



The President’s Budget Proposal



The White House released their proposed budget for FY 2018. The drastic cuts to agriculture and rural development programs seem (to some agriculture groups) misguided given the large role that agriculture and rural America played in electing President Trump. These cuts go towards increases in defense spending and even allocates \$1.6 billion for the border wall. While it is important to remember this is only a proposal and Congress has the final say on the government’s budget, there were still several items of concern we will be keeping an eye on going forward.

Under the President’s proposed budget, the Department of Agriculture would be funded at \$137 billion, 8 percent less than current funding levels, and would shrink the workforce by over 5,200 jobs. This includes cuts to the Farm Service Agency’s staff by around 970 positions. Programs which would be eliminated altogether under the proposal are the Specialty Crop Block Grant Program, Market Access Program, Foreign Market Development Cooperator Program, Farmers Market and Local Food Promotion Program, and the Value-Added Producer Grants among others. According to budget documents “there is no federal purpose” for these programs. Part of the President’s plan also seeks to cut crop insurance by \$29 billion over ten years and would cap premium subsidies at \$40,000 per farmer and would be limited to producers with less than \$500,000 in adjusted gross income. This \$500,000 threshold would also apply to commodity and conservation assistance subsidies. The Supplemental Nutrition Assistance Program (SNAP) would see reduced funding of \$193 billion over 10 years and the Food Insecurity Nutrition Incentive Program (FINI) would receive mandatory funding of \$25 million in 2018 under the proposed budget. The Specialty Crop Research Initiative (SCRI) would be funded at \$80 million for 2018 with \$25 million reserved for the Emergency Citrus Disease Research and Extension Program.

Outside of the Department of Agriculture, there are \$83 million in proposed cuts at the FDA mainly targeting food safety program funding and a call for reducing staff levels through attrition. This comes as the agency is rolling out implementation of the Food

Dawn Of A New Day?

Labor Department Withdraws Obama-Era Guidance On Misclassification, Joint Employment

In a welcome development for employers, Secretary of Labor Alexander Acosta announced that the U.S. Department of Labor (USDOL) was immediately withdrawing guidance published during the Obama administration that had hampered businesses when it comes to independent contractor misclassification and joint employment standards. While the guidance letters did not carry the force of law, they were relied upon by USDOL investigators and courts when examining allegations of wrongdoing, and were often cited by plaintiffs’ attorneys to support their demands.

Their withdrawal is one of the first concrete steps taken by the Trump Department of Labor to free up employers to conduct business in a less burdensome regulatory environment. Although employers still need to proceed with caution when developing policies and practices involving classification and joint employment principles, this development might signal the dawn of a new day.

Short But Sweet Announcement From Labor Department

Without prior fanfare, the USDOL issued a three-sentence news release this morning announcing the withdrawal. “U.S. Secretary of Labor Alexander Acosta today announced the withdrawal of the U.S. Department of Labor’s 2015 and 2016 informal guidance on joint employment and independent contractors,” the release read. In fact, if you search for the informal guidance letters on the USDOL’s website as of this morning, you will now find a blank page reading: “Page Not Found – The page you requested wasn’t found on our website.” The release then reminded employers that they are still on the hook for potential violations of wage and hour statutes such as the Fair Labor Standards Act (FLSA), and concluded by stating the agency “will continue to fully and fairly enforce all laws within its jurisdiction.”

The words might be brief but their impact is powerful. With a sweep of the digital pen, Secretary Acosta has scrapped the guidance that had troubled businesses for the past several years.

2015 Misclassification Guidance Deemed To Miss The Mark

In July 2015, the USDOL – then headed by Obama appointee Tom Perez – issued Administrator’s Interpretation No. 2015-1, subtitled “The Application of the Fair Labor Standards Act’s ‘Suffer or Permit’ Standard in the Identification of Employees

Trump begins NAFTA Renegotiation Process



NAFTA is a multi-layer free trade agreement between the United States, Canada & Mexico.

U.S. Trade Representative Robert Lighthizer in May notified Congress that President Trump intends to renegotiate the North American Free Trade Agreement. By law, the administration is required to advise Congress of its intent to engage in negotiations for a new or modified trade agreement 90 days before such negotiations may commence. Negotiations will begin no earlier than August 16th.

“Today, President Trump fulfilled one of his key promises to the American people,” Mr. Lighthizer said. “For years, politicians have called for the renegotiation of this agreement, but President Trump is the first to follow through on that promise. U.S.T.R. will now continue consultations with Congress and American stakeholders to create an agreement that advances the interests of America’s workers, farmers, ranchers and businesses.”

Canadian Minister of Foreign Affairs Chrystia Freeland said in response to the administration’s notification to Congress, “NAFTA’s track record is one of economic growth and middle-class job creation, both here in Canada and throughout North America. Nine million American jobs depend on trade and investment with Canada. Our integrated economies and supply chains support millions of jobs across the continent.

“We are at an important juncture that offers us an opportunity to determine how we can best align NAFTA to new realities and integrate progressive, free and fair approaches to trade and investment,” Ms. Freeland said. “We are steadfastly committed to free trade in the North American region and to ensuring that the benefits of trade are enjoyed by all Canadians.”



U.S. Trade Representative Robert Lighthizer



Canadian Minister of Foreign Affairs Chrystia Freeland

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The Vineline is published quarterly by the National Watermelon Association, serving our members Nationwide since 1914. All rights reserved, except where otherwise noted. Printed in the USA. To subscribe or to change the address of a current mailing, please call the Association office in Lakeland.

Subscription rates: \$50.00 per year for a print copy of the four (4) quarterly issues of The Vineline member magazine.

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Publisher - National Watermelon Association • Layout - www.rubberneckerdesign.com

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NWA Queen, Madison Laney, was sponsored by ALC for the 2017 St. Patrick's Day Parade in Savannah, Georgia!



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REAP THE REWARD



66 Programs Eliminated in Trump Budget

Within President Trump’s fiscal 2018 budget proposal, there are 66 programs that would be completely eliminated, creating a savings of \$26.7 billion. Some of the programs would receive funding for 2018 as part of a phasing-out plan.

Many of the programs have become the programs that the administration wants to eliminate have become common fabric of the federal budget. However, the Administration looks to be dedicated to meeting the President’s promises to reduce federal spending, and work toward a balanced budget sometime in the future. Here are the 66 programs that are proposed to be eliminated:

Agriculture Department — \$855 million

- McGovern-Dole International Food for Education
- Rural Business-Cooperative Service
- Rural Water and Waste Disposal Program Account
- Single Family Housing Direct Loans

Commerce Department — \$633 million

- Economic Development Administration
- Manufacturing Extension Partnership
- Minority Business Development Agency
- National Oceanic and Atmospheric Administration Grants & Education

Education Department — \$4.976 billion

- 21st Century Community Learning Centers
- Comprehensive Literacy Development Grants
- Federal Supplemental Educational Opportunity Grants
- Impact Aid Payments for Federal Property
- International Education
- Strengthening Institutions
- Student Support and Academic Enrichment Grants
- Supporting Effective Instruction State Grants
- Teacher Quality Partnership

Energy Department — \$398 million

- Advanced Research Projects Agency—Energy
- Advanced Technology Vehicle Manufacturing Loan Program
- Title 17 Innovative Technology Loan Guarantee Program
- Mixed Oxide Fuel Fabrication Facility

Health and Human Services — \$4.834 billion

- Agency for Healthcare Research and Quality
- Community Services Block Grant
- Health Professions and Nursing Training Programs
- Low Income Home Energy Assistance Program

Homeland Security — \$235 million

- Flood Hazard Mapping and Risk Analysis Program
- Transportation Security Administration Law Enforcement Grants

Housing and Urban Development — \$4.123 billion

- Choice Neighborhoods
- Community Development Block
- HOME Investment Partnerships Program
- Self-Help and Assisted Homeownership Opportunity Program Account

Interior Department — \$122 million

- Abandoned Mine Land Grants
- Heritage Partnership Program
- National Wildlife Refuge Fund

Justice Department — \$210 million

- State Criminal Alien Assistance Program

Labor Department — \$527 million

- Migrant and Seasonal Farmworker Training
- OSHA Training Grants
- Senior Community Service Employment Program

Specialty Crop Alliance Reaction to President’s Proposed Budget

President Trump recently released his proposed budget for the upcoming federal cycle, which includes significant cuts to numerous federal departments and programs. One thing is crystal clear about our President. He is determined to do what he said he would do during the campaign, if elected.

The Specialty Crop farm Bill Alliance, of which the National Watermelon Association is 1 of 33 steering committee members, issued the following statements:

NEWS RELEASE

“We are very disappointed to see the President’s budget, released yesterday, call for draconian cuts, or even total elimination of programs that are important to the specialty crop sector. Eliminating programs that are critical to developing domestic and international markets for specialty crops, such as the Specialty Crop Block Grant program and the Market Access Program, seems to indicate a fundamental misunderstanding of what policies are needed to help specialty crop providers create their own success. These programs are investments that return far more value to the economy, job market, and agriculture sector than their costs. We will work vigorously with our industry partners to make sure the Administration understands the challenges our industry faces so that we may work together to develop policies that help, not hurt, America’s specialty crop producers.”

The Specialty Crop Farm Bill Alliance is a national coalition of more than 120 organizations representing growers of fruits, vegetables, dried fruit, tree nuts, nursery plants and other products. The alliance was established to enhance the competitiveness of specialty crop agriculture and improve the health of Americans by broadening the scope of U.S. agricultural public policy.

State Department and USAID — \$4.256 billion

- Development Assistance
- Earmarked Appropriations for Non-Profit Organizations
- The Asia Foundation
- East-West Center
- P.L. 480 Title II Food Aid

State Department, USAID, and Treasury Department — \$1.59 billion

- Green Climate Fund
- Global Climate Change Initiative

Transportation Department — \$499 million

- National Infrastructure Investments (TIGER)

Treasury Department — \$43 million

- Global Agriculture and Food Security Program

Environmental Protection Agency — \$493 million

- Energy Star and Voluntary Climate Programs
- Geographic Programs

National Aeronautics and Space Administration — \$269 million

- Five Earth Science Missions
- Office of Education

Other Independent Agencies — \$2.683 billion

- Chemical Safety Board
- Corporation for National and Community Service
- Corporation for Public Broadcasting
- Institute of Museum and Library Services
- International Development Foundations
- African Development Foundation
- Inter-American Foundation
- Legal Services Corporation
- National Endowment for the Arts
- National Endowment for the Humanities
- Neighborhood Reinvestment Corporation
- Overseas Private Investment Corporation
- Regional Commissions
- Appalachian Regional Commission
- Delta Regional Authority
- Denali Commission
- Northern Border Regional Commission
- U.S. Institute of Peace
- U.S. Trade and Development Agency
- Woodrow Wilson International Center for Scholars

House AG Committee Opens Public Listening Sessions for Farm Bill



The U.S. House Agriculture Committee held its first public input session in late June on the campus of the University of Florida, and they got a hefty dose of the issues facing farmers. The lawmakers heard it all over the nearly three-hour meeting.

There was a unified warning to not cut research, or any program that helps farms to combat pests and diseases. University of Florida officials said their research programs would be decimated if President Donald Trump’s proposed spending cuts became reality. And there were dozens of growers who said such research is truly critical in a state that faces more pressure than most from pests and diseases.

To no one’s surprise, citrus greening which has ravaged Florida was high on the list. Several growers told lawmakers to keep up the research carveout they got in the 2014 farm bill.

There were plenty of comments about peanuts, cotton and dairy, but specialty crops were the highlight of the meeting. Growers told the committee to keep investments in programs aimed at fruit and vegetable growers, such as the Specialty Crop Research Initiative and the Specialty Crop Block Grant Program.

There were a number of agribusiness leaders who voiced support for renegotiating NAFTA, arguing that many Florida crops have been disadvantaged as Mexico has had easier access to the U.S. market. “Florida has, indisputably, struggled,” said John Hoblick, president of Florida’s Farm Bureau. “We have seen dramatic reductions in market share in key Florida specialty crop markets due to prolific Mexican dumping into our markets.

During the listening session, the 800-pound gorilla in the room was Labor. The committee doesn’t have jurisdiction over immigration reform, but that didn’t stop growers from asking for short-term fixes to help ease the growing labor shortage. Florida farmers ranked number 1 in H2A visas in 2016, making up some 13 percent of all H2A visas.

AG Chairman Mike Conaway (TX) started off the hearing warning that there would be fewer resources in 2018 than there were in 2014, but that didn’t change the tune of the testimony in favor of keeping a long list of programs.

BUDGET continued from page 1

Safety Modernization Act. The President’s budget eliminates the Migrant and Seasonal Farmworker Training Program at the Department of Labor which provides training, assistance, and other services to workers in the agriculture industry. Unexpectedly, President Trump also gave a glimpse of his infrastructure plan along with the budget. The 2018 budget laid out plans for \$200 billion in direct federal investment partnered with \$800 billion in private investment over the next ten years to revitalize America’s infrastructure. The plan emphasizes federal funding, but also incentivizes investment from state, local, and private entities.

At the Department of Justice, the budget proposal trims the overall funding for DOJ to \$27.7 billion, down \$1.1 billion from current funding levels, while also increasing funding for the crackdown on illegal immigration. \$145 million in additional funding is provided to add new immigration judges, support staff, attorneys, and deputy marshals while also providing funds to build more prison space to house detained illegal immigrants.

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National Report

Shortly following Madison Laney’s crowning in Lake Tahoe she hit the road and air promoting our delicious product and hasn’t slowed down since. What an exciting and successful year it’s been!

Again in an attempt to cover as many promotions per printing as possible I will let the pictures and captions report on her awesome promotional tour! Thank you Madison for doing a great job representing the industry! We especially want to thank the following sponsors for the events covered!

- The Illiana Watermelon Association for sponsoring just me to their convention, Madison had prior commitment
- The Allen Lund Company, St Patrick’s Day Parade, Savannah Georgia
- Sun Up Produce, Freddie Ellis, North Carolina Convention
- Melon 1 and South Carolina Watermelon Association, Cooper River Bridge Run
- NWA; Queen training in Atlanta;
- NWPB, Viva Fresh Show, Austin, Texas;
- NWPB Stop & Shop Promotion, Cape Cod, Massachusetts
- NWPB, CPMA in Toronto, Canada
- Diamond 99, Dan and Carrie Thomas, Bell Elementary Career Day, Bell, Florida
- NWPB, International Biscuit Festival, Knoxville, Tennessee
- NWPB, Balducci’s Food Lover’s Market, Rye Brook, New York
- Maxwell AFB Commissary, NWPB Grant Funds, Montgomery, Alabama

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Rebekah Dossett, Stephanie Barlow and NWPB thank you for having us



A enjoyable tour of Central Park in New York



Madison posing with a delicious slice of watermelon at the International Biscuit Festival



Paul Hamilton of Balducci's in Rye Brook, New York



A Warm Welcome to Balducci's



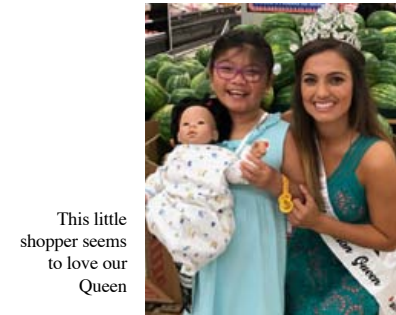
Madison gives selection tips to their shoppers



Madison wanted a picture with these servicemen at Times Square on Memorial Day weekend



Madison is welcomed warmly to Maxwell Air force Base in Montgomery, AL



This little shopper seems to love our Queen



Thank you Scott Davis, Produce Specialist for Military Produce Group for always doing a fantastic job!



IWA honors Ms Anita Field for her many years of service to IWA, Anita was their first President and helped establish this association. Anita is also a past NWA President. Congratulations Anita!



The nine former IWA queens attending do the ceremonial crowning photo, Congratulations Katie Ellermann!



Congratulations Miss Kaitlyn Ellermann, 2017 Illiana Watermelon Queen, thanks IWA for sponsoring me to your convention!



Dinner with our St Patrick Day Parade Sponsors, and friends, members of the Allen Lund Company team in Savannah, Georgia



Madison checks out their Big AI truck, before the parade



What a fantastic team at Allen Lund Company, thank you!



Nora and Bill with Madison ,during the parade Nora walked ahead and Bill walked with Madison. Thank you Allen Lund Company, it was a perfect day! So many people!



Look who we found in North Carolina, former National Queen Susan Edens Harrison and beautiful daughter Eden



Thanks to Freddie Ellis, and Sun Up Produce for sponsoring us to the NC Watermelon Convention



Madison enjoyed the convention



Dinner with Freddie and Angela, at the convention



All these Watermelon Queens welcomed the new North Carolina Queen, Emma Cannon



Watermelon has them jumping for joy on Folly Beach near Charleston



A very early start preparing for the Cooper River Bridge Run in Charleston, they all worked very hard. They successfully passed out around 40,000 cups of cut melon!



It was a very well planned event by this lady, SC Coordinator, Ann Bryant! Thank you Ann



Madison worked hard..thanks to Melon1 and the S C Watermelon Association for having us!



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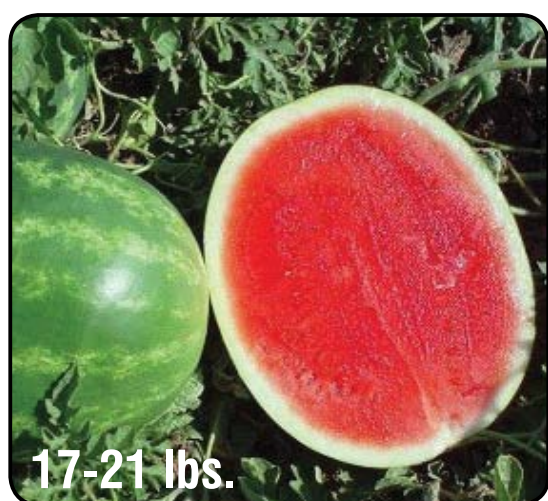
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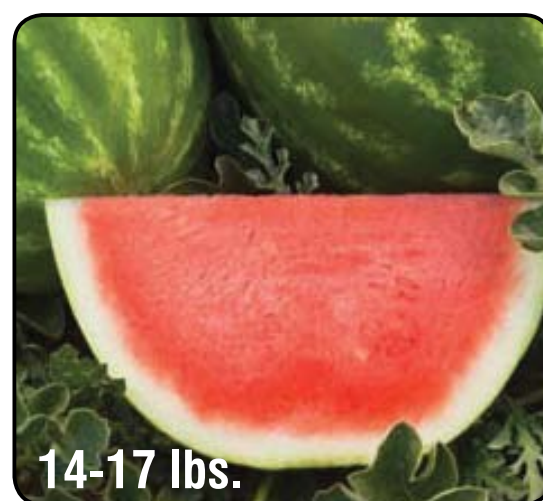
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National Pictures



Queen Blakely found a very familiar runner, my very own 1991 National Queen, Pam Mizzell Zboch! It was wonderful seeing her! Pictured with Madison.



Thanks NWPB for having an informative training session, Carmine and Vanessa Gallo on communication skills; Erika Preval on professional etiquette; and former queens Katelyn Kelley Miller and Brandi Harrison on your role as watermelon queen



Katelyn and Brandi present an informative look at your job being a watermelon queen



Special thanks to these two Watermelon Board Stars, Stephanie Barlow and Juliemar Rosado, it was an awesome day!



Megan McKenna , Director of Food Service & Marketing at NWPB , and Madison at the Viva Fresh Welcome Party in Austin



We were delighted to see our friends from Allen Lund Company at Viva Fresh



A visit from Ranell and Nowell Borders of Borders Melons during the show



Excellent coverage from the Produce News during Viva Fresh



Joined at the booth by NWPB's Retail Reps; Marcia Adler and Cece Krumrine



Congratulations to Al Garnett, United Fresh 2017 Produce Retail Produce Manager of the year at Stop & Shop in Cape, MA



Thanks NWPB for having us to Stop & Shop in Cape Cod We were joined by several Stop & Shop Executives, including Bill Brophy, Produce and Floral Sales Manager, and United Fresh's Jeff Oberman, VP of Trade Relations. Press coverage from Pamela Riemenschneider of Produce Retailer Magazine and The Packer.



United Fresh's Jeff Oberman, United VP of Trade Relations at Stop & Shop in Cape Cod



Juliemar, Megan, Cece and Madison attending the CPMA opening party at the Hockey Hall of Fame in Toronto



Madison meets Byron from Coleman's in Newfoundland in Toronto at CPMA



Megan, Cece, Brad, Madison and Juliemar during CPMA



During a morning session at CPMA they challenged each table to use modeling clay provided to make fruits and vegetables our table won. They liked Madison's watermelon with a bite out



Madison prior to the CPMA Banquet, thanks NWPB



Thanks to Dan and Carrie Thomas, Ashley and Alaina of Diamond 99 for dinner and for sponsoring us to Bell Elementary for Career Day, it was fantastic!



Bringing the smiles with those slices of Watermelon



We thank you again for having us! Carrie, Savannah, Madison, Paige, Alaina and Ashley



The children loved having Savannah and Madison



Madison is interviewed by ABC channel 6 WATG-TV in Knoxville, TN at the International Biscuit Festival, thank you to the Watermelon Board



Serving up the slices



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Washington News & Highlights

International Trade/Border Adjustment Tax

Candidate Donald Trump promised to renegotiate or throw out major trade agreements in order to preserve and promote American jobs. Since taking office in January, he has begun to make good on those campaign promises. The Trump Administration has withdrawn from negotiations on the Trans-Pacific Partnership (TPP) and has given formal notice for renegotiating NAFTA.

In addition, both Administration officials and Congress have made tax reform a 2017 priority, and have floated numerous recommendations for specific changes to the tax code. While debate over actual legislation has not yet begun, the fight is well underway on several key provisions that may soon be on the table. Action on both trade negotiations and tax policy could have significant impact on the fruit and vegetable industry.

International Trade:

The U.S. fruit and vegetable industry is highly dependent upon international trade, both exports from the U.S. and imports into the country. However, specific patterns of trade vary greatly between different commodities. Overall, the U.S. agricultural sector is strongly pro-trade, with exports playing a major role for most row crop commodities. While the U.S. fruit and vegetable interests do not always align with these partners, many of us have felt the sting of retaliation from other countries when trade disputes arise. Therefore, agriculture is currently unified around the goal of positive win-win trade negotiations with other countries.

NAFTA Modernization:

With regard to NAFTA, there is a strong interdependence of the fruit and vegetable sector across all three countries. Trade across the NAFTA members serves both consumers and deeply connected supply chains in all countries, providing significant jobs not only in agriculture but in processing and distribution. Increasingly, fruit and vegetable capital investment in production, packing, processing and distribution is flowing freely among investors in all three countries. While traditionally more U.S. and Canadian producers may have been investing in Mexico, Mexican producers are increasingly investing in the U.S. and Canada as well.

During the renegotiation of NAFTA, we anticipate that the USA will seek to find a win-win-win solution that will serve all of our members. We have seen how some of our members have been disadvantaged by some aspects of the current NAFTA agreement. We are encouraged by the Administration’s direction, and hope that their efforts will be realized without tariffs and retaliation actions.

Border Adjustment Tax:

The proposed border adjustment tax (BAT tax) has become one of the most controversial tax policies being advanced by House Speaker Paul Ryan and Ways and Means Committee Chairman Kevin Brady. A BAT tax would levy a tax on imported goods, while exempting exports from U.S. taxation. The concept is that U.S. exports face an extra tax burden while paying U.S. tax, and then a foreign country’s Value Added Tax (VAT) when the product is sold in that country. However, many economists do not see the tax patterns of internationally traded goods as that simple, and many policymakers are highly skeptical of a BAT tax or are directly opposed to the idea altogether, including many U.S. Senators.

It appears that the majority of agriculture also shares these concerns, which were expressed in a recent House Agriculture Committee hearing on the impact of tax reform on U.S. agriculture. While there are many concepts in tax reform that are quite favorable such as elimination of the estate tax, reduction in corporate tax rates, and immediate expensing of assets, most groups fear a BAT tax could have unforeseen impact on the food and agriculture sector and could outweigh gains with tax reform.

B. Immigration/Guest Worker Programs

No issue generated more controversy and passion during the 2016 Presidential campaign than immigration. Candidate Trump promised a tougher approach to enforcement of U.S immigration laws. Since coming to the White House, he has taken steps to increase enforcement and deportations of undocumented individuals, focusing first on those with criminal records but too often collecting others in these actions. For the produce industry, securing a stable, skilled workforce remains our most important challenge. Too many growers and shippers are scrambling to find workers to bring time-sensitive crops in from the field and on to consumers.

Since taking office, President Trump has issued several Executive Orders pertaining to enforcement. The first, Border Security and Immigration Enforcement Improvements, is the “build the wall” executive order, directing Customs and Border Patrol to “secure the southern border of the United States through the immediate construction of a physical wall on the southern border.” This order also directs the hiring of 5,000 more border patrol officers. The order does not specify how the wall would be paid for, but does request a report on all U.S. foreign aid to Mexico over the last five years.

The second, Enhancing Public Safety in the Interior of the United States, applies to immigration enforcement in the interior, and specifically targets so-called “sanctuary cities” by cutting off their federal funding. The order also expands enforcement powers giving immigration officers almost unlimited discretion in instituting deportation proceedings to include any non-citizen not yet charged with a crime but who, in the judgment of and immigration officer, poses a risk to public safety or national security.

This stepped-up enforcement combined with no legislative action leaves us with three action steps:

- Communicate with Administration leaders the dam-

age being done to U.S. agriculture due to rampant fear across our worker communities.

- Continue to communicate to the Administration and Congress our needs for a long-term fix creating a path to legal status (not necessarily citizenship) for our current workers and a new efficient guest worker program.
- Push the Administration to resolve the worst bureaucratic problems with the current H2A program, as farmers increasingly have no other choice than to move to H2A in overwhelming numbers.

C. Farm Bill

The Farm Bill represents the federal government’s largest investment in the produce industry and the healthful nutrition of America’s children through increased consumption of fruits and vegetables. With programs including targeted research programs, export expansion, programs designed to eliminate pests and diseases, access to fresh fruits and vegetables and state block grants, we have been successful in past Farm Bills to elevate annual federal government investment to support the specialty crop industry to over \$600 million.

The process of developing the next Farm Bill began a few months ago even though the law does not expire until September 2018. Both the Senate and House Agriculture committees will spend the spring and summer of this year on hearings to receive testimony from interested stakeholders from across the country on a wide range of issues. Once the committees complete their hearings, they are expected to start developing a framework for legislation which could be completed by the end of this year.

The Specialty Crop Farm Bill Alliance, of which the National Watermelon Association is one of 33 steering committee members, provides the leadership along with three co-chairs from Florida Fruit and Vegetable Association, National Potato Council and Western Growers Association. The Alliance has been the driving force coordinating fruit and vegetable provisions in the last two Farm Bills, providing Congress with a set of comprehensive recommendations from a coalition of more than 120 specialty crop organizations from across the country, including fruits and vegetables, tree nuts, wine grape growers, and nursery and landscape organizations.

The outlook for the next Farm Bill is mixed, with many of the traditional crops (corn, cotton, dairy, wheat) experiencing significant economic challenges and thus asking Congress for new financial support. Although there is very little prospect of increasing overall funds for the Farm Bill, our coalition will have to be aggressive in protecting and advancing our priorities.

D. Regulatory Reform

Regulatory reform has been met with positive impact from the new Administration. The business community saw the Obama Administration take an increasingly aggressive approach to environmental rules and other regulatory areas that are relevant to our industry. To the new Administration’s credit, we are now seeing a reversal of that trend since President Trump and his administration go to work to relieve some of the regulatory burdens that have been placed on us.

An Executive Order signed by the President directed all federal agencies to seek public comment on existing regulations that may be appropriate for repeal, replacement, or modification. The order directed federal agencies to establish Regulatory Reform Task Forces to identify existing regulations that (1) “eliminate jobs, or inhibit job creation;” (2) “are outdated, unnecessary, or ineffective;” (3) “impose costs that exceed benefits”; or (4) “create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies.”

On March 29, EPA announced it would deny a petition filed by activist groups that would have removed the crop protection product chlorpyrifos from the market immediately, without undergoing the normal scientific regulatory review process. Both USDA and EPA concluded that claims in the petition were based on unreliable information from epidemiological studies. This product is used on a variety of fruits and vegetables and has already been the subject of extensive and lengthy review by EPA. Agriculture stakeholders across the crop spectrum had urged that the agency ensure that its regulation of the product uphold the solid foundation of unbiased scientific data showing this product could be used safely and effectively.



EPA has continued to pursue regulatory reform, inviting state and local leaders to Washington, DC to discuss EPA’s strategy to rescind and replace the Waters of the United States (WOTUS) rule, stating that the agency plans to use an expeditious two-step process. A few months ago, the U.S. Food and Drug Administration announced it was extending the comment period related to the regulation of foods from plants produced using genome-editing technologies. As you know, this new and evolving technology could have significant benefits for the fruit and vegetable industry for developing new varieties that enhance consumer benefits, while helping farmers address drought, pest and disease, and food safety challenges.

Congress is also poised to pass H.R. 5, the Regulatory Accountability Act of 2017. The legislation would modernize the Administrative Procedures Act and improve transparency and accountability in the rulemaking process for federal agencies.

Fresh Fruit and Vegetable Program:

Keeping “Fresh” in the Fresh Fruit and Vegetable Program (FFVP) continues to be a top priority and an ongoing policy challenge that will intensify as Congress debates the 2018 Farm Bill. The highly successful FFVP provides 4 million low-income elementary school students with a fresh fruit or vegetable snack every day at school. The FFVP introduces young students to a wide variety of fresh fruits and vegetables, positively impacts their attitudes, and increases their consumption at school and at home.

The processed fruit and vegetable industry has waged the policy “fight” over FFVP for several years in an attempt to include “all forms of processed fruits and vegetables” in FFVP. While we expect that fight to continue, we have more good news on our side. A recent evaluation of an “all forms” pilot in 4 states demonstrated that including processed fruits and vegetables in FFVP actually decreased student’s fruit and vegetable consumption. This study also clearly documented that students prefer fresh fruits and vegetables over processed. Evaluation results notwithstanding, we still expect a challenging fight to protect the FFVP as “Fresh” in the 2018 Farm Bill.

WIC Opportunities:

The evidence keeps mounting – from the FFVP pilot program above to the recently released Review of WIC Food Packages: Improving Balance and Choice by the National Academy of Sciences (NAS). This important new review calls for significantly increasing fruits and vegetables in WIC Food Packages by \$24/month, providing additional fruits and vegetables to incentivize breast feeding, and offering a choice of more fruits and vegetables instead of juice and jarred baby food. In WIC Forums all over the country, WIC participants and WIC program directors have consistently asked for more fruits and vegetables. More than a decade ago, the first inclusion of \$800 million in fruit and vegetable vouchers for WIC recipients each year helped to stem the tide of childhood obesity in the earliest years of development. The new NAS recommendations provide a tremendous opportunity to work with the National WIC Association and other stakeholders to urge USDA to incorporate these recommendations into policy, which would significantly increase access to fresh fruits and vegetables. But, we need to be prepared for a major fight with other food sectors.

Supplemental Nutrition Assistance Program (SNAP) Opportunities:

The debate over whether SNAP (food stamps) should be a nutrition and health program or merely a cash-transfer welfare program, is finally at hand. Many organizations are now calling for policy changes in the 2018 Farm Bill that will modify SNAP to promote healthier eating habits. SNAP is the largest nutrition safety net in the U.S. providing 42 million low-income Americans, nearly half of them children, with food assistance each month. And, SNAP is the only federal nutrition program that has not been aligned with the U.S. Dietary Guidelines.

To date, SNAP remains with no restrictions on what foods can be purchased. The 2014 Farm Bill included a \$100 million FINI Grant Program to fund pilot projects to incentivize SNAP recipients to purchase more fruits and vegetables. Even though money is tight, incentives have been easier to advance than restrictions or wholesale changes to make SNAP operate more like WIC. But, over the past year, consider some of the latest developments:

° The House Agriculture Committee has hosted 17 SNAP hearings



- ° State SNAP agencies have requested waivers to restrict purchases of sugar-sweetened beverages
- ° Double Up Food Bucks and other FINI projects funded have demonstrated the effectiveness of produce incentives
- ° The American Heart Association has called for a major SNAP pilot that combines SSB restrictions with produce incentives
- ° Many Republicans in Congress are beginning to question why federal tax dollars are paying for unhealthy foods that just exacerbate public health care costs rather than help SNAP recipients find more healthy eating patterns for better health.

The 2018 Farm Bill debate on SNAP can be a turning point in how we think about this program. While not likely to see radical change this time, the debate will set the stage for long-term consideration of moving SNAP toward a public health nutrition program to better serve the people who need it most, and better allocated federal resources. For 2018, the fight will be for increased funding for produce incentives; ensuring that SNAP families can benefit from produce incentives in supermarkets and major retail channels year-round; and building an evidence base for longer-term significant policy change.

FSMA Regulatory Actions

Most major FDA regulations stemming from the Food Safety Modernization Act are now final and are in varying phases of implementation. The final rules reflect stakeholder input but are far from perfect and implementation will be a bumpy road. There are two major issues that we feel are unworkable and warrant a reconsideration of the rules themselves:

- Farm/Facility differentiation that dictates if operations follow the Produce Safety Rule or Preventive Controls Rule.
 - o Currently, facilities required to register with FDA (that manufacture, process, pack or hold food) must follow the Preventive Controls Rule (perform a hazard analysis, identify and implement preventive controls, document everything). Farms follow the Produce Safety Rule.
 - o The definition of “farm” is complicated and not intuitive. It includes some packinghouses and cooling operations but not others.
 - o Proposed solution: any operation handling produce raw agricultural commodities (RACs) should fall under the Produce Safety Rule. This means that a registered facility could still comply with the Produce Safety rule rather than Preventive Controls rule.
- Ag Water (in the Produce Safety Rule)
 - o Prescriptive requirements would require farms to use a method that is only offered by a few labs in the country (EPA method 1603) and is very expensive, specifies how many samples need to be taken (5/year) that need to get to the lab within six hours, involves some math, and generally speaking is not practical. It’s also impossible to tie it to protecting public health.
 - o FDA has stated at meetings and on its website that it is considering ways to simplify the ag water standards, but will not commit to the scope of reconsideration, or potential solutions.
 - o We expect a report organized by the Center for Produce Safety to support the use of alternative methods (that are more readily available and cheaper).

- o Solution: Our preference is to remove prescriptive language from the rule and include the CPS options, the current FDA requirement, and alternative considerations, in an FDA guidance document.

B. Coalition to Challenge Park Doctrine

The language in the Food Drug and Cosmetic Act (FDCA), and legal precedent set by the Park Doctrine, put food industry executives at risk of criminal liability in the event of a food safety issue, even if they were not aware of the issue. A few food industry trade association legal representatives are exploring three options to address this:

- ° Amend the FDCA to situations described in FDA’s regulatory procedures manual. This requires Congress passing legislation, and is a major challenge but potentially the best solution.
- ° Add a “good faith” clause to the FDCA for internal investigations. Similar challenge as above.
- ° Seek legal precedent establishing that the Due Process Clause prohibits imprisonment for Park Doctrine offenses. There is currently a case on appeal to the Supreme Court (Austin “Jack” DeCoster and Peter DeCoster v. United States of America (Case No. 16-877)) that could advance this precedent if the Court accepts and agrees with our interpretation.

In relation to the third option, the U.S. Supreme Court denied a petition to hear the case which leaves in place a fractured Eighth Circuit Court decision upholding the DeCosters’ three-month prison sentences – one that has been previously called the most significant Park Doctrine ruling in over four decades. The coalition is regrouping to decide what the next steps are to address this important issue.

In addition, Jeffrey Steger, assistant director of the U.S. Department of Justice’s consumer division, said no one should expect any lessening of DOJ’s back-stopping FDA’s enforcement actions. DOJ has several high-profile food industry prosecutions under its belt and Steger expects the trend will continue. He also indicated that DOJ favors preservation of the Park Doctrine.





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Alabama Report

Greetings from Alabama,

Watermelon season is here and Queen Paige has been busy learning about the watermelon industry from start to finish. The 2017 Queen Tour started with the annual National Watermelon Promotion Board Queen Training in Atlanta, Georgia. Queen Paige left training prepared to promote watermelons at types of venues and represent the industry with poise and eloquence. Next, we were off to Charleston, SC to the Cooper River Bridge Run. Queen Paige, as well as, many other state queens helped the South Carolina Watermelon Association pass out watermelon to thousands of runners. This run is ranked as the 3rd largest 10k in America and promotes physical activity and a healthy lifestyle through education and opportunity.

With watermelon season in full swing comes watermelon festivals. Queen Paige attended the Newberry Watermelon Festivals where she rode in the parade, visited the festivals and welcomed the newly crowned festival queens. While in Florida, we were able to visit a few special people and see them in action this season. Thank you for taking the time to visit with us: Mr. Billy and Mrs. Corliss Smith with Billy Smith Watermelons, Mr. Trey and Mrs. Amber Smith, Mr. Rantz and Mrs. Stephanie Smith with Smith Farms, and Mr. Dan and Mrs. Carrie Thomas with Diamond 99. Thank you all for your hospitality and support!

Queen Paige was invited to speak at the annual Alabama Ag in the Classroom convention. She spoke to over 100 teachers on how to use watermelon in their classroom. Alabama Ag in the Classroom provides teachers with the tools needed to educate students on the importance of agriculture and how it affects their daily lives.

We have covered a lot of ground already and have much more to cover. The next few months will be filled with farm tours, grocery store promotions, watermelon festivals visits, farmers' market visits, and media interviews. We hope to see you soon in our travels!

Sincerely,
Katie Eubanks
Promotions Coordinator
Alabama Watermelon Association
Cell:334-237-0600
Email:Katie.eubanks2@gmail.com



Queen Paige enjoying the Newberry Festival Queens tea with past AL and National Queen Amber Nolin Smith.



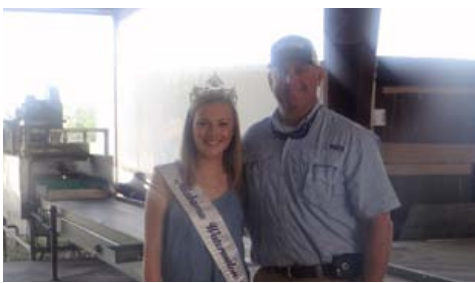
Thank you for being our sponsor! Mr. Billy of Billy Smith's Watermelons and Queen Paige.



Queen Paige enjoyed the hands-on approach to learning how watermelons grow.



Enjoying the beautify coast line in Charleston, South Carolina.



Queen Paige touring Smith Farms of Bell with Mr. Rantz Smith.



Thank you to the South Carolina Association for inviting us to the Cooper River Bridge Run. Watermelon fuels athletes campaign is a huge success.



FL Queen Savannah, National Queen Madison, and AL Queen Paige had a great time at Bell Elementary School with Ashley and Alaina Thomas.



GA Queen Anna-Beth and Queen Paige are ready for the communications training at the National Watermelon Promotion Board Queen Training.



National Queen Madison and Queen Paige are excited to speak to the elementary students about eating healthy and delicious watermelon.



Alabama Ag in the Classroom allowed Paige to speak to over a hundred teachers on using watermelon in their classroom.



Thank you, Mr. Dan and Mrs. Carrie Thomas of Diamond 99, for the farm tour in Bell, Florida.



Congratulations to the 2017 Newberry Festival Queens.



Stephanie and Juliemar of the NWPB with Queen Paige after completing a successful queen training session in Atlanta, GA.



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Trump: My immigration crack-down isn't aimed at your workers

President Donald Trump said he would seek to keep his tough immigration enforcement policies from harming the U.S. farm industry and its largely immigrant workforce. Trump said he did not want to create labor problems for farmers and would look into improving a program that brings in temporary agricultural workers on legal visas.

“He assured us we would have plenty of access to workers,” said Zippy Duvall, president of the American Farm Bureau Federation. During a roundtable conversation with the President and Secretary Perdue, farmers and AG representatives brought up labor and immigration. Some farmers told Trump they often cannot find Americans willing to do the difficult farm jobs.

They said they were worried about stricter immigration enforcement and described frustrations with the H-2A visa program, the one legal way to bring in temporary seasonal agricultural workers. About half of U.S. crop workers are in the country illegally and more than two-thirds are foreign born, according to the most recent figures from the U.S. Department of Labor’s National Agriculture Workers’ Survey.

During the roundtable, a dairy farmer from Pennsylvania described how immigration agents had recently picked up half a dozen chicken catchers working for a poultry transportation company in his county. The employer tried to replace them with local hires, but within three hours all but one had quit.

Trump said he wanted to help and asked Secretary Perdue to look into the issues and come back with recommendations.

While other issues such as trade, infrastructure and technology were also discussed, participants were more positive after the meeting about the conversation on foreign labor “than about anything else we talked about,” said Bill Northey, a farmer and Iowa’s secretary of agriculture.

An Ohio nursery owner told the President about his struggles with the H-2A guest worker program, which he has used for 18 years. He told Trump the program works in concept, but not in practice. “I brought up the bureaucracy and red tape,” he said. “If the guys show up a week or two late, it puts crops in jeopardy. You are on pins and needles all year to make sure you get the workers and do everything right.”

While use of the program has steadily increased over the past decade, it still accounts for only about 10 percent of the estimated 1.3 million farmworkers in the country, according to government data. In 2016, the government granted 134,000 H-2A visas. Employers who import workers with H-2A visas must provide free transportation to and from the United States as well as housing and food for workers once they arrive. Wage minimums are set by the government and are often higher than farmers are used to paying.

President Trump recently signed another executive order titled “Buy American, Hire American,” calling for changes to a program granting temporary visas for the tech industry, but not to visas used by farmers and other seasonal businesses.

Trump also signed two more executive orders focused on border security that called for arresting more people in the United States illegally and speeding up deportations.

Labor Secretary Targets Visa Program Fraud And Abuse



U.S. Labor Secretary Alex Acosta announced plans to “aggressively confront” visa program fraud and abuse.

In a policy shift, Acosta directed the Department of Labor (DOL) to “vigorously” enforce all laws within its jurisdiction over the non-immigrant visa program. He listed a series of specific actions meant to ramp up enforcement of visa program abuse.

Acosta directed DOL’s Wage and Hour Division to use all its tools to enforce labor protections provided by

the visa program. He also directed the Employment and Training Administration to propose changes to the Labor Condition Application that may help the government identify fraudulent activity.

The DOL says that it will be actively engaged in criminal referrals on a regular basis. Sources inside the DOL said that the previous administration did not always work actively with the inspector general on pursuing suspected cases of fraud and abuse of the visa program.

“Entities who engage in visa program fraud and abuse are breaking our laws and are harming American workers, negatively affecting Americans’ ability to provide for themselves and their families,” Acosta said in a press release. “We will enforce vigorously those laws, including heightened use of criminal referrals.”

The DOL’s focus on enforcing the nation’s visa programs is a part of the administration’s larger policy of putting America first.

In the first successful legal action of its kind, the DOL obtained a preliminary injunction under the H-2A visa program from the U.S. District Court for Arizona against a farm operation for life-threatening housing conditions provided to agricultural workers. In a second action, a Pennsylvania farm and landscaping company was penalized for back wages and fines for violating the Immigration and Nationality Act (denying employment to a qualified U.S. Worker).

USDA Secretary Perdue Addresses Priorities

U.S. Agriculture Secretary Sonny Perdue hit the ground running on his very first day at work. In his first week on the job, he held a Farmers Roundtable with President Donald Trump and a national cross section of farmers and farm leaders, helped head off the withdrawal of the U.S. from the North American Free Trade Agreement, and announced flexibility for the school lunch program.

The former Georgia governor was one of the last cabinet positions to be filled, but he says that gave him the opportunity to find out what senators want him to accomplish as secretary.

“I heard three major things as I visited with over 75 members of the Senate,” says Perdue. “No. 1 was trade, No. 2 was trade and No. 3 was trade, but No. 4 and 5 were the labor situation and regulation.”

On trade, Perdue wasted no time creating the undersecretary for trade and foreign affairs position as part of the USDA reorganization he announced in May, and as directed in the 2014 farm bill. “I think it needs to be done and our plans are to have a deputy or an undersecretary for trade for USDA,” he says. He wants this position to focus solely on opening export markets for U.S. products. “The Foreign Ag Service ought to get up every day: How can I sell more? Where can I sell

more? Where can I go to trade these products?” says Perdue.

Perdue additionally announced that an undersecretary would also be selected for a newly-named Farm Production and Conservation mission area. That department will focus on domestic issues and oversee the Farm Service Agency, Risk Management Agency and the Natural Resources Conservation Service.

Finally, the secretary announced the department’s Rural Development agencies would be elevated to report directly to him in recognition of the need to help promote rural prosperity.

During the Farmers Roundtable, President Trump also signed an executive order charging Perdue to chair an Interagency Task Force on Agriculture and Rural Prosperity. The task force will look at all aspects of rural economy and the issues facing rural America. How do we generate jobs, job creation, economic activity in rural America? That’s going to be a top to bottom review, whether its regulations or any other kind of government policy. Secretary Perdue is scheduled to provide a report in the fall.

Perdue says on the regulatory front, the task force will focus on common sense and science-based regulations. He says they will build on the regulatory rollback already started by Trump and Environmental Protection Agency Administrator Scott Pruitt. “He’s (Pruitt) already demonstrated a real understanding of the barriers that we put out in our farms and fields all across this country, and we’re committed to do even more,” Perdue says.

This is a change in approach to regulations that farm groups are applauding. Daren Coppock, Agriculture Retailers Association CEO says the EPA signaled their stance on regulation with their recent decision to overturn the ban on Lorsban. “The agency said we’re going to be based on science, based on data and we’re going to be transparent. And frankly that’s something very welcome news to our members,” he says.

Farm groups are already working on their wish list for regulatory reform. “We already have a list of about 50 or 60 regulations, hardly any of them at USDA, most of them at EPA and places like that we really want them to look at and see if we can make some progress,” says Mary Kay Thatcher, senior director of Congressional Relations for the American Farm Bureau Federations.

Perdue also is focused on labor and says Trump wants immigration reform that benefits agriculture. “What he’s after is the criminal element of illegal immigration,” he says. “He understands there are dedicated farm workers out here who are immigrants who are sometimes milking cows 365 days a year, not just seasonal workers. And he wants to find a way we can use the productive capacity of those people who are here to serve agriculture.”

Roundtable participants said that many farmers have worried about the effect of the stepped up enforcement on their workforce, but Trump told them his administration was focused on deporting criminals, not farmworkers.

“He has a much better understanding about this than some of the rhetoric we have seen,” said Steve Troxler, North Carolina’s agriculture commissioner.

The farmers at the meeting stressed that they need workers on short-term and permanent basis. They said there should be a program to help long-time farmworkers without criminal records, but who are in the country illegally, to become legal residents.

The dairy farmer from Pennsylvania said, “The Administration has got something started here,” he said of the meeting with farm leaders. “It’s about time something happens.”

Florida Report

Summer time is Watermelon Time!!!

Starting off our summer watermelon promotions Queen Savannah, Raychel, and I have been busy promoting something we love, “Florida Watermelons”!

The month of March started off with our first runner-up Raychel Thomas and I in Tallahassee with the Dept. of Ag Fresh from Florida “Taste of Florida Agriculture” event. We handed out slices of watermelons to all of our State Leaders in Tallahassee and visiting officials throughout the State of Florida. Attendance of 200 plus enjoyed this event. Then, that weekend Queen Savannah and I headed to Dade City for a two-day event, “The Savage Race” with over 6,000 participant’s challenging the 25 obstacles within a 7 mile race. At the end of the race everyone enjoyed a slice of watermelon under our beautiful watermelon tent. We all survived that fun and windy weekend. The end of March, Queen Savannah and I headed to Charleston, South Carolina for their 40th Annual Cooper River Run. A day filled where our awesome team handed out over 44,000 cups of watermelon to all the runners. Thanks to South Carolina Watermelon Association and Coordinator Ann Bryant for having us that weekend.

The month of April, Queen Savannah and I, started off at the Providence Community School in Lakewood Ranch educating elementary kids on the healthy facts of watermelons. Thanks to Robbie Abbott Farms for donating watermelons. From there we were off to meet up with Raychel Thomas in Atlanta for the NWPB Queen Training Seminar. A day filled with media and etiquette training. Thanks to NWPB and everyone that made this training so successful. As a coordinator, I look forward to this event every year. The following weekend Queen Savannah and I visited watermelon farmers in their field, packing sheds, and visited with our watermelon buyers. We appreciate everyone for taking the time out of their busy schedule to visit with us and also Melon 1 for a wonderful lunch. Our month ended with double promotions starting off with our First Runner-up, Raychel Thomas and I in Richmond, Virginia along with Nascar Infinity Driver #4 Ross Chastain. Our first stop for the week, was at the Food Lion Grocery Store handing out watermelon slices to everyone that visited that day. Then, on to Richmond International Speedway. A day filled with promoting Florida Watermelons and handing out slices to all the Nascar fans. Thanks to the Florida Watermelon Association for not only sponsoring us but for sponsoring Ross that day. Ross and his Watermelon team greatly appreciates being able to have the Florida Watermelon Association back on his #4 Infinity NASCAR Car. That weekend Queen Savannah was in Arcadia crowning and giving up her title as the 2016 Desoto County Watermelon Queen. Congratulations to Sydney Esquibel for being crowned the 2017 Desoto County Watermelon Queen. Also thank you to Liz Christensen for chaperoning Savannah for this event. Our last event ended on that Sunday with Savannah and I attending the National Migrant Conference in Orlando. Thanks again Robbie Abbott Farms for donating watermelons for this conference. If you haven’t yet seen our “Facebook” page go to Florida Watermelon Association and like it. There are a lot of our watermelon promotions pictures on there.

Until next time, be sure and pick up a Florida Watermelon from your local grocery store!

Debra Harrison – Email: debra@flfwa.com
Cell: (863) 633-8306
Florida Watermelon Promotions Coordinator



A “Taste of Florida Agriculture”!



to the “Watermelon Field” with Chad Chastain and Doug Miller.



Everyone enjoying the Watermelon Slices after competing the “Savage Race” Run!



to the Watermelon Packing Shed!



Florida Watermelon Queen Savannah Christensen and South Carolina Watermelon Queen



to taking time out for lunch with Melon 1. Thanks everyone so much!



Queen Savannah handed out cups of Watermelon to all the runners at the “Cooper River Run”.



Nascar Infinity Driver Ross Chastain and our first runner-up Raychel Thomas at the Food Lion Grocery Store in Richmond, VA.



Are you “Ready, Set, Go”. Watermelon Eating Contest at Providence Community School.



A beautiful day at the Richmond International Raceway.



Thanks Carmine and Vanessa Gallo for the media training and the book “The Storyteller Secrets”.



Queen Savannah visiting with First Vice- President Carr Hussey and his family while they were in Arcadia.



Thanks Stephanie and Juliemar with NWPB for a wonderful “Queen Training” in Atlanta.



Congratulations to Sydney Esquibel for being chosen the 2017 Desoto County Watermelon Queen.



from the Seed Production with Paul Sawyers at Siegers Seed Company.



Handing out slices of Florida Watermelon and Florida Oranges at the National Migrant Conference in Orlando with the 2017 Florida Citrus Queen Paige Todd and Kim Fioramanti.

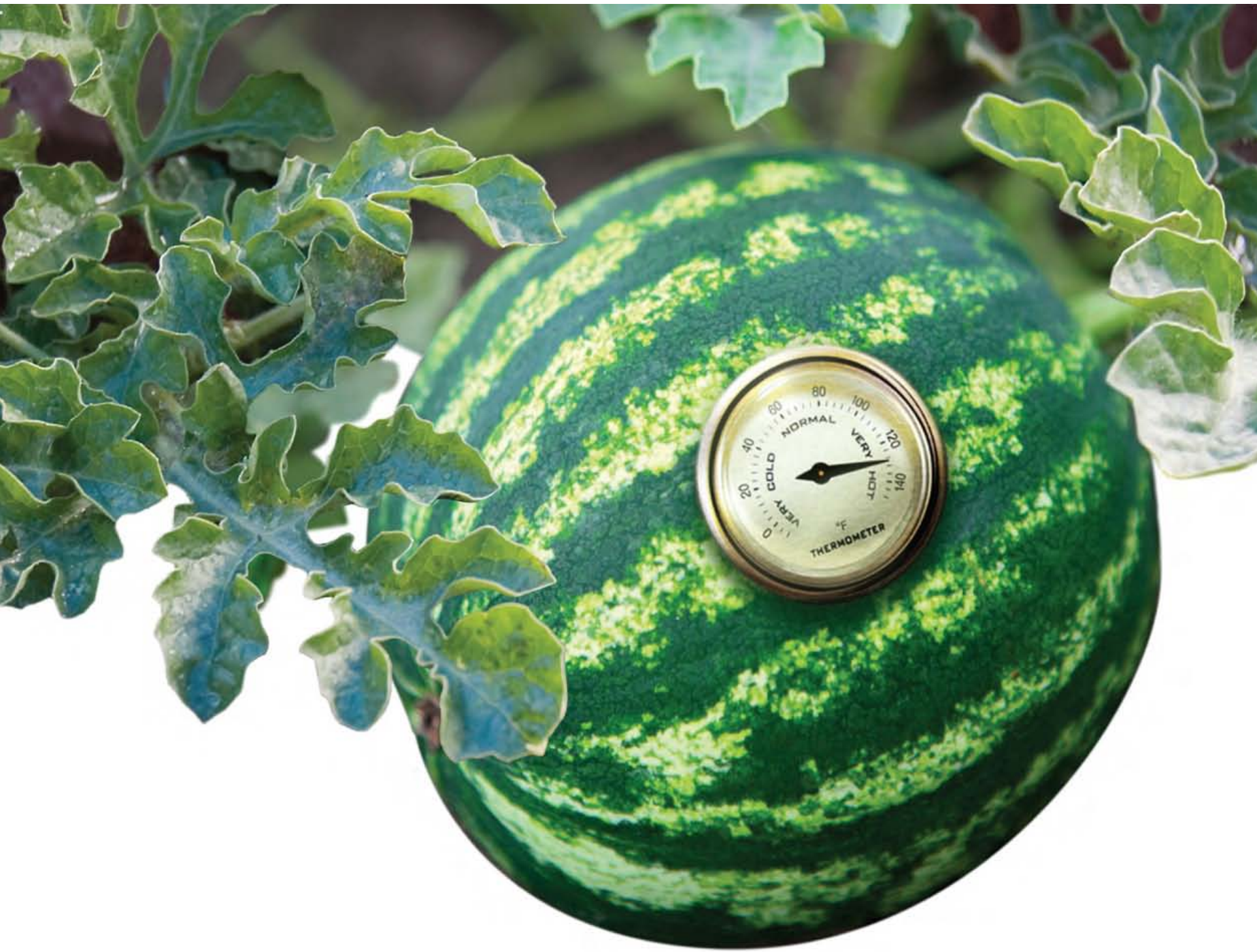


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Georgia Report

Greetings from Georgia!

It’s watermelon time in Georgia and the 2017 Queen Promotions program is in full gear. Queen Anna Beth has hit the ground running and has been covering a lot of territory across our state promoting our favorite fruit.

Since early March Queen Anna Beth has been partnering with schools all over the state to help them promote during their agriculture/career day celebrations. Queen Anna Beth has been visiting classrooms meeting with students of all ages to talk about the nutritional and health benefits of watermelon.

April began with a visit to Charleston, SC to join the other state queens, along with National Queen Madison, for the Annual Cooper River Bridge Run to hand out lots of watermelon samples. The runners were very excited to see the ‘watermelon queen team’ return for this event! Thank you to Ann Bryant for organizing this weekend event and for all of your hard work! The following weekend, Queen Anna Beth attended the annual Queen Training Seminar and Workshop for Watermelon 101 Training with the National Watermelon Promotion Board. The girls had the opportunity to spend time with media coaches, Carmine and Vanessa Gallo of Gallo Communications who taught them how to tell the watermelon story and how to perfect their communication skills. The queens also had a half-day session with Erika Preval of Charm and Etiquette learning the proper essentials for everyday living. Thank you to NWPB for your support and coordination of this special weekend.

Continuing into the month of May, Queen Anna Beth represented GWA at Sutherland’s Food Show at the Atlanta State Farmers Market where she handed out samples and shared the watermelon message with the attendees. Thank you to Leger and Son for inviting us to participate in the grand re-opening of the Walmart store in Cordele. The consumers were loving it! The remainder of May was spent with educational visits with students at schools across the state. Thank you to Dooly County Elementary, Commerce Primary, Smith Barnes Elementary, Thomson McDuffie Middle School, Claxton Elementary and Warren Technical School for hosting us and allowing us to help promote watermelon and the importance of agriculture!

‘Cheers to fresh produce’ was how we started the month of June. GWA sponsored with Farm Star Living at the Atlanta Food and Wine Festival teaming up with Tsamma Juice and Tito’s Vodka to serve the festival attendees a very special cocktail, the Watermelon Drop. We were proud to represent the watermelon industry during the three-day weekend and were delighted to have one of board members, Jordan Carter, join us for this promotion! Another highlight of the weekend was teaming up with ‘Eating with Erica’, an award-winning Atlanta-based blogger with a passion for all things dining, entertaining, and food. Check out her blog where she posted watermelon beauty shots and featured GWA! <http://eatingwithERICA.com/2017/06/atlanta-food-wine-festival-georgia-watermelon-association/>

Thank you to Frey Farms/Tsamma Juice for your donation of the juice. The drink just would not have been the same without it!

The remainder of June and July will be very busy, as Queen Anna Beth continues to celebrate the summer with the sweet taste of Georgia watermelon. We are very excited to join Ross Chastain and the Melon 1 team in Iowa to cheer on the GWA race car and hand out watermelon samples in the pit the end of June. This is such a fun event and we love promoting this cool, sweet treat with the race car fans! Thank you to Kendra Kennedy for arranging two days of farm visits across South Georgia for Queen Anna Beth to meet with our growers and learn first-hand about the process of growing, harvesting and packing. Anna Beth will be featured in several media spots on two local TV stations to promote the Annual Cordele Watermelon Festival and Parade. Thank you to our 2nd Runner Up, Leila Collins, who will be representing GWA at the Cordele Watermelon Festival Parade and seed spitting contest. Anna Beth will also be featured on ATL & Co.’s week day segment on July 3rd to talk about her role as a watermelon queen and to share a recipe with the viewers. We are so excited for this air time on the day before one of summer’s biggest celebrations, July 4th! Toronto, Canada will be Anna Beth’s destination for the annual Longo’s retail promotion. Queen Anna Beth, Florida Queen Savannah and National Queen, Madison will be on hand to pass out samples during the Longo’s watermelon-eating contests at several stores. We are excited to be representing GWA at Robins AFB and Kings Bay Commissaries during ‘Your Healthy Lifestyle Festivals.

So many more great promotional events to look forward to as we continue our efforts to move more watermelon. Stay tuned for more of the buzz later on in the year. Would you like to schedule a date for our Georgia Watermelon Queen to visit your location? Please call Dawn Cheplick at 706-845-8575 or dcheplick@asginfo.net to book the queen.

We hope everyone is having a fantastic season. Happy summer yall!

Sincerely,
Dawn Cheplick, Promotions Coordinator • 706-845-8575 • dcheplick@asginfo.net

Queen Anna Beth sharing all things watermelon.



Queen Anna Beth with Bruce Lucia, President of the Kroger Co.’s Atlanta Division.



Gearing up to fuel the athletes with National Queen Madison.



Queen Anna Beth prepping the Watermelon Muffin Crumble Parfait to serve to the staff and students at Warren Technical School.



Sutherland Food Show as Queen Anna Beth prepares to share the nutritional and health benefits of watermelon with the attendees.



It’s always an honor to meet with the GA Commissioner of Agriculture, Gary Black.



AFWF17 with First Runner-Up Savannah Hartley and GWA board member, Jordan Carter (left).



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Illiana Report

It's SPRING, a time for renewal and rebirth! Farmers have a renewed spring in their steps as tractors become an everyday presence and the work day becomes longer. They are as busy as bees :)

With all the enthusiasm in the air Katie is eager to begin her IWA Queen tour. Katie and 1st runner up, Sierra, met in Terre Haute to begin their bond as Miss Anita Field treated them to a day of shopping and lunch. It was another glimpse into the generosity from their new watermelon family. A week later they were jetting away to Atlanta for a powerful packed training session. The National Watermelon Promotion Board once again did an excellent job transforming these beautiful ladies in to watermelon industry ambassadors. Katie and Sierra enjoyed getting to know the other queens from other states.

Katie was delighted to use her new skills she learned in charm etiquette class at the Knox County Chamber of Commerce Banquet. She was joined by Anita Field, Rick Linenburg, Kelly Tyner, Brad and Angie Toney.

It may have been a cold and rainy day at Purdue Extension office but that didn't stop the annual 'Day on the Farm' festivities. Queen Katie enjoyed meeting with 3rd graders from 4 different schools. From inside a greenhouse the kids learned about how watermelons grow, the nutritional value, fun facts and they even got to take a watermelon plant home to grow on their own. The kids enjoyed challenging each other to seed spitting contests and especially watching their teachers give it a whirl. A fun time was had by all. Thank you Melon Acres for sponsoring this event again this year :)

North Knox Elementary was Queen Katie's next stop. Katie enjoyed getting to know the kids while they enjoyed the sweet taste of watermelon. They were each eager to tell her about their summer hopes and dreams. Queen Katie was once again able to educate the kids on watermelons. They also enjoyed the seed spitting competition. Thank you Cardinal Farms for sponsoring this educational opportunity for the kids!

Kroger continues its dedication to opening new stores and fixing up old ones. Ft. Wayne was the first on this year's tour. Chef Poon made another grand display and entertained customers throughout the festivities. It was bittersweet seeing our long time friend, Kevin from Kroger, at his last grand opening before retiring.

Queen Katie is honored to represent the IWA and is eager for each new event. We look forward to a busy and prosperous summer and wish each of you the same.

Sweet regards,
Lorrinda Ellermann
IWA Coordinator
812-887-8400



Katie is excited to get started as IWA Watermelon Queen



Day on the Farm



1st runner up Sierra and Queen Katie off to ATL



Questions from Kindergarteners



Etiquette Coaching with Erika Preval



Seed spitting fun



Always a fun time with Stephanie & Julimar



Katie loved the kids at N.K. Elementary



Media Training with Carmine & Venessa Gallo



Team work: Katie, Kevin and Chef Poon



Knox County Chamber of Commerce Banquet



Kroger Ft. Wayne Grand Opening



Greenhouse time



Mmmmm M & M's



3rd graders visit Queen Katie



Pictures sent from S.K. Elementary melts Katie's heart



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FSVP: What Do Importers Need to Know?

A Conversation with Sharon Mayl

The first major compliance date for importers covered by the Foreign Supplier Verification Programs (FSVP) rule arrived on May 30, 2017. FSVP is mandated by the FDA Food Safety Modernization Act (FSMA). A central tenet of that law is that the same preventive food safety standards apply to food consumed in the U.S., regardless of where the food is produced.

FSVP requires importers to verify that their foreign suppliers of food for human and animal consumption meet applicable FDA safety standards. More specifically, FSVP requires that importers verify that their suppliers are producing food using processes and procedures that offer the same level of public health protection as the preventive controls (PC) requirements in the preventive controls and current good manufacturing practices rules for human food and animal food and produce safety FSMA rules, and that the food is not adulterated and properly labeled with respect to allergens.

Sharon Mayl, Senior Advisor for Policy in the Office of Foods and Veterinary Medicine at FDA, explains what importers need to know when facing this May compliance date and what lies ahead for FSVP implementation.

Q: When are the compliance dates for the FSVP rule?

It is important to note the compliance dates for FSVP are not based on the size of the importer. Instead, the compliance dates are staggered based on the size of the foreign supplier and the regulations that apply to the foreign supplier. The first compliance date is eighteen months after the FSVP final rule was published in the Federal Register. This date gives importers sufficient time to understand the rule and develop their FSVPs. After that, importers generally have to comply six months after their foreign supplier has to be in compliance with the PC or produce safety rules.

Q: Who must be in compliance with the FSVP requirements by May 30, 2017?

U.S. importers subject to this first compliance date have foreign suppliers that fall into one of three categories: Foreign suppliers that will not be covered by the PC or produce safety rules; Foreign suppliers subject to the PC for Human Food rule and are not “small businesses,” “qualified facilities” (certain very small businesses) or subject to the Pasteurized Milk Ordinance; or Foreign suppliers subject to the current good manufacturing practices (CGMP) requirements in the PC for Animal Food rule, and are not “small businesses” or “qualified facilities”.

Q: What do importers have to verify on May 30, 2017?

Importers covered by the FSVP rule will have to verify that their suppliers meet applicable FDA food safety requirements, including that the food is not adulterated or misbranded with respect to allergens.

The largest foreign suppliers subject to the PC for Human Food rule had to be in compliance in September 2016 with both the PC provisions and the CGMP requirements of that rule, but the largest suppliers subject to the PC for Animal Food rule only had to be in compliance with the CGMP requirements by that date. Therefore, importers of foods from those facilities will only need to consider those provisions of the PC rules that their suppliers have had to come in compliance with by May 30, as well as verify that the food is not



adulterated or misbranded with respect to allergens. Importers will need to have a program that allows them to demonstrate that their foreign suppliers are producing food in a manner that provides the same level of public health protection as the PC or produce rules. Importers will have additional time to develop and implement FSVPs for foods from smaller suppliers that are considered qualified facilities or small businesses under the PC rules, as well for food subject to the produce safety rule.

Q: When the first compliance dates arrived in September 2016 for the preventive controls rules, FDA indicated that it would focus on education, training, and technical assistance. Is that also true for this FSVP compliance date?

Yes, we have done a lot of outreach already to help importers understand the regulations and what they have to do. However, we understand that this is new to a lot of importers, so our approach will be to educate while we regulate to create a culture of compliance. Importers can expect interactive FDA inspections with opportunities to explain how their programs meet our requirements and how they will take corrective actions if we observe deficiencies. Good communication is key. Our initial enforcement priorities will be, as they are now, on food safety problems that pose an imminent public health risk. But the FDA’s mandate is to protect public health and, when appropriate, the agency will act swiftly.

Q: Will FSVP change the admission process?

All foods regulated by the FDA will see changes to the entry process as of May 30, 2017. When food is offered for entry into the United States, the Customs and Border Patrol (CBP) Automated Commercial Environment (ACE) system will require the filer to enter at least one additional code as part of the required data elements. An FSVP importer subject to the May 30 compliance date should use the entity role code “FSV,” indicating the entry is subject to the FSVP regulation. This will then prompt the ACE system to ask for the importer’s name, email address, and unique facility identifier (UFI) recognized as acceptable by FDA. We recently issued guidance formally recognizing the Data Universal Numbering System (DUNS) number as an acceptable UFI for FSVP.

Conversely, if the food entry line is exempt from the requirements of FSVP, or not yet subject to the rule because it has a later compliance date, the filer should use one of two Affirmation of Compliance codes, either “FSX” (designating that the food is exempt from FSVP or that compliance with FSVP is not yet required) or “RNE” (designating, more specifically, that the food is exempt from FSVP because it will be used for research or evaluation in accordance with 21 CFR 1.501(c) of the FSVP regulation). If one of these codes is not transmitted for an imported food product under FDA jurisdiction, the entry line will be rejected.

We have heard that there is some concern within the importing community that not everyone will be able to obtain a DUNS number in time for the first compliance date on May 30. While we expect all FSVP importers to provide their UFI starting on the applicable compliance date, because this is a

new rule, we have provided a temporary solution. For a limited time, importers can submit the value “UNK” (to represent “unknown”) in the entry data field where the DUNS number would have been provided for the FSVP importer. This will give importers extra time to obtain their DUNS numbers and will provide us with a list of FSVP importers whom we can contact to ensure they understand and are taking the necessary steps to meet the FSVP requirements. But, remember, the submission of the “UNK” option is temporary. Therefore, FSVP importers should work now to ensure they have accurate and complete entry data (including their DUNS numbers) and understand the process for filing to avoid any future delays in the entry of their products.

It is important to note that while importers will be required to provide their importer identification information through the ACE system, we will not be enforcing overall compliance with this rule on a shipment-by-shipment basis at the port of entry. Rather, our general approach to enforcing compliance will be to inspect U.S. importers and review their records to make sure they are in compliance.

Q: What can importers expect when an investigator reviews their FSVPs?

Remember that, unlike traditional facility inspections, FSVP inspections are based on the review of records, rather than observations of food production. While most of the FSVP inspections will be at the importer’s place of business, we are also going to request that some importers provide FSVP records to FDA electronically, or through other means that delivers the records promptly, as part of a pilot program. In either case, the investigator will ask to view the importer’s FSVP records to determine if there are deficiencies. In most cases, if any deficiencies are found, the importer will be provided an opportunity to correct them. Our focus right now is on supporting compliance, except for problems that pose a danger to health or reflect intentional disregard for legal responsibilities.

I also want to emphasize that we are investing significant resources in training FDA personnel on how to conduct these inspections. Importers can expect an approach that is interactive, and by that I mean that our investigators will be asking questions about what they see and there will be the opportunity for a real dialogue. We encourage importers to keep the lines of communication open with FDA if problems are found. If a corrective action is needed, the importer should communicate clearly what actions will be taken and by what date the corrections will be completed. If problems arise in meeting deadlines, the importer should let us know.

Q: I already audit my supplier. Can I use that audit as a verification activity?

There are many different types of verification activities that can be used to meet the requirements in the rule. The rule mentions review of the supplier’s relevant food safety records, sampling and testing, and onsite auditing as examples of verification activities that may be appropriate, either individually or in combination. Which activity importers choose should be based on their evaluation of the risk of the food and their supplier’s performance.

FSVP continued from page 22

If importers determine that an audit is the appropriate verification activity, they must make sure the audit meets the requirements in the rule, namely that the audit considers the FDA food safety requirements that apply, and that the auditor is qualified to perform the audit (e.g., education, training, experience). These requirements are designed to be flexible and there are a variety of audits currently being used within the industry that may meet our requirements.

We are aware of several organizations, such as the USDA’s Agricultural Marketing Service (AMS) and the Global Food Safety Initiative (GFSI), that are working to ensure their audits meet our requirements. We have stated our intention to build on current private and public audit activity and we applaud the efforts of external organizations to align their standards and practices with FDA food safety requirements.

That said, the agency would encourage all importers to ensure the scope of the audits they currently use consider all applicable FDA food safety regulations, including the PC and produce safety rules if they apply to their supplier. In addition, they should ensure that the auditors performing the audits are qualified auditors in accordance with the FSVP rule.

Q: For importers whose compliance date hasn’t arrived yet, what should they be doing to prepare for FSVP compliance?

I mentioned earlier that all importers subject to the FSVP rule should obtain a DUNS number. I would urge importers subject to the rule to obtain a DUNS number prior to their compliance date if they do not already have one.

Of course, they should also be working to ensure that they know the requirements of the FSVP rule, beginning to put together their FSVPs, and, if appropriate, conducting verification activities prior to their compliance dates. There is a lot of information on our website that can help importers comply, including fact sheets and other materials. Questions about how the rule may apply to you can also be submitted to our Technical Assistance Network (TAN) for a response by experts here at FDA. They can find information about the network online, and I would encourage them to be very specific about their circumstances when they submit questions to help the FDA experts give them the best advice on how the rule applies to them.

There is also training for importers available through the Food Safety Preventive Controls Alliance (FSP-CA) designed to provide the knowledge required to meet the FSVP requirements. The training is also available to others who have an interest in ensuring that FSVP requirements are met, such as brokers, foreign suppliers, and representatives of foreign governments.

Q: We’ve talked a lot about what importers need to know to be in compliance, but what about the big picture: How does FSVP protect our food supply?

FSVP is a significant new tool in our import toolkit. We have many tools that help protect consumers from unsafe imported products. Some of those tools have been around for a while, like examinations and sampling at ports of entry and foreign inspections, but the volume of food imports and the logistics and cost of foreign inspections require something more to ensure the safety of imported food. FSVP allows us to hold importers accountable for ensuring the products they bring into the United States are held to the same safety standards as domestically produced food. That’s a significant change to the way we currently do business, and complements our other import tools. FSVP provides us a way to get information about foreign suppliers to help ensure that they are meeting U.S. safety requirements and, thus, keeping food safe for U.S. consumers.

DAWN continued from page 1

Who Are Misclassified as Independent Contractors.” This document pronounced misclassification as a “problematic trend” and sought to limit the number of businesses using independent contractors. In it, the Department of Labor said that the test to determine whether an individual was misclassified should be applied in a “broad” manner, and, once applied, most individuals would be considered employees. The agency essentially boiled the issue down to a single question: is the worker in business for himself (which leads to an independent contractor finding) or economically dependent on the business (which makes him an employee)?

The problem with such a test was that, rather than providing the certainty that the law should provide and that a business deserves, it left a lingering question about possible misclassification issues. Under the 2015 test, a business could take all of the typical steps necessary to readily safeguard contractor status – drafting a comprehensive and easy-to-understand contractor agreement, permitting workers the freedom to work for competitors, allowing them to choose their own schedules, requiring them to make a substantial investment in their own enterprise, forcing them to use their own tools and equipment, etc. – but the USDOL could nevertheless determine that the worker was economically dependent on that business and, therefore, considered an employee. If the worker chose to cast his lot fully with that one company and not take advantage of the freedom that a contracting model provides, an overzealous court could have followed the Department of Labor’s Interpretation to its logical extreme and found the worker to have been an employee.

This was an especially thorny problem for businesses in the nascent “gig” or “sharing” economy, where workers are paired with consumers via a digital marketplace (think your latest ride-sharing trip, or food delivery, or handyman experience). These workers are most often classified by businesses as independent contractors, but a steady stream of class action litigation filed against these on-demand companies has led to apprehension about whether this classification system is accurate. Both Uber and Lyft have attempted to settle such claims against them for hundreds of millions of dollars, demonstrating the costly nature of misclassification claims.

Although some states have stepped into the breach to do what they can to protect the classification status of ride-sharing drivers so long as the businesses for which they perform work permit them a certain modicum of freedom (both Florida and Texas have passed state laws in the last several weeks), the overwhelming number of businesses in the sharing economy face the concern that their business may be susceptible to a misclassification claim. This is especially true given that state laws would not necessarily insulate them from federal FLSA claims.

While today’s development does not eliminate all such concerns, it is certainly a step in the right direction. No longer will government investigators, judges, or plaintiffs’ attorneys be able to rely on the USDOL’s 2015 classification guidance for support when advancing claims against sharing economy companies and other businesses.

Joint Employer Guidance Brushed Aside

Secretary Perez took another step to hamstring employers in January 2016 when the USDOL issued Administrator’s Interpretation No. 2016-1, subtitled “Joint employment under the Fair Labor Standards Act and Migrant and Seasonal Agricultural Worker Protection Act.” Organizations engaged in multi-participant arrangements – such as outside-party management, joint ventures, staffing services, employee leasing, temporary help, subcontracting, certain kinds of “job sharing,” and dedicated vendors or suppliers – were put on notice that the USDOL wanted to put as many of them as possible on the hook for any alleged wage and hour violations filed under the FLSA or the Migrant and Seasonal Agricultural Worker Protection Act (MSPA). The

guidance portended both an expansive interpretation of the principles governing the standards and a new and aggressive agency enforcement posture.

Under the FLSA and MSPA, a worker can be employed by two or more employers simultaneously. In such a situation, each joint employer would be deemed to share the same compliance responsibility for each jointly employed worker, potentially on the hook for wage and hour liability and other claims. The 2016 informal guidance focused on two joint-employment scenarios: “horizontal” and “vertical” arrangements.

The guidance announced that “horizontal” joint employment relationships could exist when two or more employers separately employ a worker, but the employers are deemed to share a sufficiently close association or relationship with respect to the employee’s work. It then provided a series of relevant considerations that should be taken into account by government investigators, courts, and others when making a joint employment determination, including whether and to what extent there is common ownership, overlapping officers, directors, executives, or managers; shared or intermingled operational control; shared clients or customers; supervisory authority over employees; or relevant written agreements between the entities.

It then described “vertical” joint employment relationships, which, according to the USDOL, exist when one company contracts for workers who are directly employed by what the agency calls the “intermediary” company supplying their labor. The guidance purportedly embraced an “economic realities” analysis to determine whether a joint employment relationship existed, announcing that the ultimate question is whether the worker is “economically dependent on the potential joint employer who, via an arrangement with the intermediary employer, is benefitting from the work.”

These tests were skeptically viewed by many as too broad, failing to take into consideration the flexibility necessary to conduct business in today’s modern workplace environment. The rise of staffing arrangements and contingent relationships offers businesses the ability to better manage costs and business operations, and have been adopted by countless entities in recent years. Luckily, with today’s announced withdrawal of the rigid and overbroad standard, businesses should enjoy a more flexible and realistic approach when it comes to their relationship with other businesses and contingent workers.

What This Means For Employers

Today’s development is a positive one for employers. It begins to tilt the playing field back to a level surface, and kick starts the process of introducing an element of certainty to modern business relationships. That said, joint employment remains an issue that employers need to be cognizant of under the FLSA, and the USDOL’s actions today have no impact on other federal statutes that could entangle employers in these areas, such as under the National Labor Relations Act.

We now await whether the Trump-era USDOL will take further steps to assure 21st-century businesses more certainty in these areas, whether through replacement guidance letters, FLSA opinion letters, or brand new regulations. We will monitor these developments and provide updates as warranted.

For more information, contact your regular Fisher Phillips attorney, or any member of our Staffing and Contingent Workers Practice Group, Wage and Hour Law Practice Group, or Gig Economy Practice Group.

This Legal Alert provides an overview of a specific regulatory announcement. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.



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Mar-Del Report

Happy watermelon season from Mar-Del Watermelon Association!

We crowned our new 2017 Mar- Del Watermelon Queen, Connor Vincent, in February at our annual banquet in Cambridge, Maryland. Connor has hit the ground running with her new role as Watermelon Queen.

Following our banquet, Connor traveled to South Carolina where she accompanied her other sister queens in the Cooper Bridge run. Connor enjoyed working with the other state queens and hydrating the finishers of the Cooper Bridge run with watermelon!

With one promotion under her crown, she was off to queen training. She enjoyed learning more about the watermelon industry and what her role as watermelon queen would be. Gallo Communications gave great pointers during their media training. Connor was also able to do a mock T.V interview. Once again, the promotion board put on an awesome training for the 2017 Watermelon Queens.

Connor was able to put her media training to use in her first T.V. interview with DelmarvaLife, a local news station on Delmarva. She demonstrated how to make watermelon fire and ice salsa and watermelon lemonade. The recipes were a huge hit.

We were exhibitors once again for University of Delaware Ag Day. Connor served watermelon to over 7,000 people! It was a record high attendance for Ag Day and a beautiful day to pass out watermelon.

Next, we headed off to Princeton Junior School for their spring festival. Connor judged a watermelon-eating contest and passed out watermelon to all those who attended. We met many watermelon lovers!

Connor attended the Monster Mile NASCAR race with Ross Chastain along with safety day at a local elementary school, Givens Produce Stand, and Giant Foods Store. We were able to remind fans to buckle up and “protect your Melon” with Delaware Highway and Safety. It was a great three days of racing. We were excited that Ross had his Debut Cup race at Dover NASCAR Track.

Mar-Del is quickly approaching our watermelon season. The calendar is filling up with promotions and we are ready for another great season. Mar-Del Association is excited to encourage everyone to buy a local Mar-delicious watermelon! Happy Watermelon Season to all!



Queen Connor in our buy local promotional billboard! This will be displayed along Maryland and Delaware highways for all commuters to see!



Ready to learn all about watermelon at Queen Training, in Atlanta, Georgia. Queen Connor enjoyed meeting the other state queens and learning more about the watermelon industry.



Queen Connor excited to pass out watermelon at the Cooper Bridge Run in South Carolina.



A beautiful location for Tour De Cure American Diabetes Association bike race. We were stationed at one of the pit stops.



Enjoying downtown Charleston, SC with the other State Queens. We went on a horse carriage ride around town.



Giant Store promotion with Delaware Highway and Safety Protect your Melon campaign. We accompanied Ross Chastain and handed out watermelon to all the fans!



Celebrating with the watermelon eating contest winner at the Princeton Junior School festival.



Queen Connor on pit rd getting ready to send Ross off to his first race of the weekend.



Queen Connor passing out watermelon at the University of Delaware Ag Day.



We passed out 2 full bins of watermelon at the University of Delaware Ag Day! Everyone enjoyed a slice of watermelon on a hot day!



All of Delmarva now knows how to make watermelon salsa and watermelon lemonade!



Getting some interview practice at Queen training!



Queen Connor with host of Delmarva life! They had so much fun talking about Mar-Del watermelons and how to pick the perfect watermelon.



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Scientists say Agriculture is Good for Honey Bees

In a recent study, researchers with the University of Tennessee Institute of Agriculture found the overall health of honey bees improved in the presence of agricultural production, despite the increased exposure to agricultural pesticides. Photo by S. Stewart, courtesy of UTIA.



5/2/2017
Ginger Rowsey, gtrice@tennessee.edu

JACKSON, Tenn. – While recent media reports have condemned a commonly used agricultural pesticide as detrimental to honey bee health, scientists with the University of Tennessee Institute of Agriculture have found that the overall health of honey bee hives actually improves in the presence of agricultural production.

The study, “Agricultural Landscape and Pesticide Effects on Honey Bee Biological Traits,” which was published in a recent issue of the Journal of Economic Entomology, evaluated the impacts of row-crop agriculture, including the traditional use of pesticides, on honey bee health. Results indicated that hive health was positively correlated to the presence of agriculture. According to the study, colonies in a non-agricultural area struggled to find adequate food resources and produced fewer offspring.

“We’re not saying that pesticides are not a factor in honeybee health. There were a few events during the season where insecticide applications caused the death of some foraging bees,” says Mohamed Alburaki, lead author and post-doctoral fellow with the University of Tennessee Department of Entomology and Plant Pathology (EPP). “However, our study suggests that the benefits of better nutrition sources and nectar yields found in agricultural areas outweigh the risks of exposure to agricultural pesticides.”

According to the study, hives located in areas with high to moderate agricultural vegetation grew faster and larger than those in low or non-agricultural areas. Researchers suggest the greater population sizes enabled better colony thermoregulation in these hives, as well.

Meanwhile, bees located in a non-agricultural environment were challenged to find food. Although fewer pesticide contaminants were reported in these areas, the landscape did not provide sustainable forage. In fact, during the observations, two colonies in the non-agricultural areas collapsed due to starvation.

Disruptions and fluctuations in brood rearing were also more notable in a non-agricultural environment. Interestingly, brood production was highest in the location that exhibited a more evenly distributed mix of agricultural production, forests and urban activity.

“One possible explanation for this finding could be the elevated urban activity in this location,” says Alburaki. “Ornamental plantings around homes or businesses, or backyard gardens are examples of urban activity that increase the diversity of pollen in an area. Greater pollen diversity has been credited with enhancing colony development.”

The Do’s and Don’t’s for a FDA Inspection

Understanding what you should do, and not do, if and when FDA or an authorized agent of FDA wants to inspect your farm or shed, you should know the lay of the land. Understanding your rights, and what should be allowed, are vital. Thanks go to PMA for providing this list.

- Pre-inspection Do’s:**
- Have a Company Inspection Manual
 - Have a trained Company Inspection Team
 - Identify what FDA (or the state) may inspect
 - Be familiar with relevant sections of FDA’s Investigations Operations Manual.
 - Company Inspection Manual should include policies on:
 - o Photographs
 - o FDA record review
 - o Complaint file review
 - o Providing shipping records
 - o Procedures boundaries (areas and interviews of employees)
 - o Being accompanied
 - Conduct mock inspections periodically
 - Review prior inspection reports and check status of any promised corrective action

- During the Inspection Do’s:**
- Notify Inspection Team
 - Review credentials and make a copy
 - Review FDA 482 - Notice of Inspection
 - Review any FDA 482C presented -- Request for Records
 - Hold opening conference to determine purpose and scope
 - Present inspection policies, including facility safety procedures
 - Be courteous, professional and firm
 - Accompany inspector(s) at all times
 - Inspection should be consistent with the stated scope
 - Protect trade secrets
 - Designated company spokesperson(s) must provide answers “I don’t know” is acceptable, if accurate
 - If you are uncertain whether to provide certain requested records or other information, inform the inspector that you need time to get guidance
 - Use company “reporter” to take notes during the inspection
 - Collect duplicate samples/swabs/records, but generally do not test products or environmental samples before getting FDA results and evaluating

- During the Inspection Don’t’s:**
- Keep inspectors waiting
 - Sign any documents
 - Volunteer information
 - Be untruthful or deceptive
 - Be intimidated
 - Admit any wrongdoing
 - Allow inspector to go anywhere unaccompanied

Researchers also evaluated trapped pollen from each colony for pesticide residues. Low concentrations of fungicides, herbicides and insecticides were identified, but at levels well below the lethal dose for honey bees. Imidacloprid was the only neonicotinoid detected, also at sub-lethal levels.

Agricultural pesticides, particularly neonicotinoids, are considered by some to be a key factor in declining honeybee populations. The UTIA study found that higher exposure to pesticides in agricultural environments did not result in measurable impacts on colony productivity.

“We train agricultural producers on careful selection and conscientious application of pesticides to reduce bee exposure,” says Scott Stewart, Integrated Pest Management Specialist with UT Extension, “but it’s becoming more clear that the influences of varroa mite and food availability are more important factors in honey bee health than agricultural pesticides.”

This study was supported in part by the U.S. Department of Agriculture’s Agricultural Research Service Pest Management Program.

How-to resource offered to prepare for safety inspections



A new how-to guide has been developed by the Produce Marketing Association to help produce growers and shippers know what to do when Food and Drug Administration inspectors arrive.

The association’s food safety team partnered with the international food and drug law firm Keller & Heckman to produce the “Food Regulatory Inspection Manual.” The manual provides an employee training reference for produce industry farms and food facilities, according to the release.

Including checklists to help produce companies prepare for an FDA inspection, the document is designed for both executives and food safety managers, according to the release. “The key to a successful inspection is preparation — and the time to prepare is right now, before FDA knocks,” Leslie Krasny, author of the manual and attorney with Keller & Heckman, said in the release.

“We know our industry has many questions about FSMA,” PMA vice president of food safety and technology Dr. Jim Gorny said in the release. “Our team has been working hard to provide as much clarity as possible, starting with a wealth of resources on www.pma.com that are available whenever you are.”

FDA Intends to Extend Compliance Dates for AG Water Standards

Earlier this year, the U.S. Food and Drug Administration announced that it is exploring ways to simplify the agricultural water standards established by the Food Safety Modernization Act’s (FSMA) produce safety rule (PSR) after receiving feedback from stakeholders that some of the requirements are too complex to understand and implement.

FDA is now announcing its intention to extend the compliance dates for agricultural water requirements in the PSR (other than for sprouts). The FDA intends to extend the compliance dates using appropriate procedures at a later time and the length of the extension is under consideration.

The FDA intends to use the extended time period to work with stakeholders as it considers the best approach to address their concerns while still protecting public health. The extended compliance dates will also give farms an opportunity to continue to review their practices, processes and procedures related to agricultural water and how it is used on their farms.

Agricultural water can be a major conduit of pathogens that can contaminate produce, which is why FSMA’s produce safety rule sets microbial quality standards for agricultural water, including irrigation water that comes into contact with produce. FDA remains committed to protecting public health while implementing rules that are workable across the diversity of the food industry.

North Carolina Report

Greetings from North Carolina,

Summertime is here and the North Carolina watermelon season will soon be in full swing. Since our last article, the North Carolina Watermelon Association hosted its 36th Annual Convention in Wrightsville Beach, NC. It was a great convention with lots of growers and industry leaders in attendance. We would like to thank Brantley Farms, Freshouse, Ingles Market and Fresh-Pik Produce for sponsoring our Queen contestants this year. At the convention, Miss Emma Cannon of Wendell, NC was selected to be our 2017 NC Watermelon Queen. Queen Emma is a graduated of NC State University with a degree in Ag Science. She has a true passion for agriculture and especially the produce industry. Queen Emma has been busy since her crowning in March and lots more activities are just around the corner.

To ensure all the new state Queens a successful start to their season the National Watermelon Promotion Board hosted our annual queen training in Atlanta, GA and it was a great learning experience for Emma. Stephanie and Juliemar did an excellent job of helping the young ladies to better understand the industry and how to promote watermelon to any audience.

Queen Emma has already found many opportunities to meet consumers of all ages and educate them on the value of watermelon. Including an Ingles Market grand opening in western NC, commissary promotions at Fort Bragg Army Base and Seymour Johnson Air Force Base, the NC Got to Be NC Festival and national tourism day events at two NC Welcome Center. She also spoke with agriculture students at two FFA banquets.

Queen Emma’s trip to Charleston, SC for the Cooper River Bridge Run was a huge success. The South Carolina Watermelon Association, Ann Bryant and SC Queen Blakeley were great hosts. The weather was beautiful and the queens were very excited to be a part of the run. Everyone worked hard sharing watermelon with runners at the conclusion of the race. Watermelon really does fuel athletes!

Queen Emma was a special guest at the NC Ag Products Dinner hosted by the NC Department of Agriculture and Consumer Service. During the reception and dinner Emma discussed NC agriculture with Commissioner Steve Troxler, several NC legislators, commodity leaders and farmers.

Summer is here and Queen Emma is excited about all the promotional events to come. We hope to see you all during the season.

Sharon Rogers
Promotions Coordinator
ncwatermelonqueen@gmail.com
336-583-9630



We were excited to have so many visiting Queen’s and National Queen Madison as a part of our convention.



Queen Emma sharing the watermelon message with Ingles customers



Former NC Watermelon Queens welcome 2017 NC Watermelon Queen Miss Emma Cannon to the watermelon family.



Mr. Jim Ray and Emma at the Ingles grand opening.



Queen Emma having fun at the Cooper River Bridge Run. Watermelon fuels athletes!



Queen Emma at the NC Ag Products Dinner.



All the queens getting ready to distribute watermelon to the runners in Charleston, SC



Mr. Gordon Gordon Etheridge, Emma and NC Commissioner of Agriculture Steve Troxler enjoying the NCDA Ag Products dinner.



Emma getting excited about sharing all those boxes of watermelon



It was a fun day meeting consumers and the staff of the I-85 Welcome Center for National Tourism Day.



Carmine and Vanessa Gallo at the NWPB Queen Training. Carmine shared a copy of his book The Storyteller’s Secret with Queen Emma and our first runner up Samantha Byrd.



Queen Emma at the Got to be NC Ag Festival



Emma and Samantha at NWPB Queen Training with Stephanie and Juliemar. Thank you for a great training.



Emma enjoyed meeting the soldiers and families at the Fort Bragg commissary.



Ingles Market Grand Opening in Hendersonville, NC



Queen Emma was the featured speaker at the Knightdale High School FFA banquet.



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CAPTIVATION



EXCURSION



FASCINATION



SWEET DAWN

CAPTIVATION | 89 Day Triploid Crimson Seedless

Captivation produces a heavy set of medium- to large-sized, blocky shaped seedless fruit with a rich Crimson Sweet skin appearance that is suitable for both fresh market and fresh-cut use. Attractive, dark red flesh with firm texture and small pip size for repeat sales. 14-17 lb. fruit. Mostly 45-count fruit for whole fruit markets.

EXCURSION | 81 Day Triploid Crimson Seedless

Excellent fruit size potential. Attractive deep red, firm flesh, with small pips. Strong vine growth. Large, oval shaped fruit with crimson striped appearance. 18 - 22 lbs. Mostly 36- and 45-count fruit.

FASCINATION | 83 Day Triploid Crimson Seedless

High-yielding Fascination produces excellent seedless watermelons with unique, advanced features that bring premium market pricing. Uniform 45- and 36- count blocky fruit. 16-20 lbs. Attractive red, firm flesh. Improved disease resistance with intermediate resistance to Fusarium Wilt Race 1 and Anthracnose Race 1.

SWEET DAWN | 74 Day Triploid Crimson Seedless

Sweet Dawn is an early-maturing variety that produces consistently high yields, offering growers significant first-to-market advantages. Its large, oval-shaped fruit, sweet, firm flesh and rich, classic Crimson rind pattern make it a sweet option for retailers and consumers alike. 16 - 20 lbs. Mostly 36- and 45-count fruit.

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South Carolina Report

South Carolina Watermelon Queen, Blakely Johnson, has been on the go promoting those sweet and delicious watermelons. Beginning with the North Carolina Association Convention on March 17-19 in Wrightsville Beach, NC., Blakely has been going non-stop. Thanks to Ham Dicks of Melon 1 for being a sponsor for this function.

Brooke Allender, former SC Queen, attended a promotion on March 18, in Liberty, SC., for the Liberty Lions Club Diabetes Walk. She also appeared on Fox News for a segment on watermelon and diabetes.

The Cooper River Bridge Run was next up on March 30-31, in Charleston, SC. , where 44,000 cups of watermelon or 50,000 pounds were served to the runners and spectators. We were joined there by Nationals, North Carolina, Alabama, MarDel, Florida and Georgia. Many thanks to John Lapide of Melon 1 for sponsoring Eleanor and Madison to this event. Also, thanks to Matt Cornwell of the SC Dept. of Ag and Gilbert Miller, President of the SC Association for their help in making this another huge success.

Blakely appeared at the SC State House for Taste of South Carolina on April 18, where she served watermelon slices to our state representatives and their staff members.

On May 6th, watermelons were cut and served at the Beaufort 5k run in Beaufort, SC. On May 16, Blakely made her first tv appearance at Making It Grow in Columbia, SC. May 19, started the first of the school field days at Batesburg-Leesville in Leesville, SC., where over 550 students enjoyed the melons. Robert Cashion Elementary in Simpsonville, SC followed on May 25-26 with over 1,000 students in attendance.

On Memorial Day, May 29, Blakely appeared on “Your Carolina” in Greenville, SC. On May 31-June 1, Monarch Elementary School with 1,100 students were served watermelons for their field days. Also, on March 31, June 1 and June 2, Oakview Elementary enjoyed their sweet treats with over 1,200 students attending the field days here. First runner-up, Sarah Yarborough, was in attendance and helped to cover these two large schools on the same dates.

Low Country Live in Charleston, SC, was the next stop for a tv appearance on June 5, and then on June 9, Blakely made another appearance on WLTX-TV in Columbia, SC,

Blakely has many more promotions coming up in the next few months including grand openings, festivals and farmer’s markets.

With the SC watermelon season upon us, we would like to wish all of our farmers and their families a very prosperous season.
Watermelon Wishes,

Ann Bryant, SC Promotions Coordinator
864-202-2995
abryant028@charter.net
ann.bryant@furman.edu



North Carolina Convention, Wrightsville Beach, NC



Sampling the watermelon at Batesburg-Leesville Elementary



Getting Ready for 2017 Cooper River Bridge Run



Robert Cashion Elementary School, Simpsonville, SC



Queens having fun in Charleston, SC



Monarch Elementary School, Simpsonville, SC



SC State Capitol, Columbia, SC



Oakview Elementary School, Greenville, SC



SC Commissioner, Hugh Weathers, and Queen Blakely



Memorial Day at Your Carolina in Greenville, SC



Beaufort 5k Run, Beaufort, SC



Interview with Your Carolina, Greenville, SC



Making It Grow with Amanda McNulty in Columbia, SC



Low Country Live in Charleston, SC



Batesburg-Leesville Elementary School, Leesville, SC



WLTX-TV in Columbia, SC



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NAFTA continued from page 1

Mexican Foreign Minister Luis Videgaray said, “The government of Mexico welcomes this development. We are prepared. We are ready to work together with both the governments of the United States and Canada to make our trade agreement better.”



Mexican Foreign Minister Luis Videgaray

In response to a question posed by a reporter, Mr. Videgaray said Mexico wanted to maintain NAFTA as a trilateral treaty.

“We have to acknowledge that even in the present treaty, there are certain aspects that apply only bilaterally,” he said. “Each of the countries excluded certain sectors from the agreement at the time, more than 20 years ago. Some sectors in Mexico have special treatment under the agreement. Within the framework of the agreement, there are certain issues that are bilateral in nature between Mexico and the United States, or Mexico and Canada, or Canada and the United States. But our preference is clear. We believe that the framework of a trilateral agreement is in the best interest of the three economies and the peoples of Canada, the United States and Mexico.”

Two-way trade in goods and services between the United States and Canada has nearly tripled since NAFTA took effect in January 1994, and U.S. trade with Mexico has expanded more than six-fold. Last year, the United States had a \$55.6-billion goods and services trade deficit with

Mexico but a \$12.5-billion surplus with Canada, according to the Office of the U.S. Trade Representative.

Secretary of Agriculture George E. (Sonny) Perdue said, “While NAFTA has been an overall positive for American agriculture, any trade deal can always be improved.

As President Trump moves forward with renegotiating with Canada and Mexico, I am confident this will result in a better deal for our farmers, ranchers, foresters and producers.”



Secretary of Agriculture George E. (Sonny) Perdue

Farm Bill would be altered dramatically by Trump Budget

Under the U.S. Department of Agriculture section of the Trump proposed budget, three specialty crop programs were zeroed-out because they were deemed “to have no Federal purpose.” They are:

- Specialty Crop Block Grant Program
- Market Access Program
- Value-Added Producer Grants

Additionally, changes in the crop insurance program could impact specialty crops that participate in crop insurance programs. These include:

- The budget proposes to establish a limit of \$40,000 for the premium subsidies an individual or entity may receive.
- The budget proposes to target crop insurance subsidies to those producers that have an Adjusted Gross Income (AGI) of \$500,000 or less.

USDA Nutrition Standards

A few months ago, USDA Secretary Perdue announced USDA would be modifying some of the nutrition standards in school lunch program. Specifically, changes were made to reduce the requirements for whole grains and sodium, and to allow certain flavored milk. While any change can be unsettling, we are pleased to have been able to hold the line on the requirements that lunches must contain at least one-half cup of fruits and vegetables. We believe this requirement is now pretty secure with both USDA and the School Nutrition Association, but will remain diligent for any detractors that may arise.



USDA Reorganization

U.S. Secretary of Agriculture Sonny Perdue announced a reorganization of the Department. The centerpiece of the proposal is the creation of an undersecretary for trade and foreign agricultural affairs in the U.S. Department of Agriculture (USDA), a recognition of the ever-increasing importance of international trade to American agriculture. Another component of the plan is that the department’s Rural Development agencies would be elevated to report directly to the secretary of agriculture in recognition of the need to help promote rural prosperity.

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Texas Report

Happy summer greetings from Texas!

Our 2017 Watermelon Queen, Chloe Brown, started off her year with queen training in Atlanta, Georgia. Though it was a quick trip, Chloe received a great deal of beneficial information from the National Watermelon Promotion Board’s Stephanie Barlow and the training team. The agenda included media training and coaching from Carmine and Vanessa Gallo who interview, video tape, and critique each young lady. All of the girls see the videos and are offered helpful tips on their strengths and where they can improve. Stephanie also gave the queens important information about speaking to the media and the general public through social media and in face to face meetings. The new queens were given tips to teach people how to pick out a good watermelon, what the health benefits are to watermelon, and how to respond to questions they may not know how to answer. Katelyn Miller and Brandi Harrison, both past national queens, filled the young ladies in on the importance of their role as a watermelon queen and what to expect in the coming year. Lastly, Erika Preval, who is an expert on charm and etiquette, gave the girls lessons on introductions, dressing, sitting properly, table manners, etc. Every aspect of the day was helpful and informative for each of the queens. Thank you once again to the NWPB for a great experience.

Next was a trip to south Texas and the Rio Grande Valley where Chloe visited a small private school in Mission, Texas. She spoke to the children about her job and why they should eat more watermelon and then answered questions from the children. Chloe also helped pass out plenty of delicious What-A-Melon watermelon to the grateful children. Later that same hot and windy day Queen Chloe visited the farm and packing shed of Nowell Borders Companies where she got some great pictures. The next day she attended the Alamo Watermelon Festival which was sponsored in part by the TWA and where the delicious watermelon was donated by Nowell Borders Companies. Chloe had a great time at the festival visiting with the locals and helping out with the games.

As summer progresses there will be quite a few in-store promotions all over the state where Chloe will encourage buyers to put our favorite fruit in their shopping carts. She will also take part in the Center Watermelon Festival which will be fun for her, as it is her hometown. I look forward to these events and to getting to know Chloe better as she continues to flourish as our Texas queen.

Blessings to you and yours,

Barbara Duda TWA Promotions Coordinator
bcduda62@gmail.com



Game time at Queen Training



Happy to help!



On camera interview practice



In the field with the crew



Thank you Carmine and Vanessa Gallo.



The Alamo Festival



Picture time with the sweet girls from Agape Christian School



Saying "Hello"



Answering the students' questions



Trying her hand at the archery game



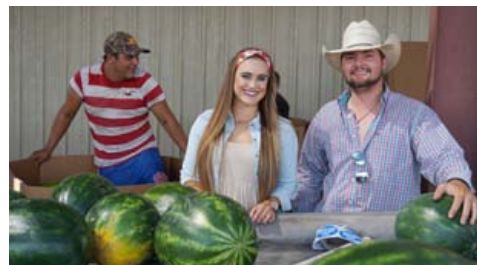
There was plenty of watermelon to go around.



Enjoying sweet watermelon with a young friend



We can't forget the stickers!



Packing shed visit with her cousin, Dalton Borders



Watching a different type of seed spit



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Western Report



June 12, 2017

They don't call it the wild, wild- west for nothing! We have had a whirlwind of a year and it's just the beginning! A wet winter kept demand curbed during the cooler months, but the market quickly changed when Memorial Day came around. We have seen a strong market hold tight since the end of May, and see no end in sight.

Wet spring weather pushed back planting for many farmers in the Central Valley, but the warm weather should help push along production.

We expect supply & demand to remain strong throughout the rest of the season as the weather gets warmer & the days get longer! The Western Watermelon Association would like to wish you all a happy & successful National Watermelon Month. We are continuing to work hard to bring our delicious West Coast watermelons to the hands of watermelon lovers everywhere!

Sincerely,
Danielle Cultrera
Western Watermelon Association
DanielleC@VGandSons.com

For more information on the Western Watermelon Association, be sure to check out our website at: www.westernwatermelon.org and  "like" us on [facebook](https://www.facebook.com/westernwatermelon)





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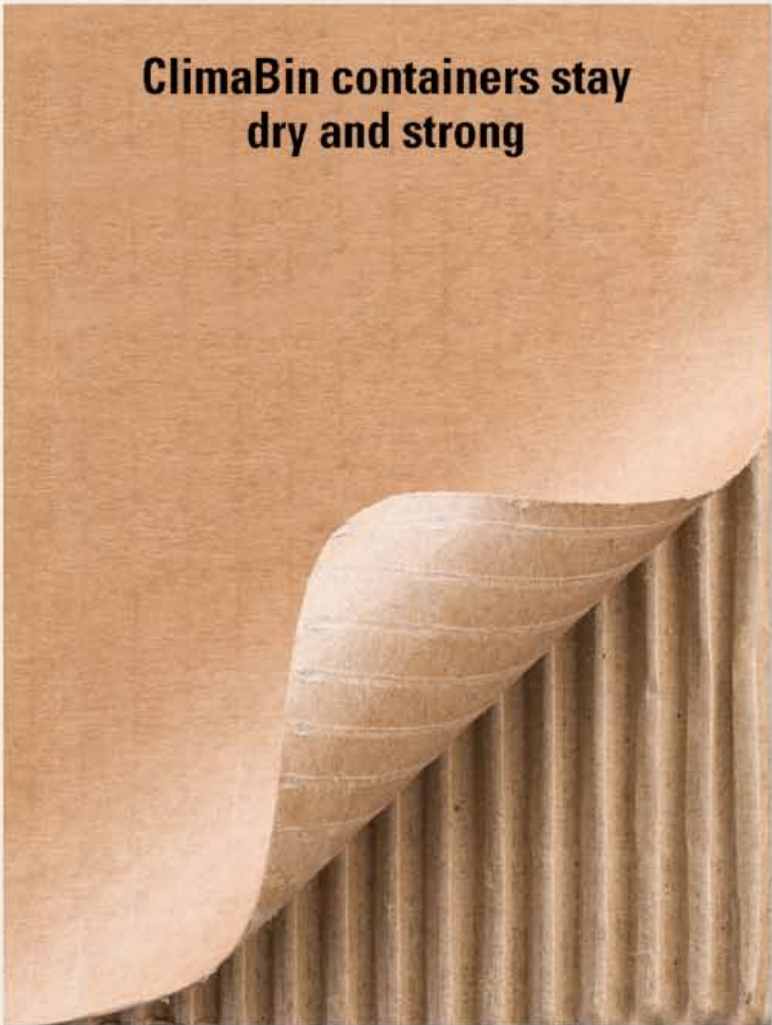
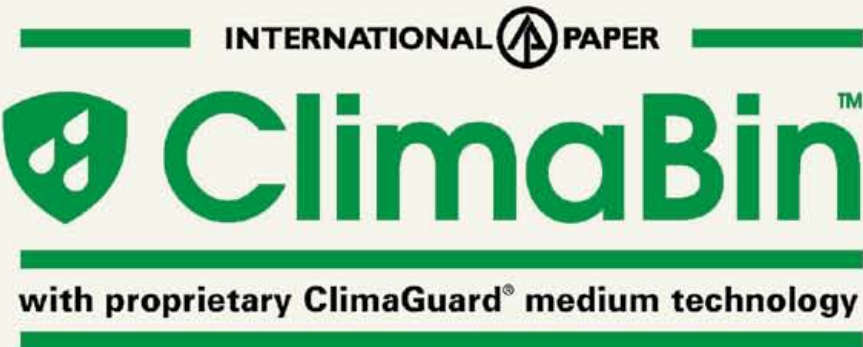
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