

# NATIONAL POLICY PRINCIPLES

## WHAT WE STAND FOR:

**Environmental Stewardship:** Agribusinesses are dependent upon abundant and productive natural resources. We support sound, science-based environmental stewardship through measures that balance natural resource protections with the economic viability of agriculture and forestry operations.

Issues of importance to the Council include the following found on pages 1-4:

- *Air Quality- CERCLA & EPCRA, Climate Change*
- *Conservation Practices and Programs*
- *Crop Protection, Pesticides, & Chemicals, Invasive species, Methyl Bromide*
- *Environmental Protection Agency & Endangered Species Act*
- *Water Quality- Clean Water Act, Chesapeake Bay*
- *Water Supply and Water Rights*

**Economic Viability:** For American agribusiness to continue meeting the needs of the nation, and to a large extent the world, a variety of tools must be available to build and maintain profitable business opportunities. We support policies that encourage further growth of American agribusinesses, ensure fair competition, develop and maintain new and existing market opportunities, and provide necessary operating resources.

Issues of importance to the Council include the following found on pages 4-7:

- *Biotechnology and Emerging Technologies*
- *Budget Reduction Assessments*
- *Operational Costs- Transportation, Liability, Contracts, OSHA*
- *Taxes- Estate, Capital Gains, Excise, and others*
- *Trade Acts and Policies*
- *Worker Policies- Immigration, Employee Free Choice Act, Fair Labor Standards Act, worker compensation, worker contracts*

**Adequate, Affordable, and Safe Food:** The agribusiness industry provides safe, abundant, and affordable food, fiber, and emerging energy for our nation. We support programs that promote a thriving agribusiness economy, and protect our domestic production of food and fiber.

Issues of importance to the Council include the following found on pages 7-10:

- *Animal Health, Animal Diseases, Animal Identification System & Animal Welfare*
- *Disaster Programs, Farm Bill Commodity Programs, Insurance*
- *Food Safety, Food Inspections, Crop Diseases*
- *Security of Agribusiness- Terrorism, Homeland Security*

**Rural Quality of Life:** The backbone of our diverse nation is firmly rooted in our rural communities. We support efforts that promote the intrinsic values of rural America and allow these communities to grow and thrive.

Issues of importance to the Council include the following found on pages 10-12:

- *Educational Programs- Land Grant Universities, Vocational Education, Research & Development*
- *Preservation of Farmland and Property Rights*
- *Rural Services, Farm Credit, Cooperatives, Electricity, Infrastructure*
- *Commodity Specific Interests (Dairy, Forestry, Green Industry, Tobacco, Hemp)*

**Energy Solutions:** Continuing economic growth in our agribusiness industry depends on achieving energy independence, addressing environmental impacts, providing a stable market for Virginia commodities and agribusinesses, and reducing dependence on non-renewable fuels. The Council supports policies and programs that create a stable, affordable, and reliable supply of all forms of energy.

Issues of importance to the Council include the following

- Economically sustainable, science-based solutions and Continued research & development
- Appropriate balance between energy and traditional uses and Production of renewable fuels
- Balanced energy and climate policies
- WOTUS Rule
- USMCA/Trade Wording
- Oppose trade agreements that restrict the export of agriculture and forest products

- Dairy Standards of Identity Language

# VIRGINIA AGRIBUSINESS COUNCIL

## 2019 NATIONAL POLICY

### Environmental Stewardship

**Agribusinesses are dependent upon abundant and productive natural resources. We support sound, science-based environmental stewardship through measures that balance natural resource protections with the economic viability of agriculture and forestry operations.**

#### Air Quality

#### **Air Quality**

- The Council urges retention of the current standards, which are rigorous, have improved air quality, and continue to protect public health. Air quality policies must be scientifically responsible, risk-based, not require business practices that modern science, technology, and economic feasibility do not support, and consider the risks and benefits to the agribusiness community. Full economic impact studies should be used in the decision making process, including recognizing and crediting previous efforts to reduce or limit a facility's emissions.
- The Council opposes stringent ozone, particulate matter and ammonia standards.
- The Council opposes the inclusion of farm dust in EPA dust regulations.
- The Council opposes Boiler Maximum Achievable Control Technology (Boiler MACT) rules that require excessive new investments, ignore optimal technologies and do not acknowledge that biomass boilers cycle CO<sub>2</sub>. These restrictions would cost the agribusiness industry millions of dollars without the assurance of benefit. *(Amended 04/12)*

**CERCLA & EPCRA** - The Council supports the livestock and poultry industry exemption to the notification provisions and compliance standards of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA) which were regulations adopted to address industrial emissions and hazardous substances and were never intended to apply to animal agriculture. Additional scientific research is encouraged in regards to air emissions from livestock and poultry operations. *(Amended 03/09)*

**Climate Change** - The Council encourages balanced energy and climate policies that:

- Are based on peer reviewed, science-based conclusions
  - Rely first on market based solutions instead of government regulations
  - Create economically sustainable solutions that minimize the impacts to agribusinesses
  - Include access to markets related to carbon sequestration and carbon capture
  - Promote research and development of new technologies that can be implemented in realistic timelines
  - Maximize the utilization of current programs to achieve results, including working farm and forestland preservation and active forest management
  - Are predicated upon equal levels of requirements in all nations
  - Avoid consequences of placing American agribusinesses at a competitive disadvantage to international competition
- (Amended 9/09)*

#### Conservation Practices and Programs

**Farm Bill Conservation Programs** - The Council supports equitable funding and complete implementation of environmental and conservation programs in which farmers participate in voluntary, incentive based cost-share programs to meet Total Maximum Daily Load allocations through actions that improve soil and water quality, protect open spaces and wildlife habitat, and prevent flooding, drought losses and erosion. The Council supports adequate funding for technical assistance to implement these conservation programs. *(Amended 04/11)*

#### Crop Protection

#### **Food Quality Protection**

- The Council supports conditional registration of pesticides for minor crop uses.

- The Council supports the use of current scientifically based standards in regard to spray drift and opposes more stringent regulations.
- The Council opposes EPA’s moratorium on the consideration of third party human test data in its pesticide assessments.
- The Council supports limiting third party and environmental liability of farmers and custom applicators who comply with the manufacturers’ labeling instructions and environmental requirements.
- The Council supports pesticide worker protection standards based on sound science aligned with the scientific standards of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to protect applicator health while preserving farmers’ ability to properly manage their crops. *(Adopted 4/14)*
- The Council supports national standardization of fertilizer, seed, and crop protection product labels.

**Invasive Species** - The Council opposes the labeling of prominent, widely used, and economically important plant forage and ornamental plants as noxious weeds without substantial research into their invasive status and the potential economic impact of eradication and/or control of such species.

**Methyl Bromide** - The Council urges EPA to continue granting Critical Use Exemptions (CUE) for methyl bromide volume for Virginia, recognizing the important role of methyl bromide in the production of some Virginia crops, including tomatoes and strawberries. Limits on methyl bromide use have been in compliance with the Montreal Protocol; however, since there is no economically viable alternative, a limited amount is essential for the production of some crops in Virginia.

**Pollinator Health**- The Council supports federal agencies working with Agribusiness Stakeholders to determine a pollinator protection strategy in order to ensure healthy pollinator populations without overly burdensome regulation. *(Adopted 4/17)*

#### Endangered Species Act

**Endangered Species Act**- The Council supports reforming the Endangered Species Act to improve the quality of science to be used for listings and recovery plans, creates mechanisms to assist smaller landowners, does not limit the registration and re-registration of crop protection chemicals, including those used on turf and ornamentals, and establishes reasonable parameters of enforcement and is administered in the spirit of cooperative federalism. Landowners should be fairly and equitably compensated for losses in the use of their property occurring from compliance with the law. *(Amended 03/19)*

#### Environmental Protection Agency

**Environmental Protection Agency (EPA)** - The Council calls for strong Congressional oversight of EPA to ensure decisions are: within the legislative intent of the law; scientifically responsible; risk-based; consider the effects on the agribusiness community’s ability to provide a safe, abundant, and affordable supply of food; and do not require management practices unsupported by modern science, technology, and economic feasibility. Congress should ensure that full economic impact studies are used in the decision making process. *(Amended 04/10)*

#### Water Quality

#### **Chesapeake Bay**

- The Council urges Congress to acknowledge the significant reduction in runoff to the Chesapeake Bay that has occurred through the efforts of the agriculture and forest communities and to recognize the substantial cost associated with those efforts.
- The Council supports federal and state efforts to identify, support, and accurately account for agriculture and forest best management practices, implemented both through voluntary efforts and in cooperation with adequately funded federal programs. These programs will assist in efforts to meet nutrient and sediment reduction goals through the utilization of unbiased, accurate, complete, and scientific data. *(Amended 9/09)*
- The Council supports utilization of agricultural best management practices that: 1) are scientifically developed, 2) properly interpreted, 3) consider current agricultural practices, and 4) do not require actions unsupported by modern science, technology and economic feasibility in order to meet Chesapeake Bay goals. *(Adopted 04/10)*

**Chesapeake Bay Program Reauthorization Act** *(Amended 04/11)* – Reauthorizing the Chesapeake Bay Program (Section 117 of the Clean Water Act) is important to continuing Chesapeake Bay restoration activities.

- The Council supports reauthorization of the Chesapeake Bay Program to improve the health of the Chesapeake Bay and its tributaries with these provisions:

- Inclusion of industry representatives for the decision making process
- Policies, programs, and incentives implemented to achieve Chesapeake Bay water quality benefits must be balanced with the world's need for food, feed, fiber, and fuel.
- Requirements for non-biased economic impact analyses for all sectors impacted by water quality programs prior to implementation of plans or actions
- Retention of current state authority to develop and implement water quality implementation plans that best meet the needs of each states' citizens, economy, and the environment
- Flexible solutions, tiered approaches based upon business differences and certainty and safe harbor for agribusiness owners in meeting water quality goals.
- However, the Council opposes expansion of federal authority for this program, specifically:
  - Codification of President Obama's May 12, 2009 Chesapeake Bay Executive Order,
  - Inclusion of dates certain for Chesapeake Bay Total Maximum Daily Load development and implementation
  - Authorization of citizen suits, and
  - Removal of the exemptions for agricultural and nonpoint source stormwater runoff provided previously in the Clean Water Act.
- The Council opposes using a significantly flawed Chesapeake Bay Model for decision making. Decisions based on inaccurate modeling will adversely impact the agribusiness industry's efforts to address water quality. *(Amended 04/13)*

#### **Clean Water Act** *(Amended 04/14)*

- The Council supports limiting the authority of the Clean Water Act to navigable streams and waterways that have continuous flow, and opposes legislative and regulatory efforts to broaden the original intent of the Act, which specifically limits authority over non-navigable waters of the United States. Changes to the Clean Water Act must maintain existing exemptions for normal agricultural or silvicultural uses. *(Amended 03/19 ) TO BE DISCUSSED*
- The Council opposes any National Pollutant Discharge Elimination System (NPDES) permit programs that expand EPA authority over agricultural and forestry operations that do not discharge or intend to discharge to waters of the United States through a discernable, man-made conveyance. Such authority would allow EPA to designate certain agriculture and silviculture operations as point sources requiring NPDES permits and supplant current state programs. The EPA should recognize that Virginia's existing programs are sufficient to address non-point source pollution controls. *(Amended 04/14)*
- The Council supports the development of and subsequent evaluation of Total Maximum Daily Load (TMDL) plans and Confined Animal Feeding Operations (CAFO) regulations to ensure they are properly applied, do not cause adverse economic impacts on producers, and are based on current science. The Council supports funding for cost-share and technical assistance for implementation of best management practices to meet the goals of TMDL plans and CAFO regulations.

#### **Water Quality**

- The Council supports funding for water quality research to provide the sound scientific data that is essential for the development of environmental legislation and regulation.
- The Council opposes environmental nutrient management legislation that is not based on sound science, requires unfunded mandates, or ignores existing state programs.
- The Council supports efforts that would provide incentives such as matching funds or low-to-no interest loans to producers to enable them to comply with new environmental regulations.
- The Council opposes requiring agribusinesses to be co-liable with a permit holder. *(Amended 4/14)*
- The Council supports Congressional oversight of publicly funded environmental groups that initiate lawsuits against producer organizations or individual companies or producers. *(Amended 4/14)*
- The Council supports efforts to protect producer privacy and prevent individual farm data from being distributed by the government to the general public. *(Adopted 4/14)*

#### Water Supplies

#### **Water Policy and Water Rights**

- The Council supports sound water policy planning that fairly and equitably addresses water uses, water rights of landowners, and water restrictions during times of drought.
- The Council supports the protection of water rights for agriculture and turf operations. *(Adopted 03/08)*

- The Council supports programs that encourage responsible water usage for agriculture and turf operations, but opposes federal mandates which limit their water usage. *(Adopted 04/10)*

## Economic Viability

**For American agribusiness to continue meeting the needs of the nation, and to a large extent the world, a variety of tools must be available to build and maintain profitable business opportunities. We support policies that encourage further growth of American agribusinesses, ensure fair competition, develop and maintain new and existing market opportunities, and provide necessary operating resources.**

### Biotechnology

#### **Biotechnology**

- The Council opposes any actions that unnecessarily hinder the use of agricultural products derived through biotechnology. *(Amended 4/14)*
- The Council supports responsible research, development, and use of bio-engineered products and technologies, and consumer education programs by USDA, land-grant institutions and private industry. Biotechnology provides a safe and nutritious food supply and allows for the production of new and enhanced agriculture and forestry products to significantly enhance quality of life for citizens. *(Amended 03/09)*
- The Council supports a uniform federal standard for labeling of products derived through the use of biotechnology (genetic engineering). *(Adopted 4/15)*
- The Council, recognizing the continuous advances in food production technology, supports further understanding of the cultured protein process and labeling. The Council supports the further understanding of the nutritional profile of cultured protein, appropriate labeling of cultured protein. The Council supports USDA inspection of cultured protein and its production facilities to assure the equivalent standards for red meat safety, processing, and packaging are met. *(Adopted 03/19)*

### Emerging Technologies

- The Council supports the use of emerging technologies, such as unmanned aerial vehicles (UAVs), for commercial purposes.
- The Council supports adequate standards to address privacy concerns, protect private property rights, protect public health and safety, and for enforcement activities to prevent unlawful search and seizure. *(Adopted 4/15)*

### Federal Funding Assessments

**Budget Reduction Assessments** - The Council encourages critical assessment of Federal budget reductions to ensure that core services supporting the agribusiness industry, rural development, and a sound food production system are preserved and that additional, unfair costs are not imposed on the agribusiness industry. *(Adopted 04/11)*

### Operational Costs

**Contract Legislation** - The Council is opposed to increased government intervention or regulation of private contracts such as those between producers, integrators, and processors. Any attempt to disrupt contract relationship may adversely affect the agribusiness industry and destroy its unified efforts.

**Occupational Safety and Health Agency (OSHA)** - The Council supports continued Congressional oversight of the OSHA Ergonomics Standard using sound science and consistency with current state workers' compensation laws.

**Product and Personal Liability** - The Council supports uniformity of product liability laws in various states, capping liability exposure for both personal and product liability cases, and allowing companies to have some protection which will encourage development of new products and allow maximum competitiveness in the marketplace.

**Transportation** - The Council supports transportation solutions that decrease dependence on costly and traffic-generating transport. Transportation costs continue to escalate resulting in significantly increased cost of production for farmers and the agribusinesses that provide their supplies and services.

#### **Rail Transportation**

- The Council supports a viable, responsive rail transportation system which provides competitive rates for transportation of agricultural and forest commodities, supplies, and finished products. *(Amended 03/09)*
- The Council supports efforts to promote competition in the railroad industry.

### **Truck Transportation**

- The Council supports national uniform weight and load limits on all highways which would lessen the challenges of inter-state transportation for agribusinesses.
- The Council supports exemptions for agricultural and forestry commodity weight limitations and tolerances that are applicable to state highways to be extended to the interstate highway system.
- The Council supports increasing the maximum allowable weight for trucks on interstates.
- The Council supports development of a standard national definition of “implement of husbandry or agricultural equipment”.
- The Council supports a permanent waiver from the US Department of Transportation mandate requiring the use of Electronic Monitoring Devices (ELD) for all commercial haulers of livestock or agricultural commodities, or at a minimum, a less restrictive allowance that is protective of animal well-being, cognizant of the seasonal nature of agricultural businesses, provides a clear definition of agricultural commodity that includes agricultural and silivcultural production, and retains the both the hours of service and local mileage exemptions for agricultural commodity transportation. *(Adopted 5/18)*

**Water Transportation** – The Council support policies that enhance the effectiveness and usability of water systems for transport of agribusiness products and supplies. *(Adopted 03/09)*

### Taxes

#### **General Tax Policy**

- The Council urges Congress to address tax reform, in order to encourage economic growth and prosperity for agribusiness and the national economy. *(Amended 04/13)*
- The Council supports permanently maintaining the Internal Revenue Code Section 179 depreciation deduction to encourage capital investment by agribusinesses. *(Amended 04/16)*
- The Council supports favorable tax policy for all agribusiness, including the exemption for farmers’ cooperatives. *(Amended 04/18)*

#### **Capital Gains Taxes**

- The Council supports permanently granting farmland owners and small businesses the same exemption from capital gains taxes as provided to individual homeowners. The top capital gains tax rate should be no higher than 20 percent. Capital gains taxes can impede agribusinesses from upgrading their assets and the transfer of farmland between agricultural producers. *(Amended 05/18)*
- The Council supports capital gains tax exclusion for the sale of agricultural and forest land that remains in production and when a family business is transferred between parents and children. *(Adopted 04/10)*
- Capital gains taxes should not be assessed for conservation easement or farmland preservation easement payments. *(Adopted 04/10)*

#### **Estate Taxes** *(Amended 05/18)*

- To ensure the future existence and economic viability of farming operations and agribusinesses, the Council supports maintaining the estate tax revisions enacted in the Tax Cuts and Jobs Act of 2018 \$11 million per person.
- The Council continues to prefer that Congress enact permanent repeal of estate taxes on family farm and small business holdings. The elimination of the Estate Tax boosts economic growth and allows existing family farms and small businesses the opportunity to invest, prosper and generate increased revenue without the threat of considerable tax bills levied due in the event of a death in the family.
- The Council supports an improvement of the provision that treats forest owners differently from family farms. *(Amended 04/12)*

**Tobacco Excise Tax** - The Council opposes increased excise taxes on tobacco.

**User Fees** - The Council opposes the imposition of taxes, disguised as user fees, to fund mandatory regulatory programs designed to benefit society as a whole. Attempts to balance the budget by imposing new user fees on the meat and poultry and animal health industries are unwise and unnecessary.

## **Excise Taxes**

- The Council supports reforms to the excise tax on wine and other craft beverages. *(Amended 4/16)*
- The Council supports permanent revocation of the specialty occupational tax on wine.

## Trade

### **Trade and Marketing**

- The Council supports the active and aggressive pursuit of trade opportunities for agricultural and forestry raw and value-added products with as many possible countries. *(Amended 03/19)*
- The Council supports complete access to markets and opposes trade agreements and other actions that restrict the export of agriculture and forest products. *(amended 03/19)*
- The Council opposes the use of geographic indicators on common food names as a way to restrict or impede trade. *(Adopted 5/18)*
- The Council supports Trade Promotion Authority (TPA), as long as all agriculture and forestry are treated equitably in trade negotiations, especially with regard to non-tariff trade barriers. *(Amended 4/17)*
- The Council opposes export embargoes and trade sanctions which cause adverse impacts on agricultural and forestry markets.
- The Council supports enforcement of anti-dumping laws for agricultural and forestry products.
- The Council supports an exchange rate component that creates a level playing field in which agriculture exports may compete.
- The Council supports expanding US agricultural and forestry trade through multilateral trade deals as long as long as all agriculture and forestry are treated equitably in trade negotiations, especially with regard to non-tariff trade barriers. *(Amended 4/17)*
- The Council supports continued expansion of current crop commodity exports.
- The Council encourages funding and assistance for domestic and foreign market development at USDA through the Farm bill, including the Market Access Program (MAP), Foreign Market Development Program (FMD), and other similar programs. *(Amended 04/18)*

**Shipment of Grain** - The Council supports reform of the Jones Act that prohibits shipping of grain from one U.S. port to another using other than a U.S. bottomed vessel.

## Worker Related Issues

**Employee Benefits** - The Council opposes additional federally-mandated employee benefits, including but not limited to the Affordable Care Act's employer mandate for "full-time employees". *(Amended 04/14)*

**Employee Free Choice Act** - The Council supports an employee's right to privacy by allowing secret ballot voting for union membership, as it provides the fairest option for employees to make such decisions. *(Amended 03/09)*

### **Fair Labor Standards Act**

- The Council supports existing provisions in the Fair Labor Standards Act (FLSA) that permit the department to establish appropriate standards for youth employment on the farm, and that recognize that youth employment on farms and ranches can be positive, enriching, and rewarding.
- The Council opposes any changes to the FLSA that would be harmful to the education and character formation of youth in agriculture and to farming and rural communities.
- The Council opposes any change in wage policy that could negatively impact Virginia agribusinesses. *(Adopted 4/14)*

### **Foreign Workers** *(Amended 05/18)*

- The Virginia Agribusiness Council urges Congress to immediately pass comprehensive immigration reform that:
  - Implements policies for the agribusiness industry that create a skilled, affordable, and accessible workforce, including legal foreign workers. The use of legal foreign workers is vital to the operation of agribusinesses and our economy.
  - Ensures access to foreign workers, secures our borders, and improves the employment verification system while maintaining federal jurisdiction over immigration issues.
  - That would not adversely impact businesses acting in good faith to comply with federal immigration and employment laws.

- Reduces frivolous lawsuits against employers by allowing the recovery of legal costs if the employer is not found guilty.
- Continues to authorize and improve the federal E-Verify program for employers to utilize on a voluntary basis and not mandate its use unless significant improvements are made to ensure a constant and future flow of workers through programs that are viable and effective for supplying the needed agricultural labor. *(Amended 04/13)*
- Minimizes costly implications of mandated health insurance coverage for seasonal and temporary agricultural workers, and especially related to the Affordable Care Act’s employer mandate for “full-time employees,” recognizing the traditionally seasonal nature of many jobs completed by foreign workers. *(Amended 04/14)*
- Implements a program for non-seasonal agricultural workers that meets the demand for workers and that can be utilized by food processors, dairies, and all sectors of the agribusiness industry that rely on guest workers when American citizens are not available and for a longer duration of time due to the non-seasonal nature of that workforce. *(Adopted 03/19)*
- At a minimum, in order to ensure an affordable and continuous guest workforce, the Council supports:
  - Moving existing H-2A and H-2B programs under the administration and authority of the USDA
  - Agricultural Workers Program Changes (H-2A):
    - Immediately eliminate the Adverse Effect Wage Rate (AEWR) to be replaced by the Prevailing Wage Rate, or a realistic market based wage rate.
    - Streamline the application and employee crossing processes for guest worker programs, eliminate the referral process, and end the requirement for upfront payment of visa and crossing fees to result in more expedient, less costly, and legal labor availability. *(Amended 04/10)*
    - Oppose an outright cap on the number of agricultural workers allowed in the United States.
  - Non-Agriculture Seasonal Workers Program Changes:
    - Eliminate the Department of Labor’s revised wage calculation (effective October, 2012) and return to the previous wage rate calculation method. *(Amended 04/12)*
    - Eliminate the requirement for payment for visa, visa-related expenses, and transportation expenses that result in less expedient, more costly, and less legal labor availability. *(Amended 003/19)*
    - Eliminate the program cap on the number of workers entering the United States under the H-2B program.
    - Continue, at a minimum, the exemption of certain repeat workers from being counted in the H-2B program cap. *(Amended 4/16)*
    - Permanently reinstate the issuance of visas for the non-agriculture seasonal worker program (H-2B). *(Added 4/15)*
    - In addition to these items, the Council urges both the Department of Labor and Department of Homeland Security to consider the timeliness of workers to ensure a steady flow of labor. *(Adopted 4/16)*

Miscellaneous

**Agricultural Product Disparagement** - The Council supports holding news media and other special interest groups accountable for the unsubstantiated disparagement of agriculture and forest products which has an adverse economic impact on our industry.

**Adequate, Affordable, and Safe Food**

**The agribusiness industry provides safe, abundant, and affordable food, fiber, and emerging energy for our nation. We support programs that promote a thriving agribusiness economy, and protect our domestic production of food and fiber.**

Animal Health and Disease Control

**Animal Health**

- The Council supports federal efforts to control infectious animal diseases such as brucellosis, tuberculosis, and pseudo rabies. The Council supports the safe use of FDA approved antibiotics in livestock which assures animals remain healthy and the food supply remains safe. The Council opposes any limitations on the use of medications/vaccines as preventive treatments in animal and poultry production that is not based on proven science and encourages pharmaceutical companies to continue production to ensure treatment is available for multiple problems. The Council supports FDA flexibility in approving drug uses for minor animal species. *(Amended 04/12)*
- The Council supports the reauthorization of the Animal Drug User Fee Act (ADUFA) in order to provide resources for the FDA to conduct timely evaluations of new animal drugs for safety and effectiveness. *(Adopted 04/13)*



- The Council recognizes the food safety, public health, and economic threats associated with the shortage of food animal veterinarians and supports efforts to recruit and train an adequate veterinary workforce to serve rural communities. *(Adopted 04/13)*
- The Council supports minimizing the burden to both livestock producers and veterinarians in complying with the Veterinary Feed Directive. *(Adopted 4/16)*

**Animal Disease Preparedness & Responses** *(Adopted 05/18)*- The Council supports adequate funding for the creation and development of a robust animal disease and disaster response program at USDA to help prevent, detect, and respond to animal disease outbreaks in a timely and efficient manner. Funding for programs should include:

- Foot and Mouth Disease- Development of a national foot and mouth disease vaccine bank.
- Avian Influenza Program - Adequate federal funding for USDA programs to combat Avian Influenza, including indemnity for depopulation of infected flocks. Bovine Spongiform Encephalopathy (BSE) - An enhanced surveillance program by USDA targeting cattle from the populations considered at highest risk for BSE, as well as a random sampling of animals from the aged cattle population.

**Enhanced Animal Traceability**- The Council supports implementation of enhanced animal traceability, in order to assist in managing animal health and disease outbreaks, protect commerce and maintain a safe food supply. Producer data and information must be adequately protected. *(Amended 05/18)*

**Farm Raised Fish** - The Council supports uniform health requirements for interstate shipments of live farm raised fish as established by the Animal Plant Health Inspection Service (APHIS).

#### Animal Welfare

**Animal Welfare** - The Council supports responsible use of animals for human purposes, such as food, fiber, recreation, work, education, exhibition, and research conducted for the benefit of both humans and animals. The Council opposes unreasonable and unrealistic regulations and legislation affecting the use of animals for food, fiber, recreation, and research. The Council opposes “Farm Animal Welfare” legislation that attempts to dictate production practices or husbandry guidelines. The Council opposes any regulations that restrict the use of FDA approved antibiotics for disease prevention. *(Amended 04/12)*

**Equine** - The Council recognizes that horses are livestock and respects the rights of livestock owners to manage their property in their best interest provided the animals are treated humanely. Therefore the Council opposes the limitations on the property rights of livestock owners in laws such as the American Horse Slaughter Act. *(Amended 03/09)*

#### Disaster Programs

**Disaster Assistance** - The Council supports programs which will promote stability for Virginia producers in times of disaster, and timely disaster assistance for all producers on a regional basis. *(Amended 03/19)*

**Nuisance Bird Depredation Permits** - The Council supports streamlining the issuance of depredation permits for migratory birds.

#### Farm Bill Programs

**General Farm Bill Programs** - The Council supports the following policies for the Farm Bill Programs:

- Reliable funding and fulfillment of program contracts with producers for Farm Bill programs throughout the entire term of the Farm Bill authorization. Farm Bill programs are regarded as multi-year contracts with the government, resulting in long-term business and investment decisions for producers, bankers, and others in rural economies. *(Amended 03/09)*
- Programs that enhance the viability and growth of the agribusiness industry which in return ensures that rural economies thrive.
- Recognition of the important regional and commodity based differences that exist in U.S. agriculture and equitable program benefits for all traditional and specialty crops, dairy, livestock and poultry producers. *(Amended 04/11)*
- Programs that promote market-based crop production decisions and provide both a safety net and risk-management tools for all of agriculture, including a choice for producers between revenue-based and price-based coverage. *(Amended 05/18)*
- Programs that maintain a crop insurance program to protect farmers in a volatile market or season, and continue a cost-share system to assist in obtaining crop insurance coverage at a reasonable premium price. *(Amended 04/12)*

- Programs that maintain seed cotton’s eligibility for revenue-based and price-based programs with adequate pricing to support seed cotton production. *(Adopted 05/18)*
- Provisions to allow for a strong and competitive Farm Credit System with authorities that meet the evolving financial needs of rural communities, agriculture and agribusiness.
- USDA Rural Development, FSA loan programs and guaranteed loan programs with reasonable interest rates, especially programs that assist in the purchase of land by new and young farmers and ranchers, recognizing their importance to the continued enhancement of rural communities. *(Adopted 04/13)*
- No increased government intervention or regulation of private contracts such as those between producers, integrators, and processors.
- Coordinated programs that encourage energy conservation and renewable fuels production in the Farm Bill with similar programs and initiatives established by Congress.
- Passage of long term Farm Bill legislation rather than short-term extensions of current policy, recognizing that farmers need certainty as they make substantial long-term planting and business decisions. *(Amended 04/14)*
- Passage of Farm Bill legislation that includes both nutrition and commodity titles, recognizing that the entire agribusiness industry benefits from a strong partnership between rural and urban interests. *(Adopted 04/14)*

### **Commodity Programs**

- The Council supports maintaining the Adjusted Gross Income payment limitation for farm programs; however, the Council recognizes that payment limitations that include off-farm income and are set to an artificially low limit would have a negative impact on Virginia agribusinesses. *(Amended 04/12)*
- The Council supports efforts to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets and enhances the competitiveness of U.S. grown specialty crops. *(Adopted 03/07)*
- The Council supports making industrial hemp eligible for crop insurance programs authorized in the Farm Bill. *(Adopted 03/19)*

### **Forestry**

- The Council supports an emphasis on sustainable private forest conservation and management, including planning, technical assistance, education, and outreach to landowners. *(Amended 04/12)*
- The Council supports funding assistance to states for forest assessment and planning, and to restore private forests after disasters. *(Amended 04/12)*

### *Food Safety, Inspections, & Crop Disease Control*

### **Food Safety**

- The Council opposes the unregulated and uninspected sale of “Potentially Hazardous Foods” as defined in the FDA Food Code, and other high-risk foods currently regulated by the U.S. Department of Agriculture (USDA) Food Safety and Inspection Service (FSIS). *(Adopted 4/14)*
- The Council supports enforcement of current regulation in a manner that does not unreasonably restrict commerce or place undue burden on the agribusiness industry. *( Amended 04/13)*
- The Council opposes amending the Food, Drug, and Cosmetics Act requiring labeling of food products produced from crops, livestock, or poultry raised on land on which bio-solids have been applied.
- The Council urges that the statutory requirements under Country of Origin Labeling (COOL) be administered with an emphasis on flexibility and minimal cost to producers and avoid adverse impacts to international trade, and furthermore, because of the potential for retaliatory action from key trading partners, the Council urges Congress to address concerns associated with COOL following repeated rulings by the World Trade Organization (WTO) against these requirements. *(Amended 04/15)*
- The Council supports the prohibition of food imports treated with pesticides that are banned in the United States.
- The Council encourages scientifically based risk assessment protocols in all proposed rulemaking.
- The Council supports establishment of federal standards for Good Agricultural Practices (GAP) certification that are scientifically based and evaluated in a reasonable manner in order to provide food safety and security while minimizing adverse economic impacts to dairy, fruit, vegetable, and agriculture. *(Adopted 04/10)*

**Inspections for pest and diseases** – Inspections of produce and other agricultural products must be reasonable and adequate in order to prevent pest and disease spread in the United States.

**Soybean Rust** - The Council supports continued research and efforts to minimize the spread of Asian Soybean Rust throughout the country and to reduce its severity. Asian Soybean Rust has the potential to create devastating losses in production, market pricing, and world supply.

**USDA Labs** - The Council supports the renovation and upgrading of USDA diagnostic laboratories to ensure the prevention and proper monitoring of importation of foreign animal and plant diseases.

*Security of Agribusinesses*

**Agricultural Business Security Tax Credit Act** - The Council supports tax credits for agricultural retailers, distributors, and manufacturers to partially offset the costly implementation of security measures.

**Agribusiness Security** - The Council opposes requirements for agribusinesses, such as chemical, fertilizer, grain, and feed facilities, to provide site security plans that would expand the authority of EPA or FDA and do not provide any increase in actual security for the retail agribusiness community.

**Agri-Terrorism** - The Council supports the inclusion of the agribusiness industry as a critical infrastructure related to homeland security. The Council supports establishing significant federal penalties for the willful destruction or damage of private or public agricultural and forestry research projects and for the willful introduction of diseases and/or toxins into food production and processing systems.

**Rural Quality of Life**

**The backbone of our diverse nation is firmly rooted in our rural communities. We support efforts that promote the intrinsic values of rural America and allow these communities to grow and thrive.**

*Diversity of Industry*

**Check-off Programs** - The Council supports Congressional oversight of USDA on holding binding referenda for check-off programs.

**USDA**

- The Council supports the implementation and funding of voluntary programs that would enhance the preservation of the business of farming and forestry and the lands upon which they depend, while protecting the rights of property owners.
- The Council supports equitable enforcement of the USDA water retention rule among all meat processors and producers.
- The Council opposes the use of population density to determine eligibility for USDA services.

*Educational Programs*

**Land Grant Universities** - The Council supports increasing federal formula funding of agriculture and forestry related extension and research programs at our land grant universities.

**Perkins Vocational and Technical Education Program** - The Council supports federal matching funds for the Perkins Vocational and Technical Education program. Loss of funding will directly affect operational and curriculum needs in local school districts, could reduce teaching or administrative positions, and have a dramatic and negative impact on agricultural and technical education, as well as future workforce readiness programs for Virginia. *(Amended 04/11)*

*Research and Development*

**Research**

- The Council supports sound agricultural research critically important for agricultural production practices and to providing a safe, reliable, and affordable supply of food, fiber, and energy. The Council urges greater priority, attention, and funding to this critical need.
- The Council supports the integration of turfgrass and nursery operations research into the Agricultural Research Service's national program portfolio.
- The Council supports targeted grants for research in viticulture and specialty crops. *(Amended 4/14)*

**Research Funding** - The Council supports federal formula funding of agriculture and forestry related extension and research programs at our land grant universities, specifically formula funding of the Hatch Act, the McIntire-Stennis Act, and the Animal Health program. Loss of formula funding results in deep reductions in these programs and a loss to Virginia's universities in matching state funding, faculty positions, and diminished quality of research which benefits all Virginians. *(Amended 04/11)*

### Preservation of Farmland

**Farm and Forest Land Preservation and Conservation** - The Council supports the implementation and funding of voluntary programs that would enhance the viability of the business of farming and forestry and conservation of the working lands upon which they depend, and continuation of federal tax incentives to encourage these efforts. *(Adopted 03/08)*

### Property Rights

#### **Rights of Private Property Owners –**

The Council opposes policies and actions that infringe upon the rights of private property owners. The Council supports legislative action that prevents unreasonable restrictions and actions against private property owners and supports fair compensation for the taking of property, lost access, and lost profits, when eminent domain authority is exercised. *(Adopted 05/18)*

- The Council believes that the concept of property rights needs to return to what the framers of the Constitution intended in the Fifth Amendment—just compensation for private property taken for public use. Further, the Council believes that environmental goals and the rights of private property owners are compatible since responsible environmental practices are more likely to be observed by landowners that have a vested interest in protecting their valuable resources.
- The Council supports legislation, which would provide safe harbor to innocent landholders with regard to environmental liability.
- The Council asks Congress to review U.S. Fish and Wildlife Services' practice of purchasing private property for wildlife purposes and consider the economic impact on local communities and land owners.

### Rural Services

**Farm Credit** - The Council recognizes that the Farm Credit System is fulfilling the mission of providing credit to farmers, ranchers, and rural communities and therefore supports maintaining its current status as a GSE (Government Sponsored Enterprise) with no change in its oversight by the U.S. Senate and House Agricultural Committees, and its regulator, the Farm Credit Administration. *(Adopted 03/09)*

**Federal Trade Commission** - The Council supports continued protection of farmer cooperatives under the Capper-Volstead Act and opposes intrusion by the Federal Trade Commission or other agencies into activities protected by the Act.

**Power Marketing Administration** - The Council recognizes that the historic rate policy of cost-based federal power pricing is a commitment of the Federal Government to the American people. The Council therefore supports retention of the historic principles of cost-based federal power pricing, federal power rates that recover only those costs that are authorized by statute, and congressional oversight and determination of proper funding levels for the federal power programs.

#### **Rural Development**

- The Council supports efforts which will ensure affordability, availability, and reliability of infrastructure to rural Virginia without imposing undue burdens on existing providers to services to rural communities. This includes but is not limited to sewer, water, road and bridge maintenance, electric service, telecommunications service, and broadband access.
- The Council supports continued reforms to the delivery and structure of rural programs to serve all rural communities, including forested lands.
- The Council supports adequate funding and expansion of the National Rural Development Partnership.
- The Council supports efforts to expand funding and explore new initiatives for affordable broadband and high speed internet access for the purposes of expanding agricultural opportunities in rural Virginia. This funding should be spread equitably among rural regions and among providers.

**Rural Utility Financing Programs** - The Council recognizes the proven success of public-private partnerships between the Rural Utilities Service and the nation's rural electrification, telecommunications, and water and sewer programs in meeting the needs of traditionally rural areas. The Council supports adequate funding of the RUS loan program and opposes any regulation that would dramatically alter its mission.

### Commodity Specific Interests

#### **Dairy** *(Amended 04/12)*

- The Council supports a market-oriented national dairy program that allows U.S. producers to compete in a world market based on fair trade policies that require imports to follow the same restrictions as exports.
- The Council supports a risk management program which offers protection based on gross margins (milk price minus feed costs) that reflect costs consistent with areas of the country where it is produced and the quality of the feed used. The Council believes the Dairy Margin Coverage program should be fully funded and made available to all dairy producers who wish to insure their gross margin.
- The Council supports an expanded role for markets and private enterprise to establish the true market price for all classes of milk.
- The Council opposes any regulation or legislation that would ban or limit flavored milk in schools.
- The Council supports standards of identity for milk and dairy products as defined by the FDA. *(Adopted 03/19)*

#### **Forestry**

- The Council recognizes the importance of forest management, encourages these practices on privately owned forest lands for healthy and productive forests, and supports federal cost share assistance to owners of privately held forest land for forest management practices.
- The Council supports federal funding for forest research on privately owned forest lands, and federal funding to states for forest inventory, assessment, and planning.
- The Council recognizes the importance of the ecosystem services and amenities produced by healthy and productive forests, such as clean air, clean water, carbon sinks, biodiversity, soil conservation and wildlife habitat, and supports the development of emerging ecosystem services markets.
- The Council supports removing unrealistic cost allocations not directly related to standard management practices on National Forest timber sales and improvements to the implementation of National Forest Plans, releasing them from the present administrative and legal gridlock occurring across the nation.
- The Council supports the practices of "multiple use" to include timber harvesting on National Forest lands.
- The Council opposes additional designations of Wilderness areas for the Jefferson and George Washington National Forests that are not included in the Forest Plans for each of these Forests.
- The Council supports green building rating systems and forest certification systems that do not disadvantage or unfairly restrict Virginia wood materials. *(Amended 04/12)*

#### **Green Industry**

- The Council supports inclusion of turfgrass sod farming, nursery stock production, and professionally maintained landscaped grounds in the definition of agricultural activities.
- The Council supports efforts to seek reasonable equity for inclusion of turfgrass sod farming and nursery operations in all issues that address wetlands.
- The Council supports the use of turfgrass, plants, shrubs, and trees as natural filters for control of erosion and purification of air.

#### **Tobacco**

- The Council supports Congressional efforts to develop reasonable regulations for manufactured tobacco products but remains opposed to any FDA intervention on the farm. The Council supports an exemption for dealers and leaf processors ("tobacco warehouses" as defined by the Family Smoking Prevention and Tobacco Control Act) in any FDA regulation. *(Amended 04/10)*
- The Council opposes the Federal lawsuit brought by the Department of Justice against the tobacco companies which serves only to create instability and uncertainty in the entire tobacco industry.
- The Council opposes any intervention or recouping of state tobacco monies from the 1998 Master Tobacco Settlement by the federal government through lawsuits or other measures.

- The Council supports efforts of tobacco companies to restrict access of tobacco products to minors and calls for programs to promote common sense and common courtesy as a means to resolve differences between smokers and non-smokers.
- The Council supports efforts to stop the sale of contraband tobacco. *(Adopted 12/09)*

## **Industrial Hemp**

- The Council recognizes industrial hemp, as defined in the 2018 Farm Bill, as an agricultural commodity and supports crop and seed research, market development, and the production of industrial hemp as an option for Virginia producers with proper regulatory, licensing, and law enforcement standards. *(Adopted 03/19)*

### **Energy Solutions**

**Continuing economic growth in our agribusiness industry depends on achieving energy independence, addressing environmental impacts, providing a stable market for Virginia commodities and agribusinesses, and reducing dependence on non-renewable fuels. The Council supports policies and programs that create a stable, affordable, and reliable supply of all forms of energy.**

**Energy Solutions** *(Amended 4/14)* - The Virginia Agribusiness Council urges Congress to:

- Enact balanced energy and climate policies that create economically sustainable, science-based solutions to:
  - Maintain affordable energy,
  - Reduce emissions and address climate issues, and
  - Provide a stable market for Virginia commodities and agribusinesses
- Address the adverse impacts of increased input costs to agribusinesses which are the result of rising energy costs. These increases result in declining profit margins for producers and businesses that have little opportunity to adjust prices to reflect changes in the market and, ultimately, higher prices for consumers.
- Maintain a supply and appropriate balance of commodities for both energy and traditional uses, such as food, feed, and fiber.
- Encourage the production or conversion of agricultural and forest products and by-products into energy through market-driven decisions and incentives, rather than mandates.
- Include practical and voluntary carbon-trading programs in continuing climate discussions. These programs must include access to the carbon market for agriculture and carbon sequestration for forestry.
- Continue research and development for alternative energy, balanced climate change solutions, and securing affordable and reliable energy supplies.
- Allow oil and gas exploration off of Virginia’s coast in compliance with environmental regulations.

*(Amended 03/09)*

### **Additional Energy Policies**

- The Council encourages Congress to consider impacts on agribusiness when discussing long-term solutions to fuel pricing and alternatives to gasoline and diesel prices.
- The Council supports emergency assistance to agricultural producers suffering severe economic losses due to substantial increases in energy prices.
- The Council opposes efforts that would allow the waiver of fuel oxygenate requirements.

*The Virginia Agribusiness Council is a non-profit membership organization whose mission is to “Represent Virginia Agribusiness with a Unified Voice.” Our membership includes producers, suppliers, marketers and processors, as well as over forty commodity associations and industry organizations. Positions on national issues are reached after thorough study in consultation with Council members*

*during the National Policy Development Process. The 2018 Policy on National Issues was approved by the External Relations Committee on June 6, 2018.*

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