



Volume 76, No. 9 | March 8, 2024

ngfa.org/newsletter | ngfa@ngfa.org | Editor: Sarah Gonzalez, NGFA

Inside This Issue

NEWS

- 1 SEC removes Scope 3 requirement in climate reporting rules
- 2 [AAFCO says pet food labeling bill would hurt safety and transparency](#)
- 3 [House passes ag appropriations](#)

EVENTS

- 3 [Trade Rules Seminar registration is open](#)
- 4 [NGFA finalizes speaker lineup for 128th annual convention](#)
- 4 [Register for Stand Up 4 Grain Safety Week, March 25-29](#)

SUPPLEMENTS

- 5 [Joe Mlynek to host 2024 safety webinars](#)
- 6 [NGFA and People Spark leadership training – April 2024](#)
- 6 [Extra Supplements](#)

NEWS

SEC removes Scope 3 requirement in climate reporting rules

The U.S. Securities Exchange Commission (SEC) voted on March 6 to finalize a new climate reporting rule without a previously proposed requirement for U.S.-listed companies to disclose Scope 3 greenhouse gas emissions.

NGFA issued a statement thanking SEC for recognizing that the proposed Scope 3 rule “would have transferred the reporting burden and associated costs to participants in the agricultural value chain who in many cases do not have the resources or expertise to provide such information.”

Calculating Scope 3 emissions is widely recognized as being inherently much more difficult than determining direct and indirect emissions (Scopes 1 and 2) “and calculating such emissions requires significant personnel, resources, expertise, and data management,” NGFA noted.

“Many NGFA member companies have led the industry in commitments to reduce greenhouse gas emissions,” NGFA added. “The Association is committed to fostering an environment in which resources to achieve these market-driven goals can be shared among large, small- and mid-sized value chain participants.”

SEC announced in March 2022 a proposed rule requiring publicly traded companies to provide certain climate-related information in their registration statements and annual reports, including “emissions from upstream and downstream activities in the value chain,” referred to as “Scope 3” emissions.

In [comments](#) submitted in June 2022 to the SEC, the NGFA, American Feed Industry Association, and North American Millers Association outlined several burdens the proposed requirements would have created in the agricultural value chain.

The final rule approved by the SEC limits the disclosure requirement to Scope 1 and Scope 2 emissions, or those that a company directly produces, and those associated with its energy consumption.

AAFCO says pet food labeling bill would hurt safety and transparency

The [Association of American Feed Control Officials](#) (AAFCO) said proposed legislation to create a federal pet food labeling system could negatively impact consumer protection, product safety and label transparency.

In a statement issued March 5, AAFCO responded to the introduction of [H.R.7380](#), the Pet Food Uniform Regulatory Reform Act of 2024 (PURR Act), which is intended to create a more streamlined federal regulatory process that would prohibit state governments from directly or indirectly establishing, maintaining, implementing, or enforcing any authority or requirement relating to the marketing or labeling of pet food.

Sponsored by Reps. Jake LaTurner, R-Kan.; Henry Cuellar, D-Texas; Sharice Davids, D-Kan.; Josh Harder, D-Calif.; and Steve Womack, R-Ark., the PURR Act would provide for centralized federal regulatory oversight by the U.S. Food and Drug Administration (FDA).

“State feed programs are the first line of defense protecting consumers from misleading or mislabeled pet food products,” shared Austin Therrell, executive director of AAFCO. “Today, many state regulators proactively inspect pet food labeling before products hit the market to ensure that any marketing claims on the label or packaging are accurate and have the necessary scientific data to validate the statements. Under the new PURR Act, this important layer of consumer protection would completely go away.”

AAFCO said H.R.7380 would allow pet food manufacturers to distribute pet food products “self-proclaimed” as safe without the ingredients or nutritional statements being verified by a government authority before the product is available for sale and consumption. AAFCO also said it is concerned with the “ingredients sometimes present” language currently included in H.R.7380, which would allow manufacturers to change or omit ingredients without disclosing the information to consumers.

AAFCO acts as an intermediary between state, federal and international feed regulators to create ingredient definitions, label standards and laboratory standards. AAFCO’s annual Official Publication creates a listing generally recognized by states and other countries for ingredient definitions allowed on commercial feed labels. However, AAFCO’s definitions and standards are not legally binding, and individual states need to codify the AAFCO standards within their own state to make them a legal requirement.

In a press release supporting the introduction of the PURR Act in February, the Pet Food Institute (PFI) said the bill would “eliminate inconsistent state interpretations and decisions impacting ingredient and pet food label approvals.” PFI has said the current system provides a “patchwork” of state regulations resulting in interstate commerce disruptions.

House passes ag appropriations

The House on March 6 passed a \$460 billion [six-bill FY24 appropriations package](#) by a vote of 339-85.

This package includes funding for the U.S. Department of Agriculture (USDA), Food and Drug Administration (FDA), Surface Transportation Board (STB), Environmental Protection Agency (EPA), and inland waterways projects.

The Senate must pass the legislation by Saturday to avert a partial government shutdown.

The other six appropriations bills, which include the Department of Defense and Department of Homeland Security, must be passed by March 22.

EVENTS

Trade Rules Seminar registration is open

NGFA's [2024 Trade Rules Seminar](#) is May 8-9 at the Hilton St. Louis at the Ballpark in St. Louis, Mo. This biennial seminar on trading, trade rules and arbitration provides attendees with a primer on contracting principles and trading practices to minimize costly trade disputes and contract non-performance.

It is designed for those involved in trading operations or responsible for merchandising grains, feed and feed ingredients, but everyone involved in contract execution should attend! [Registration is open.](#)

During this popular NGFA event, staff and industry experts use extensive case studies to provide a working knowledge of trade and contracting principles with sessions on:

- Trade rules application, including the grain, feed, barge, secondary rail freight and barge freight trade rules;
- An attorney-led panel discussion on the legal principles of commercial and producer contracting and trading;
- Laws and standards applicable to grain and feed transactions; and
- A primer on NGFA Arbitration including avoiding disputes and use of arbitration when necessary.

The NGFA trade rules govern all financial, mercantile and commercial transactions involving grain. They are dynamic and responsive to current business practices. And they are maintained solely by NGFA.

WATCH: [What is the NGFA Trade Rules Seminar?](#)



NGFA finalizes speaker lineup for 128th annual convention

During NGFA's 128th annual convention on March 17-19, NGFA members and leaders will gather at the Omni Orlando Resort at ChampionsGate to address upcoming opportunities for agribusiness, conduct annual Association business and celebrate NGFA's active membership.

View the [convention schedule](#), which includes information on NGFA business meetings, the golf tournament to benefit the National Grain and Feed Foundation and networking events.

Limited space is available in the [Foundation Golf Tournament](#) on March 18, so golfers should register as soon as possible. Tournament fees benefit the Foundation and its mission to advance safety, collaboration and productivity in the grain, feed and processing industry.



Confirmed general session [speakers](#) include:

- **Alan Shaw**, president and CEO of Norfolk Southern - Monday, March 18
- **Administrator Daniel Whitley** of the U.S. Department of Agriculture (USDA) Foreign Agricultural Service (FAS) - Monday, March 18
- **Nathan Gonzales**, publisher and editor of Inside Elections - Monday, March 18
- **Paul Maass**, CEO and director of Scoular – Tuesday, March 19
- **Dan Christenson**, senior director of government affairs for PepsiCo – Tuesday, March 19

The convention also includes a Transportation Open Forum on Sunday, March 17, featuring:

- Class I Rail Panel with **Angela Caddell**, group vice president of agricultural products at BNSF Railway; **Ted Johnson**, director of marketing – agriculture and food at CSX; **David Przednowek**, assistant vice president, grain at CN; **Ryan Raess**, general director – grain at Union Pacific Railroad; **Stephanie Roediger**, director of sales for grain for U.S. and Mexico at CPKC; and **James Wilson**, group vice president for agriculture, forest and consumer products at Norfolk Southern Corporation.
- Snake River Dams Update with **Anthony Peña**, government relations manager at Pacific Northwest Waterways Association.

Register for Stand Up 4 Grain Safety Week, March 25-29

NGFA joins the Grain Elevator and Processing Society (GEAPS), Grain Handling Safety Council (GHSC) and Occupational Safety and Health Administration (OSHA) to host the annual Stand Up 4 Grain Safety Week on March 25-29. Topics for the week of free virtual presentations include:

March 25 Kickoff Event: Hosted by the South Dakota Grain Bin Engulfment Prevention Summit in Mitchell, S.D. Safety demonstrations presented by Agtegra Cooperative, Oklahoma State University, OSHA Region 8, Prairie Ag Partners, and South Dakota University Extension OSHA Consultation to showcase key aspects of grain bin safety.

March 26: “Building a Safety Culture” by Brad Bousquet, vice president of safety and compliance, Central Valley Ag Coop.

March 27: “Strains, Sprains, MSDs” by Douglas Clark, CSP, corporate leader for environmental health and safety, Jack Link’s. Also available in Spanish in the afternoon.

March 28: “Ladder Safety” by Aaron Yoder, Ph.D., associate professor, Department of Environmental, Agricultural, and Occupational Health, University of Nebraska Medical Center and Nebraska Extension. Also available in Spanish in the afternoon.

March 29: “Heat and Extreme Temperatures,” by Casey Abel, director of safety, King Ranch, and Ben Avila, president/owner, Provident Safety Consulting Services, Inc. Also available in Spanish in the afternoon.

For more information and to register for the free event, go to standup4grainsafety.org.



SUPPLEMENTS

Joe Mlynek to host 2024 safety webinars

Joe Mlynek, founder of Progressive Safety Services, LLC, and partner at Safety Made Simple, will host several grain safety webinars throughout 2024 as part of a new partnership with the NGFA.

Webinar topics and dates are “Accountability” on April 10, “Hazardous Atmospheres in Confined Spaces” on June 18 and “Serious Injury and Fatalities (SIFs) in the Grain and Feed Industry” on Nov. 14. Webinar registration information will be emailed to members.

Also in 2024, Mlynek and NGFA will complete the publication of a new Safety and Health Manual for the grain, feed and processing industry as well as a new Safety Tip Sheet on maritime regulations. The tip sheet will address the Occupational Safety and Health Administration’s (OSHA) increasing emphasis on maritime enforcement and detail NGFA’s settlement agreement with OSHA on the scope of the grain handling standard at grain and barge loading facilities that also are considered marine terminals under OSHA regulation.

Mlynek is a Certified Safety Professional (CSP) and an Occupational Health and Safety Technician (OHST), as well as an active member of the NGFA, Grain Elevator and Processing Society, Ohio Risk Coordinators, National Fire Protection Association, and American Society of Safety Professionals.

NGFA and People Spark leadership training – April 2024

The deadline to register for the April 2024 leadership program hosted by People Spark Consulting is **March 22**.

NGFA and People Spark Consulting have partnered to further the mission to provide education and training to members at all levels in the agriculture industry. The [People Spark Leadership Transformation Program](#)® is a year-long course that focuses on practical application of leadership skills and tools. It starts with an 8-week intensive training, followed by 10 months of ongoing support to reinforce and sustain the learned skills. NGFA members receive a bonus private coaching session with their Leadership Transformation Program® registration. New cohorts begin monthly throughout 2024.



[Click here for information!](#)

- The investment for the 12-month People Spark Leadership Transformation Program® is \$2,500
- Reference code: NGFA

Extra Supplements

NGFA in the news:

Feed & Grain: [NGFA annual convention speaker lineup announced](#)

Grain Journal: [SEC Removes Scope 3 Requirement in Climate Reporting Rules](#)

Trains: [STB must give CN-Iowa Northern deal more scrutiny, CPKC says](#)

Other news:

Inside OSHA: [Unions, Employers Clash Over ‘Walkaround’ Rule At OMB Meetings](#)

Reuters: [Mexico waiting on US proof that GM corn safe for its people, deputy ag minister says](#)

Agri-Pulse: [FBI warns of risks facing agriculture](#) (*log in*)

ABC News: [Analysis: First fatal attack on shipping by Houthis escalates risk for Mideast](#)

NGFA | 1400 Crystal Drive | Suite 260 | Arlington | VA | 22202