensive problem. They cause tremendous damage to expensive equipment which causes long shutdown periods and loss in revenue.

**Senator Mortimer** asked if there is any significant amount of money going into research here in Idaho. **Mr. Morrison** answered that the Army Corps of Engineers has a limited research project they're working on. However, Idaho as a whole needs more research dollars to help with prevention.

**PASSED THE GAVEL:** Chairman Guthrie passed the gavel to Vice Chairman Den Hartog.

**DOCKET NO. 02-0429-1801** **Rules Governing Trichomoniasis.** **Dan Salmi**, Bureau Chief, Agriculture Bureau of Laboratories explained that negotiated rule-making was conducted this past summer along with a meeting with the Trichomoniasis Advisory Board. The Idaho State Department of Agriculture's (ISDA) Animal Health Laboratory's mission is to conduct diagnostic and regulatory disease testing of animals. One of the regulatory tests performed is trichomoniasis in cattle. It is a venereal disease caused by an organism called tritrichomonas foetus, which causes abortion in cattle.

**DISCUSSION:** **Senator Harris** asked **Mr. Salmi** what the current status of trichomoniasis is in Idaho today. **Mr. Salmi** answered that the numbers are fortunately going down.

**Senator Bayer** asked **Mr. Salmi** if trichomoniasis is a problem with other animals besides cattle. **Mr. Salmi** answered that he was not aware of the disease occurring with other animals besides cattle.

**MOTION:** **Senator Harris** moved to approve **Docket No. 02-0429-1801**. **Senator Bayer** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO.  
02-0501-1801**

**Rules Governing Produce Safety. Pamm Juker**, Chief of Staff, Idaho State Department of Agriculture (ISDA) explained that the Produce Safety Rules are part of the new Food and Drug Administration's (FDA) Food Safety Modernization Act (FSMA). She explained that the act establishes science based minimum standards for the safe growing, harvesting, packing, and holding of fruits and vegetables grown for human consumption. She continued to explain that in 2018, legislation was passed in Idaho which gave the ISDA authority to implement that Federal Rule. **Miss Juker** explained that the ISDA provides information and assistance to hundreds of producers in Idaho. That information includes any changes, fact sheets, and resources. The ISDA is required to keep people aware of what's happening with this particular new rule. She continued to explain that all farms in Idaho that grow, harvest, pack, and hold produce for human consumption must comply with this rule; however, farms that grow for personal consumption do not have to comply with this rule.

**DISCUSSION:**

**Senator Harris** asked **Miss Juker** what one would need to do, for example, if a deer went through a field full of produce. **Miss Juker** answered that the only time one would need to do something would be if any of the produce were contaminated, and if it were contaminated one would simply not harvest it.

**Senator Harris** asked if the rule affects the age of buildings and storage used for storing produce. **Miss Juker** answered that as long as there are no pests or litter and that the storage is adequately clean for produce, farmers do not have to make changes to their storage spaces.

**Senator Nelson** asked **Miss Juker** to explain the science behind the substitution of die-off rate for E. coli. **Miss Juker** answered that they only tested when the level was low enough to meet the standard.

**Senator Lent** asked if there is a fiscal impact for Idaho food producers. **Miss Juker** answered that there is no fiscal impact for food producers.

**Chairman Guthrie** asked if there was any push back during the negotiated hearings. **Miss Juker** answered that there was no push back.

**MOTION:**

**Senator Jordan** moved to approve **Docket No. 02-0501-1801**. **Senator Bayer** seconded the motion. The motion carried by **voice vote**. **Senator Harris** wished to be recorded as voting nay.

**DOCKET NO.  
02-0602-1801**

**Rules Pertaining to the Idaho Commercial Feed Law. Jared Stuart**, Feed and Plant Services, Idaho Department of Agriculture (ISDA), explained that Idaho incorporates by reference standard manuals used nationally by industry and regulatory officials. These provide producers with clear and defined guidelines and terms, as well as acceptable standard policies and practices. The manual being incorporated now is the official publication of the American Association of Feed Control Officials (AAFCO). **Mr. Stuart** explained that the publication is heavily used by manufacturers in the production and labeling of their products. The change to the rule updates the incorporation to the most recently available copy.

**Vice Chairman Den Hartog** asked if there were any substantive changes to the rule. **Mr. Stuart** answered that there were no such changes.

**Senator Mortimer** asked if there was any negative feedback during the ruling process. **Mr. Stuart** answered that they received no negative comments or feedback during the ruling process.

**MOTION:**

**Senator Mortimer** moved to approve **Docket No. 02-0602-1801**. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO.  
02-0612-1801**

**Rules Pertaining to the Idaho Fertilizer Law.** **Jared Stuart**, Feed and Plant Services, Idaho State Department of Agriculture (ISDA) explained that this rule also has a standardized manual used nationally by industry and regulatory officials to provide clear and defined guidelines and norms. The manual for this rule is from the American Association of Plant and Feed Control Officials (AAPFCO). Jared explained that this also provides producers and distributors with set standards so they can ensure that they're not changing standards from state to state while producing, lobbying, and distributing items in Idaho and nationwide.

**DISCUSSION:**

**Senator Mortimer** asked Jared if producers of compost are monitoring temperatures and pathogens in the compost, and if they need to do that if they're using the compost on their own lands or if it's just for the compost that's being sold. **Mr. Stuart** answered that this regulation of compost only applies to those being sold at retail so it would not apply to someone who's doing compost on their own.

**Senator Mortimer** asked Jared if there is monitoring being done in Idaho and who is regulating it. **Jared** answered that the ISDA is tasked with the enforcement of the Idaho Fertilizer Law, as well as the rules that fall under it. They also regularly test and inspect fertilizer products in the state of Idaho and those tests are done seasonally.

**MOTION:**

**Senator Mortimer** moved to approve **Docket No. 02-0612-1801**. **Senator Jordan** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO.  
02-0641-1801**

**Rules Pertaining to the Idaho Soil & Plant Amendment Act of 2001.** **Jared Stuart**, Feed and Plant Services, Idaho State Department of Agriculture (ISDA) explained that the rule incorporates by reference the standards manual from AAPFCO. This publication, in addition to being used with fertilizer production is used in the production of Soil and Plant Amendment products and provides producers with clear and defined guidelines and standards. This publication also helps to facilitate the distribution of products in producing, manufacturing, and labeling products so that they have set standards in Idaho and they are distributed to other states as well.

**MOTION:**

**Senator Mortimer** moved to approve **Docket No. 02-0641-1801**. **Chairman Guthrie** seconded the motion. The motion carried by **voice vote**.

**PASSED THE  
GAVEL:**

Vice Chairman Den Hartog passed the gavel back to Chairman Guthrie.

**ADJOURNED:**

There being no further business, **Chairman Guthrie** adjourned the meeting at 9:14 a.m.

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Senator Guthrie  
Chair

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Jacob Garner  
Secretary