NGFA Newsletter

Volume 52, Number 3, February 10, 2000

Clinton Administration Proposes Supplemental Income Assistance

As part of its proposals to "improve the farm safety net," the Clinton administration on Feb. 2 unveiled a plan to provide an estimated $3.1 billion in supplemental income assistance payments for the 2000 and 2001 crop years to eligible producers of wheat, feed grains, oilseeds, rice and upland cotton.

Under the program, supplemental government payments would be provided to eligible producers enrolled in the farm program if projected gross income for the crop declines to less than 92 percent of the preceding five-year average. Gross income would include gross market revenues for the crop plus government payments, including the direct fixed AMTA payments, marketing loan gains and loan deficiency payments. The payments would be based on a producer's current production, not historical crop base acres.

Importantly, the administration's proposal would be subject to a separate $30,000 per-person payment limit, adjusted to reflect all AMTA payments received. Thus, a person receiving more than $30,000 in AMTA payments would **not** be eligible for the supplemental income assistance payments, while a person receiving $10,000 in AMTA payments would be eligible for up to $20,000 in supplemental payments. USDA said that based upon 1998 data, about 98 percent of those receiving AMTA payments would be eligible to receive at least some level of supplemental income assistance payments.

Under the USDA proposal, which would require congressional approval, supplemental payment rates would be determined at the start of each crop year. The payments would be made when producers establish production levels with the Farm Service Agency.

Contrary to some expectations, the administration proposed to freeze commodity loan rates for the 2000 crop year at existing maximum levels, rather than opt for a plan to "rebalance" them by increasing feed grain and wheat loan rates relative to soybeans. Thus, for the 2000 crop year, loan rates would be: $2.58 per bushel for wheat; $1.89 per bushel for corn; $5.26 per bushel for soybeans; $6.50 per hundredweight for rice and $0.5192 per pound for upland cotton.

(Continued on page 2)

NGFA Testifies at USDA Hearing Opposing Subsidies for Grain Cleaners

NGFA President Kendell W. Keith (right) visits with Tim Galvin, administrator of the U.S. Department of Agriculture's Foreign Agricultural Service, after testifying at USDA's Jan. 28 public hearing in opposition to the agency's proposal to subsidize the installation of grain-cleaning systems at wheat export facilities.

E-Mail Restored at NGFA

During the relocation to its new office, the telephone line and router that provides access to incoming and outbound electronic mail was disrupted, and the NGFA was unable to receive or respond to e-mail messages that members and others may have tried to send during the period Jan. 28-Feb. 10. The disruption also affected the NGFA's ability to post news and information on its web site.

We're pleased to announce that as of Feb. 10, full e-mail and Internet service has been restored. We apologize for the inconvenience, and look forward to communicating electronically once again with our members and posting the latest information on our web site: www.ngfa.org!

("Clinton" continued from page 1)

Proposed Increases in Conservation Spending: As part of its "farm safety net package," the administration also proposed to spend an additional $1.3 billion in fiscal year 2001 on an assortment of conservation programs. The budget request would include $600 million for a new Conservation Security Program proposed by Sen. Tom Harkin, D-Iowa, that would provide annual payments to farmers and ranchers who implement such conservation measures as nutrient management, prescribed grazing and partial-field conservation practices, such as grassed waterways and windbreaks.

The administration also proposed to increase funding for the Conservation Reserve Program to permit enrollment of an additional 3.6 million acres. That would increase the current 36.4 million-acre-cap to 40 million acres, and would require congressional action. As previously reported by the NGFA, the administration also proposed to provide $100 million in fiscal year 2000 and $125 million in each of fiscal years 2001 and 2002 to encourage enrollment of land under the CRP's continuous sign-up provisions.

The administration proposed to eliminate the current ceiling of 975,000 acres for the Wetlands Reserve Program so as to enroll an additional 210,000 acres in fiscal year 2001 and an additional 250,000 acres in each subsequent year. Funding increases also were proposed for the Environmental Quality Incentives Program, Farmland Protection Program and Wildlife Habitat Incentives Program.

Crop, Livestock Insurance: The administration also proposed to allocate an additional $640 million to extend the premium discount available to producers who purchase "buy-up" crop insurance coverage in fiscal year 2001. It also proposed to allocate $100 million annually to develop a crop insurance policy that covers multi-year losses, and an additional $100 million annually to establish a pilot program for insuring livestock.

There were these other elements in the administration's proposed fiscal year 2001 budget of interest to the grain, feed and processing industry:

- **Grain Inspection Standardization Fees:** The administration proposed to increase user fees by $4 million to cover the cost of standardization activities performed by USDA's Grain Inspection, Packers and Stockyards Administration. These activities include the costs of developing, reviewing and maintaining the official U.S. grain standards. This perennial user fee proposal, which dates back to the late 1980s, has never been approved by Congress and will continue to be strongly opposed by the NGFA.
- **Harbor Tax:** The administration proposed nearly $1 billion in new taxes on ocean vessels calling on U.S. ports to fund a new harbor services fund, a proposal it first offered in April 1999. The fund would replace the harbor maintenance tax, which the U.S. Supreme Court in March 1998 declared to be an unconstitutional tax on exports but which continues to be imposed on imports. The proposed new tax would collect nearly twice what is needed for maintenance dredging at U.S. ports. The NGFA supports legislation (H.R. 1260) introduced by Reps. James Oberstar, D-Minn. and Robert Borski, D-Pa., that would fund port dredging from general treasury revenues, as was the case prior to 1986.
- **Inland Waterways:** The administration proposed funding levels that would fall nearly $1 billion short of what is needed to complete on-going lock-and-dam and other construction projects on the inland waterways. The National Waterways Alliance estimated that annual increases of about $300 million will be required to keep the construction program on schedule and to begin eliminating the maintenance backlog on the inland waterways. The Midwest Area River Coalition 2000 (MARC 2000) estimated that the administration's budget would fall short of the existing Mississippi River construction program by more than $130 million.
- **Transportation User Fees:** Notwithstanding congressional rejection of prior efforts, the administration again proposed that the budget of the entire Surface Transportation Board, and most of the Federal Railroad Administration, be funded through industry user fees. The administration's plan was termed "dead on arrival" on Feb. 9 by Glenn Scammel, majority chief counsel for the Ground Transportation Subcommittee of the House Transportation and Infrastructure Committee.

NGFA Calendar

Feb. 23-24: **Rail Shipper/Receiver Committee,** Washington, D.C.

March 28-31: **NGFA's 104th Annual Convention,** Hotel Del Coronado, San Diego, Calif.

NGFA Convention Committee Meetings/Open Forums

Tuesday, March 28, 1 - 6:30 p.m.

- Rail Shipper/Receiver Committee

Wednesday, March 29, 1 – 3 p.m.

- Feed Industry Committee
- Grain Grades & Weights Committee
- Food and Feed Safety Committee
- International Trade/Agricultural Policy Committee
- Marketing Committee
- Rail Shipper/Receiver Committee
- Trade Rules Committee

3:30 – 5:30 p.m.

- Country Elevator Committee
- Risk Management Committee
- Safety, Health & Environmental Quality Committee
- Waterborne Commerce Committee

by David C. Lindsay
Director of Legislative Affairs

House Ag Committee Announces Hearings on Farm Policy

The House Agriculture Committee today released a preliminary schedule for field hearings on national farm policy.

Although the entire schedule is not complete, the first three dates are confirmed: March 6 in Lubbock, Texas; March 17 in Memphis, Tenn.; and March 18 in Auburn, Ala. The locations, but not the dates, of the remaining hearings are set for: Boise, Idaho, Kutztown, Pa., Peoria, Ill., Raleigh, N.C., Sacramento, Calif., Sioux Falls, S.D., and West Chester, Ohio.

Committee Chairman Larry Combest, R-Texas, has scheduled the hearings "exclusively" for producers to discuss how specific federal farm policies are affecting their operations and how they want those problems addressed.

"A lack of [an] adequate safety net, lost market values, burdensome regulations, and unfulfilled trade deals…relate directly to the serious, practical problems that involve more than the farm bill," said Combest. "Throughout these hearings, committee members will listen…for a consensus from farmers…to identify specific changes [in the farm bill] that would not abandon popular policies, such as the producer's freedom to choose the crops they grow."

The committee's ranking Democrat, Rep. Charles W. Stenholm of Texas, said: "While the American economy is booming the agriculture economy is hurting. These hearings are essential in determining first-hand what farmers and ranchers are experiencing and what we as policymakers can do to address the current crisis."

Bankruptcy Reform Bill Passed by Senate

During the first two weeks of the 2000 session, Congress made significant progress on legislation to reform the nation's bankruptcy laws, a high priority for House and Senate leadership.

On Feb. 2, the Senate passed its version of reform legislation (S. 625) by a 83-14 vote. The House passed its bill (H.R. 833) last May by a 313-108 margin.

Currently, Chapter 12 bankruptcy laws allow qualifying producers to discharge unsecured debt, and reorganize secured debt, under a three- to five-year plan. To qualify, producers must derive a certain percentage of their income during the most recent calendar year from farming or farming-related activities. In addition, producers' total debt must not exceed $1.5 million. Chapter 12 was scheduled to expire last year, but was extended to keep the law in force until a comprehensive bankruptcy reform bill could be enacted.

Both reform bills contain language that would increase the ability of family farmers to file for relief under Chapter 12. But the Senate version also would increase the debt limit to $3 million and alter the income requirements to include producers who have derived at least 50 percent of their farming income over the past three calendar years, instead of the current one-year time limit.

The next step is for a joint House-Senate conference committee to iron out differences between the two versions. But significant non-bankruptcy related provisions that have election-year implications included in the Senate bill pose potential roadblocks, including a minimum wage increase, funding for methamphetamine interdiction, and language that would prevent persons convicted of committing violence at abortion clinics from discharging debt related to that violence.

February Frenzy Generates Flurry of New Members

Sponsors vying for the fabulous prize for which all who recruit new members in February are eligible has resulted in six new member companies joining the NGFA so far this month. New members and their sponsors are:

New Member	Sponsor
• Biovance, Omaha, Neb.	Sponsor TBD
• MacKenzie Agricultural Research, Kaneville, Ill.	JoAnn Brouillette, Demeter LP
• Farm2Food, Kaneville, Ill.	JoAnn Brouillette, Demeter LP
• Mid-Iowa Cooperative, Beaman, Iowa	Don Gringer, Gringer Feed and Grain/ Dave Reiff, Reiff Grain and Feed
• Cybercrop.com, Ft. Collins, Colo.	Sponsor TBD
• Lint Millwright, Cedar Rapids, Iowa	Sponsor TBD

Each sponsor is eligible for a drawing on Feb. 29, with the winner receiving free airfare and accommodations at a beautiful penthouse apartment in New York/San Francisco/Chicago. Special thanks to ***GATX Rail*** for sponsoring access to these GATX corporate apartments.

"104 by the 104th" – Where Do We Stand? At press time, NGFA recruiters had signed up 73 new members since the March 1999 convention. That leaves only 31 to go before the 104th annual convention starts March 29 in San Diego. We can do it, if all NGFA members make a commitment to devote time to membership recruiting before convention. Not sure where to start? Call Membership Recruiter Network Chair JoAnn Brouillette, Demeter LP, Fowler, Ind., or Todd Kemp at the NGFA for names of prospective members and tips on strategy, talking points, etc.

by Randall C. Gordon
V.P., Communications/
Gov't Relations

USDA Changes Lock-In Rate Procedures to Prohibit Producers from Capturing Higher Marketing Loan Gains through Reconcentration

The U.S. Department of Agriculture's Farm Service Agency on Feb. 4 acted to end the ability of producers to lock-in a loan repayment rate for 60 calendar days and then reconcentrate the grain to a different location to capture a greater marketing loan gain.

The practice came to the forefront earlier in the week. Using procedures announced last Oct. 21, producers obtaining a marketing-assistance loan could lock-in a loan repayment rate in that county at the posted county price for 60 calendar days (using form CCC-697). But in a new wrinkle, producers then were obtaining permission from the FSA county office to physically relocate the loan collateral using USDA's loan-reconcentration procedures to a different region with a higher marketing loan rate. They then could convert the loan collateral to a new loan with a higher loan rate while retaining the original locked-in PCP – thereby capturing a larger marketing loan gain.

The USDA notice (LP-1720), which took effect Feb. 7, directed FSA county offices to **cancel** any form CCC-697s for any loan quantities transferred beyond:

- the county where the loan commodity originally was stored; or
- a county that is contiguous (adjacent) to the county where the loan commodity was originally stored.

The notice further stated that FSA county offices are **not** to allow producers to obtain a locked-in loan repayment rate for quantities reconcentrated to a county that is beyond the county or contiguous county where the original loan were made.

The notice did not prohibit reconcentration. But to exercise the 60-day lock-in rate privilege, producers reconcentrating loan grain will be required to obtain the loan and lock-in the loan repayment rate at the PCP in effect in the same county where the commodity is reconcentrated.

For loans for which the CCC-699 form was approved by Feb. 4 – the date the USDA notice was issued – USDA said it will allow repayments using the CCC-697 locked-in rate even if the loan collateral has been physically moved beyond the originating county or contiguous county.

A copy of the notice is available on the NGFA's web site at: www.ngfa.org. Click on the "Reference Desk" heading on the left-hand column, then click on the "Warehousing" icon to access the USDA notice.

USDA to Issue Proposed Rule on Farm Storage Subsidies

Secretary of Agriculture Dan Glickman announced Feb. 2 that the U.S. Department of Agriculture, as expected, is proceeding with plans to reinstitute the farm storage facility loan program later this year.

Significantly, USDA revealed that the provisions of the facility subsidy program – rather than being implemented immediately – will be the subject of a proposed rule, which would provide 60 to 90 days for public comment before the final rules governing the program are developed. Separately, the NGFA learned that the proposed rule still is under review within the Farm Service Agency's Price Support Division, and still must receive clearance from USDA's general counsel's office and other traditional review agencies within USDA before being published in the ***Federal Register***.

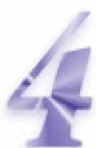
In addition, the NGFA has learned that the proposed rule is being drafted "broadly enough" to enable USDA to allocate some of the financing to so-called "condo storage" for use by producers at commercial facilities. The NGFA's Country Elevator Committee plans to review the USDA proposal at its March 29 **open meeting** during the Association's 104th annual convention in San Diego.

The NGFA also has learned that the proposed rule, as currently drafted, will allow loan requests to be approved in dollar amounts that would finance storage for up to two years' crop production on an individual farm. Existing storage capacity and historic yields would be used in determining this calculation, USDA officials said. USDA officials said flat storage structures would **not** be eligible for the farm storage facility loans. USDA also plans to check the creditworthiness of applicants before awarding such loans, using the same procedures it uses under the farm loan program.

In his announcement, Glickman said USDA will propose that the farm storage facility loan program:

- provide financing to farmers under five- to 10-year repayment terms, at the producer's option; and

(Continued on page 5)



("Farm Storage" continued from page 4)

- provide such financing at the Commodity Credit Corporation's borrowing rate from the U.S. Treasury, which currently is 5.25 percent.

USDA, in a news release issued Feb. 3, asserted that "…many grain elevators are now full, leaving some farmers nowhere to store their grain." USDA also maintained that "severe storage shortages exist in some areas," which it did not identify. "In addition to relieving storage problems in some areas, the farm storage facility loan program will help some farmers benefit from new marketing and technological advances," USDA said. "It can also help them maximize their returns through so-called identity-preserved marketing…,allowing (such grain) to be sold at prices reflecting its greater value."

In its budget proposal for fiscal year 2001, which was issued Feb. 7, the Clinton administration proposed to allocate $350 million to operate the farm storage facility loan program in the current fiscal year, as well as an additional $150 million for fiscal year 2001, which begins Oct. 1.

The farm storage facility loan program was established in 1949 but was suspended in 1982 because of a lack of need, failure by USDA to collect on bad loans, and grain-quality problems associated grain stored in farm bins constructed under the program.

USDA States Policy on Storage, Redelivery Obligations of Federal Warehouses Storing Specialty Grains

The U.S. Department of Agriculture has provided the NGFA with its current policy on the storage and redelivery obligations for specialty grains that apply to warehouses licensed under the U.S. Warehouse Act.

The issue was discussed with USDA officials at the Dec. 5 meeting of the NGFA's Country Elevator Committee. At the meeting, the NGFA Country Elevator Committee recommended that USDA and state warehouse licensing authorities determine a warehouse's storage obligation based upon the base commodity as identified in the U.S. grain standards (e.g., corn), which also are used under USDA's marketing-assistance loan program and futures contracts offered by the Chicago Board of Trade. The additional value attributable to other quality traits (such as those found in specialty grains) then could be considered to be a monetary obligation of the warehouse operator, but not a warehouse storage obligation, the committee recommended.

However, in a followup correspondence, the USDA Farm Service Agency's Warehouse and Inventory Division indicated such an approach would not be consistent with its existing policy, which it stated as follows:

"Written notations or footnotes on scale tickets or warehouse receipts create storage and redelivery obligations on the part of a warehouse operator to a depositor. Warehouse operators must always maintain a sufficient total inventory quantity for each kind of grain in-store to prevent any measured shortages. Also, their measured inventory for each kind of grain must be in balance **quality and grade-wise** (class or subclass, etc.) so that upon a depositor's demand they can redeliver like grain as **identified in any special storage arrangement or as shown on source documents, including scale tickets, settlement sheets, warehouse receipts, etc.** Whenever a warehouse operator is found with sufficient overall inventory, but is out of balance quality and grade-wise, we request that they regain a balanced position quality and grade-wise as soon as possible to meet all demands for redelivery. *[Emphasis in original.]*

"The U.S. Warehouse Act requires a (total or combined) Daily Position Record (DPR) that states the total inventory and obligations for each **kind of grain in-store** (corn, wheat, soybeans, sunflowers, etc.) Nevertheless, they (federal warehouse operators) must maintain their obligations to depositors for each kind of grain by class or subclass (yellow corn, white corn, waxy corn, etc.) and the **grade** (U.S. No. 1, etc.). We have no objection to warehouse operators keeping a separate DPR for specialty grain, as long as they reflect it in their combined DPR for that kind of grain. *[Emphasis in original.]*

"We also require warehouse operators to determine the kind, class or subclass and grade of each load of grain received according to the U.S. Grain Standards Act (each kind of grain's class or subclass and grade should be recognized under the U.S. Grain Standards Act), at the time of delivery. That class or subclass and grade are to be recorded and stated on a USWA inspection and weight certificate (scale ticket). We require binning of each class, subclass and grade of grain with like grain classes, subclasses and grades (we have not allowed commingled classes, subclasses or grades of grain). However, during loadout, warehouse operators may blend grain to meet certain grade or class-delivery requirements."

The NGFA plans to conduct additional discussions with USDA on this important issue prior to, and during, the NGFA's 104th annual convention in San Diego.

Country/Terminal Corner

USDA to Implement Commodity Certificate Option for Farm Payments

USDA said Feb. 8 that it "soon" will offer producers the option to receive commodity certificates in lieu of cash as farm program payments for cotton, wheat, feed grains and oilseeds.

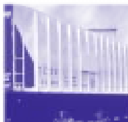
USDA said that it planned to offer the commodity certificates first for those entitled to receive payments under the upland cotton user marketing certificate program, also known as the "Step 2" program. Those payments are received by exporters of U.S.-grown upland cotton and domestic textile manufacturers.

But USDA officials told the NGFA today that there still is internal disagreement over how to implement the commodity certificate program. Some USDA officials are urging to implement the program first for cotton, since an infrastructure for making such payments under the Step 2 program already exists. But others contend that the program should be rolled out at the same time for all eligible commodities. There reportedly also are some in the cotton industry who do not want a secondary (trading) market to develop for the certificates. Thus, it is unknown when – or in what form – the issuance of such certificates will occur.

The issuance of commodity certificates was mandated by Congress when it passed emergency agricultural spending legislation last fall that, among other things, included a one-year increase in the payment limit to $150,000 per person. The law required that USDA implement commodity certificates for Step 2 cotton payments. But USDA officials previously had maintained that offering certificates for grains and oilseeds was discretionary – a position that the department now apparently has dropped.

The commodity certificates were envisioned as a way to enable producers to circumvent the payment limit for the 1999 crop year, which USDA now has agreed to do. It involves a three-step process that would operate as follows:

- The producer would repay the full loan amount (the loan rate plus accrued interest), thereby avoiding the marketing loan gain or loan deficiency payment that would count against the payment limit.
- The producer then could "sell" the loan collateral back to USDA's Commodity Credit Corporation at the full loan-repayment value, in effect canceling out the payment made in item 1.
- CCC then would "resell" the commodity back to the producer – in the form of commodity certificates – at the posted county price (PCP). It still is uncertain as to whether certificates actually would be issued under this process, or if the process would entail a simultaneous computer transaction.



Rails, Rivers and Roads

by Randall C. Gordon
V.P., Communications/ Gov't Relations

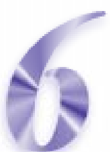
NGFA to Testify at STB Hearing on Rail Consolidation, Structure

The NGFA has filed a notice with the Surface Transportation Board to testify at the agency's public hearing, which starts March 8 in Washington and will focus on major railroad consolidations and the current and future structure of the North American rail industry.

In a Jan. 28 ***Federal Register*** notice, the STB said the hearing was prompted "in part" by the pending filing of an application by the Burlington Northern Santa Fe and Canadian National Railways to place their railroads under common control. The STB said it was "aware" that the two carriers' action has led to "a great deal of speculation that the strategic responses of the remaining North American rail carriers to the proposed BNSF/CSX transaction will lead to a new round of major railroad consolidations, ultimately resulting in the formation of two North American transcontinental railroad systems." But it hastened to say that the hearing record will not be considered to be evidence in the BNSF/Canadian National control proceeding.

The STB said it was soliciting views at the hearing on:

- the timing of any proposed large railroad consolidations;
- the anticipated strategic responses engendered by another large railroad consolidation; whether it would lead to further consolidation and other changes in the structure of the rail industry or the way it is regulated; and whether such developments would be "a good thing" for large and small railroads, their customers and employees, as well as the public interest; and
- fundamental questions related to the effects of rail consolidations on the financial condition of the rail industry and its ability to provide "responsive service at reasonable prices." The agency said it would seek views on whether the rail industry has, or will have, the necessary infrastructure, capacity and configuration to meet expected demand for freight service now and in the future.



Tech Talk

by Thomas C. O'Connor
Director of Technical Services

EPA Confirms to Drop Most Onerous Phosphine Restrictions

The Environmental Protection Agency has provided written confirmation to the registrants of aluminum/magnesium phosphide that it intends to drop the most onerous of its proposed restrictions on the use of phosphine gas as a grain fumigant.

In its Feb. 7 letter, EPA said it will accept a proposal from the registrants to amend the label to require that certified applicators implement a site-specific fumigation management plan when using aluminum/magnesium phosphide, thereby dropping plans to ban phosphine fumigation within 500 feet of a residence and require facilities to notify businesses and residents within 750 feet of a planned fumigation. The agency said it is "currently drafting an agreement which will embody…label language changes, fumigation management plan (FMPs) requirements, FMP guidance, improved training and certification programs, incident reporting, monitoring data development and a path forward for final determination of the exposure standard."

Exposure Limit: In addition, EPA has approved an approach that hopefully will result in retention of the current exposure limit of 0.3 parts per million, rather than reducing it to agency's originally proposed 0.03 p.p.m. EPA has agreed to evaluate the findings of a comprehensive analysis on the health effects of phosphine conducted by a third-party consultant retained by the NGFA and other organizations that found that the current exposure limit is more than adequate to protect fumigators, nearby workers and other bystanders. The agency is expected to take several months to review the study's findings. If EPA concludes that the report is adequate, it can decide to take no further action. However, if it decides that more data are needed, the registrants will be required to perform additional analysis of existing data or perform new toxicological studies, if necessary, to determine the acute respiratory hazards associated with exposure to phosphine gas. The NGFA has learned that the entire evaluation process could take up to four years. During the interim, EPA has agreed that the existing exposure standard of 0.3 p.p.m. will remain in effect.

Additional Provisions: As a condition of reregistration, the NGFA has learned that registrants also have agreed to:

- assist EPA in developing standardized modules that could be used by states in training and certification programs for fumigant applicators;
- provide EPA at the start of 2001 with a summary of phosphine-related incidents reported during 2000.
- develop guidance materials to assist certified applicators in developing site-specific facility management plans; and
- evaluate the feasibility of conducting additional monitoring studies to help EPA better understand the concentrations of, and exposure to, phosphine that may occur at various distances from a fumigated site.

Stakeholder Meeting: It now appears that EPA will conduct one public meeting, which likely will occur in April or May in Washington, at which agency officials will explain the basis for the final agreement on phosphine.

Next Steps: The formal agreement between EPA and the registrants of aluminum/magnesium phosphide should be signed by mid-April. Once the formal agreement is signed, the registrants will have nine months to issue revised label language. During the interim, existing stocks can be used based on the current label language.

Future Actions: Under legislation signed in 1996, aluminum/magnesium phosphide is not scheduled to undergo reregistration for another 15 years. However, if a tragic accident were to occur during the interim, the NGFA has learned that EPA could require another review to assess the adequacy of its label risk-mitigation measures for the chemicals.

OSHA Extends Comment Period on Ergonomics Standard

The Occupational Safety and Health Administration has extended the public comment period for its controversial proposed ergonomics standard for 30 days – until March 2.

OSHA said it also is providing additional information and clarification materials and data discussed in the preamble of the proposed standard, which was published in the Nov. 23 ***Federal Register***.

The agency also said it is rescheduling the informal public hearings on the proposed rule and extending the deadline for hearing participants to submit their testimony and documentary evidence. Under the revised schedule, an informal public hearing is scheduled to begin in Washington on March 13 and last four weeks. A second informal hearing is scheduled to begin in Chicago on April 11. Those wishing to speak at the hearing for more than 10 minutes, as well as those planning to submit documentary evidence, are to submit their full testimony and all documentary evidence by March 2 in quadruplicate to: Ms. Veneta Chatmon, OSHA Office of Public Affairs, Docket No. S-777, U.S. Department of Labor, 200 Constitution Ave., N.W., Room N-2647, Washington, D.C., 20210

Rail Shippers and Receivers – Mark Your Calendars!

NGFA to Conduct Major Rail Transportation Symposium in May

The NGFA will conduct a major Rail Transportation Symposium in mid-May at Ponte Vedra Beach, Fla., just outside Jacksonville.

The conference program will occur on **May 16-17**, and will be preceded by an evening welcome reception on May 15. In addition, golf packages will be available on May 17. The conference is being conducted at the Sawgrass Marriott Resort Hotel outside Jacksonville in conjunction with a meeting being conducted by the CSX Transportation Co. with its customers later that week.

The conference will focus on competitive rail issues important to the grain, feed and processing industry. Topics are to include: 1) service issues related to the acquisition of Conrail by the CSX and Norfolk Southern Railway; 2) the pros and cons for rail shippers and receivers of the proposed combination of the Canadian National and Burlington Northern Santa Fe Railroads; 3) the potential impact of future rail mergers; 4) an overview of current and future rail legislative and regulatory issues; 5) shortline railroad issues, such as funding, track weight limits and competitiveness; 6) rail car allocation and capital investment plans of rail carriers, particularly railroads operating in the West; and 7) an update on the NGFA's rail arbitration system.

Complete program and registration materials will be forthcoming in the near future. **For now, mark your calendars to attend this important conference**!

NGFA Participates in Feed Control Officials' Meeting

Several members of the NGFA's Feed Industry Committee who serve as industry liaisons to the Association of American Feed Control Officials (AAFCO) are shown during AAFCO's Jan. 25-28 meeting. Pictured are (from left): Brad Gottula, quality assurance/regulatory manager, Land O'Lakes Feed, Fort Dodge, Iowa; David Frederking, manager, Feed Division, Farmway Co-op Inc., Beloit, Kan.; Joe Garber, nutrition and analytical services coordinator, Wenger's Feed Mill Inc., Rheems, Pa.; AAFCO President Alan Hanks, who is the Indiana state chemist; and Mike Cox, feed manager, Harmony-Preston Agri Services Inc., Harmony, Minn. See the enclosed Feed and Feeding Digest for a report on issues affecting commercial feed mills that were addressed during the AAFCO meeting.

National Grain and Feed Association
1250 Eye St., N.W., Suite 1003
Washington, D.C. 20005-3917

TIME SENSITIVE