

Rhode Island Farm Bureau Newsletter



A Challenging 2021 Legislative Session

Volume 22, Issue 2

April-May 2021

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My apologies for this April newsletter arriving a bit late, and becoming an April-May edition. It's been a busy 2021 legislative session so far, and it will continue until the end of June. In 2020, we had only testified on a small amount of bills when COVID-19 hit and restrictions were put in place. Legislation continued to arrive, but there were no hearings to share the testimony we were writing. In the fall of 2020, the legislature heard and voted on the state budget. This spring we weren't sure what to expect for the 2021 session because the legislature opened under Covid restrictions, but there has been a large amount of legislation and a record eighty bills RIFB is tracking. On pages 4 & 5, you will find a list of the high priority legislative bills RIFB is currently following.

This has been a trying session. What are we seeing? There have been a number of bills that would negatively affect agriculture in Rhode Island. Companion bills which "Authorize(s) cities and towns to enact ordinances to address and protect their citizens' public safety and welfare from the impact of hemp cultivation and any of its derivative products" could take away a farmer's ability to grow industrial hemp, and at best would limit the size or location of the field simply because of the smell. Hemp's THC numbers already must test below 0.3% or the crop must be destroyed; this is just a tiny percent of marijuana's 5-30% THC level. Yet the legislation seeks to do this for "public safety". This year it is hemp, what could it be next year? In five years? In addition to those companion bills, a third one seeks to "exclude the cultivation and processing of cannabis from the definitions of plant agriculture contained in the Rhode Island zoning enabling act". Cannabis is a plant, and the cultivation of it is indeed agriculture. This is repeat legislation that in past years sought to exclude "marijuana". Changing the phrasing to "cannabis" would therefore remove the ability to grow industrial hemp. We need to remember that while not a traditional farm crop, marijuana cultivation is still agriculture, and we need to support the legal cultivators of this crop.

We were quite surprised by this year's "Family Farm Protection Act" which is anything but that. This legislation seeks to limit the number of animals any Rhode Island farm can raise on their properties, with no consideration for the land quality, acreage, or housing type. This local legislation pulls some highlights from Corey Booker's legislation titled the Farm System Reform Act of 2019, which specifically focused on concentrated animal feeding (*cont pg 2*)

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operations, or large CAFOs, which is a definition used by the USDA that is roughly similar to the general concept of factory farms. The RI legislation modified existing USDA numbers to match some of the highest numbers of animals presently on the largest RI farms, yet still uses the “large CAFO” term, when this bill’s numbers could not be further from that. This legislation would penalize our state’s hardworking farms which are successfully raising high quality local meat for the consumer by putting restrictions on their reasonable growth. When COVID first hit, and the food chain was in some cases brought to a near screeching halt, our local farms stepped up to produce all they could for Rhode Island, despite the difficulties they ran into in the processing chain and restrictions on in-person shopping. Our farms created new ordering platforms-some online and others by phone, offered curbside delivery, and some even offered home delivery in conjunction with other farms. If our legislature really wants to protect Family Farms, allow them to raise the amount of livestock that their land can support, and their families and employees can manage. Industrial sized factory farming does not exist in Rhode Island, and with the highest priced farmland in the country, it is not coming to RI.

Companion legislation seeking to prohibit the use of neonicotinoids has once again been introduced in 2021. Several farmers testified in opposition to this legislation, explaining the benefits of “neonics” as opposed to older pesticides they needed to rely on in years past. While there have been proposals to make neonics state-restricted rather than prohibited, many farmers have let their pesticide licenses lapse because neonics were an effective and safer option. RI Department of Environmental Management and the Division of Agriculture regulate pesticides in the state, and RIGL § 23-25-9.3 states that “the director (of RI DEM) shall be guided by EPA regulations in this determination”. The EPA is now tentatively looking at a May-June publication timeline for the interim decisions (IDs) on the neonicotinoids. Policy decisions on pesticides must be drawn from sound science. RIFB has submitted testimony requesting that the state waits until the experts at the EPA have completed their review.

We don’t want to make it all sound negative, though. There have also been a number of bills introduced that would help farmers in a variety of ways. There are two companion bills as well as a standalone bill, all of which would lessen restrictions on the sales of home baked goods, prepared in a residential kitchen, being sold at farmers markets, farmstands, and other markets and stores operated by farmers. In addition to those bills, the “pickle and relish” bill is back again and would add farm home food manufacture and sales of pickles and relish to the list which already includes “jams, jellies, preserves and acid foods, such as vinegars.” (The term “acid foods” does not have the same meaning as “acidified foods”, which covers pickles and relishes.)

Another set of companion bills would establish a forest conservation commission. There is no place in state statute that talks to the value of RI forest. This legislation will afford forestland opportunity for sale of development rights just as farmland has had since the creation of the Agricultural Land Preservation Commission (ALPC) in 1981. There is no requirement for forestland owners to do anything and no restrictions will be placed on privately owned forests. Participation in the plan would be optional.

An agricultural right-to-repair bill would require original equipment manufacturers of agricultural equipment to provide independent service providers repair information and tools to maintain and repair electronics of the agricultural equipment. This could not only save money by having a local service provider repair your equipment, it can save time in getting that repair done more quickly, and getting you back in the field sooner.

Please see pages 4 & 5 for a table of high priority legislative bills RIFB is following. If reading this online, the **BLUE** bill numbers are links to the legislative bills. HFS means the bill was **H**eld for **F**urther **S**tudy after its hearing. In addition, you may visit www.rifb.org and go to the **Legislative** tab to find updates on these bills and the links.

THE GREAT STATE OF RHODE ISLAND



LET'S TALK ABOUT THE STATE OF YOUR FARM INSURANCE

Big or small, when you dedicate your life and well-being into a farm, you need more than just a policy—you need an ally. Your operation is unique and a one-size-fits-all insurance policy isn't for you. You deserve a customized coverage plan and American National gets it. An American National Special Farm Package 10® or Country Estate policy can provide you with a flexible package that allows you to tailor a policy to match your individual needs, with coverage options that include windstorm, fire, mechanical equipment and utility line failures, machinery, livestock and more. Find a local agent at an.insure/rifb



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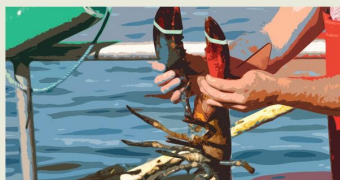
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| H 5125 | BY Casimiro, Craven | HFS | HEMP GROWTH ACT (Authorizes cities and towns to enact ordinances to address and protect their citizens' public safety and welfare from the impact of hemp cultivation and any of its derivative products.) Oppose. Letter submitted. |
| S 132 | BY Valverde, DiMario, Sosnowski, Euer | HFS | |
| H 5761 | By Potter, Kazarian, Kislak, Morales, Cortvriend, Henries, Ajello, Felix | HFS | FAMILY FARM PROTECTION ACT (Prohibits industrial sized factory farming.) Oppose. Letter submitted. |
| S 469 | By DiMario, Euer, Valverde, DiPalma, Seveney, Calkin, Bell, Kallman, Anderson | HFS | |
| H 5313 | BY Place, Quattrocchi, Roberts | HFS | SANITATION IN FOOD ESTABLISHMENTS (Adds pickles and relish to those foods which are permitted to be manufactured and sold as a farm home food product.) Support. Letter submitted. |
| H 5641 | By Kislak, Bennett, Kazarian, Speakman, Cortvriend, Carson, Donovan | HFS | PESTICIDE CONTROL (Prohibits the use of neonicotinoids which are a class of insecticides.) Oppose. Letter Submitted. Comp S 702 does NOT match. |
| S 702 | BY Miller | HFS | PESTICIDE CONTROL (Restricts the use of Neonicotinoids within the state of Rhode Island by allowing the director to classify all neonicotinoids that are labeled for outdoor use as state-limited use). Oppose. Letter submitted. Comp H 5641 does NOT match |
| H 5770 | By Marszalkowski | HFS | SANITATION IN FOOD ESTABLISHMENTS (Exempts residential kitchens providing baked goods for sale from the provisions of the general laws relating to farm home food manufacture.) Support. |
| H 5758 | By McEntee, Cortvriend, Speakman, Caldwell, Carson | HFS | SANITATION IN FOOD ESTABLISHMENTS -- HOME FOOD MANUFACTURE ACT (Amends the current law that allows farmers to sell produce directly to consumers by directing the department of health to permit home food manufacture and sales direct to consumers.) Support. |
| S 552 | By DiMario, Seveney, DiPalma, Euer, Sosnowski, Lawson, Valverde, Archambault | HFS | |
| H 5771 | By Potter, Kislak, Cortvriend, McGaw, Lima | HFS. | PROHIBITION ON LIVE MARKETS (Prohibits the granting of any business licenses to any person, firm, partnership or corporation that operates a live market where consumers can buy freshly slaughtered meat or fowl.) Oppose. Written submitted. |
| S 573 | BY DiMario | HFS. | |
| H 5955 | By Felix, Henries, Potter, Alzate, McGaw, Batista, Kazarian, Barros, Ranglin-Vassell | Introduced. | FOOD SECURITY AND AGRICULTURE JOBS (Protects food security and creates agricultural jobs and opportunities with the goal of creating food security. Employs several mechanisms to do so, including the creation of the agriculture jobs bureau, to be located within the division of agriculture.) Oppose. Letter needed. S Comp 468 does NOT match. |
| S 468 | By Anderson, Acosta, Bell, Calkin, Mack, Mendes | HFS | THE AGRICULTURE BUREAU ACT (Establishes various programs for the increase of local agriculture including grants to residents to grow gardens and establish community cooperatives. Establishes ecosystem restoration program and broadens states power to take land.) Oppose. Need written. H Comp 5955 Does NOT match. S 468 allows seizure of property. |
| H 5731 | By Potter, Lima, Serpa, Kislak, Baginski | HFS. | FORCE-FED POULTRY PRODUCTS (Prohibits production/sale/importation of any force-fed poultry product/ food containing force-fed poultry product imposing \$500 civil penalty per violation eff. 1/1/22.) Oppose. Letter submitted. S Comp 471 Does NOT match, but same intent. |

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| <u>S 471</u> | By DiMario, Kallman, Euer, Valverde, Anderson | HFS | FORCE-FED POULTRY PRODUCTS Oppose . Letter Submitted . H Comp 5731 Does NOT match, but same intent . |
| <u>H 5465</u> | By Filippi, Cortvriend, Place, Kazarian, Nardone, Alzate | HFS | MILK SANITATION CODE (Permits and legalize the sale of raw milk.) Similar in 2020 which allowed for personal use, that bill extended to "owner's club". Oppose . Letter submitted . |
| <u>H 5760</u> | By Speakman, Cortvriend, Donovan, Caldwell, Carson, Handy, Tanzi | HFS | RELATING TO AGRICULTURE AND FORESTRY (Creates a forest conservation commission, to be coordinated with the department of environmental management, to seek new funding and identify incentives for landowners to maintain their land as forest.) |
| <u>S 470</u> | By Ciccone, Valverde, Lombardo, Euer, Calkin, Kallman, Acosta, DiMario, Bell | HFS | There is no place in state statute that talks to value of RI forest. This will afford forestland opportunity for sale of development rights just as farmland has. No requirement to do anything & no restrictions placed on privately owned forests. Everything is optional . Neutral/Support . Follow hearing with letter . |
| <u>S 364 A</u> | By Archambault, Euer, Lombardo, Coyne | HFS | RELATING TO TAXATION (Entitles dairy farms to the exemptions from taxation granted to farmland, forestland, or open space.) Support . Continue to work on language . |
| <u>H 6126</u> | BY Bennett, Marszalkowski, McGaw, Ruggiero, Cortvriend, Carson, Phillips, Serpa, Vella-Wilkinson, Kennedy | HFS | GENERAL REGULATORY PROVISIONS AGRICULTURAL EQUIPMENT RIGHT TO REPAIR ACT |
| <u>H 6141</u> | BY Shallcross Smith | HFS | Support, letter submitted. Testified. Recommending one insertion. |
| <u>S 660</u> | BY Morgan, Rogers, Raptakis | HFS | ZONING ORDINANCES (Specifically <u>excludes</u> the cultivation and processing of cannabis from the definitions of plant agriculture contained in the Rhode Island zoning enabling act.) Opposed . Letter submitted . This changes the 2019 & 2020 legislation from marijuana to cannabis. This would then also prohibit hemp . |
| <u>H 5188</u> | BY Serpa, O'Brien, Phillips, Casey | HFS | TRADE IN ANIMAL FUR ACT (Prohibits the sale, offer of sale, trade or distribution of fur products as defined and makes any violation punishable by a fine of five hundred dollars (\$500) up to five thousand dollars (\$5,000) and up to one year in jail.) S Comp 806 . Oppose . Letter Submitted . Similar bill in 2020, this removes cowhide with hair attached from exempted items . |
| <u>S 806</u> | BY Archambault | HFS. | |
| NEW <u>S 748</u> | BY Archambault | HFS | GENERAL PROVISIONS - MANUFACTURING AND WHOLESALE LICENSES (Authorizes the issuance of farmer-brewery and farmer-distillery licenses to qualifying farms subject to conditions and regulations issued by the department of regulation.) Support . |
| NEW <u>S 474</u> | BY DiMario, Euer, Ciccone, Valverde, DiPalma, Seveney, Calkin, Bell, Kallman, Anderson | HFS | RENEWAL ENERGY RESOURCE PROJECTS (Prohibits the co-location of multiple renewable energy resources one or more contiguous parcels, unless the total capacity of the co-location is less than ten megawatts (10MW) in total.) Oppose . |
| <u>H 6169</u> | BY Speakman, Ruggiero, Cortvriend, Carson, Donovan, Tanzi, Ajello, Morales, Potter | HFS | Submit letter. H Comp 6169 . |



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Three prizes: \$500, \$300 and \$200 in RIFB Member Farm's gift certificates. RIFB will be purchasing the gift certificates for this raffle from our member farms, so if you offer gift certificates at your business and would like to be included in our **2021 RIFB Farm Product Raffle**, please call the office at 401-385-3339 or email rifarm@rifb.org. We plan to purchase primarily \$25-50 Gift Certificates depending on the average product values of a location. We'd love to get a nice balance of member farms offering produce, fruit, meat, flowers, plants, syrup and/or honey, and any other products which you may grow/produce. (If you sell food items, you must have the proper permits to do so for us to include you in our raffle.) We have plans to be at Washington County Fair this August and hope to sell a lot of tickets there!

Please reach out if you are a current RI Farm Bureau member interested in participating and have a physical stand or store for the winners to redeem their gift certificates.

In addition to raising money for our scholarships, given out each fall at our RIFB Annual Meeting, our RIFB Raffle helps publicize our member farms and gets people out to shop at farms they may not be aware of. For that reason, we want to involve member farms from **all areas of Rhode Island**. After the difficulties of the past year, and the increased focus on local products, we think the time is right for lots of interest in the local farm products raffle! If you would like to participate, please contact us by **May 30** so that we can make our final decisions. There will be small info sheets available to detail all the participating farms. If we have more interest than we have funds to purchase gift certificates this year, we will be happy to place any other farms on a waiting list to start off in 2022.

Thank you for all you do to keep agriculture in RI.
Together we can use this raffle to increase awareness of what RI agriculture produces!

Become GAP Certified

You can learn more about the RI GAP program by:

1. Visiting [The RI Produce Safety Portal](#)
2. Reviewing [RI GAP Certification During Covid-19](#)
3. Contacting Ananda Fraser:
Produce Safety Program Coordinator
RI DEM – Division of Agriculture
401-537-8093
Ananda.Fraser@dem.ri.gov

All of the above information can be accessed on our rifb.org website for those with internet access.
If you do not have Internet access, call Ananda Fraser (listed above) to find out more about GAP certification.

Need to apply for or renew your pesticide license?

While pesticide license training is normally done cooperatively with URI, DEM will be doing **testing only** until on-campus classes resume. Testing is available for **all** pesticide applicator licenses and categories. There is currently no list of dates as of yet, but exams will be scheduled based on demand. Study material can be made available for pickup at DEM's Agriculture office. For more information on how to take your pesticide license test or to get study materials, please contact Harold.Puckett@dem.ri.gov or Kimberly.Lavoie@dem.ri.gov. If you do not have Internet access, you may contact: Harold Puckett at DEM Ag 401- 222-2781, Ext 7261 or Kim LaVoie at DEM Ag 401-222-2781, Ext 4513.

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DID YOU KNOW THAT YOU NEED A CONSERVATION PLAN?



WHAT IS A CONSERVATION PLAN?

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FOR MORE INFORMATION CONTACT YOUR DISTRICT:

Eastern Conservation District (Bristol & Newport Counties):
Sara Churgin, schurgin.ericd@gmail.com | 401-934-0840

Southern Conservation District (Kent & Washington Counties):
Gina Fuller, gfuller@sriscd.org | 401-500-0422

Northern Conservation District (Providence County):
Gina DeMarco, gdemarco.nricd@gmail.com | 401-934-0840



The RI Conservation Districts are working with NRCS to write Farm Conservation Plans for the Farm Forest and Open Space (FFOS) Program of Rhode Island. USDA is an equal opportunity provider, employer, and lender.



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Updating Your Email Address

RIFB wants to provide you with timely updates on legislation, meetings and other important information. We have worked hard to ensure that all member emails are correctly categorized to ensure that you receive our emails. If you do not currently receive emails from **RI Farm** (rifarm@rifb.org), please email us (**using your preferred email**) or use the Contact Form on our website to provide us with the best email to use.

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President's Corner

Planting Seeds

Spring is here, and as we optimistically put the seed in for another season, we also need to grow our Farm Bureau, and that seed is membership. With a record 80 bills we are monitoring this year, half of which RIFB is opposing, we need to grow our membership to be able to continue to support agriculture in Rhode Island. Many of these bills seek to curtail or limit agriculture in RI, and in most cases would lead to higher inputs to farms. Other bills impinge upon our freedoms. The Right-to-Farm Act was originally enacted in part to protect farmers from nuisance claims, new legislation this year seeks to authorize towns to enact ordinances to address and protect their citizens' public health, safety and welfare from the impact of hemp cultivation and any of its derivative products. Yet industrial hemp must maintain a THC level no greater than 0.3% to be legal, while marijuana ranges from 5-30% THC content, and hemp can be used to produce a variety of commercial and industrial products, including rope, textiles, clothing, shoes, paper, bioplastics, insulation, and biofuel. When RIFB submits testimony or testifies on legislation such as this, the size of our membership factors in as the committee reads our letters. There is strength in numbers, and for RI Farm Bureau to remain strong in support of agriculture in RI, we need to continue to grow our membership.



Remember, you don't need to be a farmer to be an RIFB member. Our membership levels include Full-Time Farmers, Part-Time Farmers, Young Ag Professionals and Friend of Farmer. I want to encourage all members to bring in one new member. New members may join on our website at www.rifb.org, or you can call the office and we will be happy to mail you out a membership form or two to share.

Over the past few years, we have seen an increased presence of anti-animal agriculture groups at our local fairs. They seem to be behind a movement to curtail local, county and state fairs and expositions nationwide under the cover of Covid. These are especially hard-hitting on 4-H and FFA Youth Livestock Shows. We hope this summer sees our youth heading back into the showrings at both small and large fairs, across New England and across the country.

Finally, on a note of caution as we continue to recover from the last year, there are many federal programs with money involved, but many of these come with caveats and controls. While these seem like they are temporary, they may turn into permanent controls, and may limit your ability to make changes on how you use your farm.

Henry B. Wright III, President RIFB

Focus on Agriculture: Fighting for Agriculture

By Greg Doering, Kansas Farm Bureau

A couple of years ago I was at an event where a fellow Farm Bureau staffer from another state lamented he spent so much of his time dealing with the legislative process, there wasn't much of a chance to really fight for agriculture.

I certainly admired his passion, but I believe "fight" was an unfortunate word to use. I'm not suggesting political fights aren't necessary, rather I think they should be treated like real fights and saved for the rare instances when other options have been exhausted.

Both passion and perspective are required to effectively engage in politics. Far too often we are led to believe passion is equal to rage and rage is evidence of righteousness. The problem is rage overpowers our ability to reason, overwhelms our logical capabilities, and overthrows our perspective.

People get so worked up looking for a fight, they begin tilting at windmills and let true threats go by unnoticed. Immediate gratification and instantaneous reaction supersedes information gathering and seeking deeper understanding. Part of this is most of us only have a limited understanding of what's going on outside of our immediate lives. Sometimes just keeping track of my wallet and keys seems like a full-time job, let alone navigating the daily workings of a county commission, state legislature and the federal government's vast bureaucracy. Never mind the social media rabbit trail I get lost on for hours at a time.

The problem with only having just the surface-level view of issues is we're swayed by our previous experiences. As humans we're hardwired to fill in gaps with our biases and prejudices. That serves you well when you're walking through the woods and see something slithering along the trail. Humans use the same fight or flight response when dealing with each other. We see safety in those who think and act in similar ways to ourselves, and we perceive danger in those who don't. Nowhere is this more true than on social media. These platforms are great for a variety of things but fostering a deeper understanding of political issues isn't one of them. People allow their emotions and experiences to drive the discussion once a position is taken. We then ascribe all sorts of ulterior motives to those with different ideas as insular tribes form around issues and devolve into fights because this is the surface level of political discussion we see on TV.

In reality, even the smallest issues are incredibly complex, and solutions are difficult even in areas where there's broad consensus. Our instinct is to perceive disagreement as a threat, which tricks us into believing we have two options: fight or flight. There's actually a third option and that's to allow for uncertainty. It's OK to believe those who disagree with you are sincere in their beliefs. Their experiences, biases and prejudices have led them to different policy prescriptions. But they are still human and experience all of the same emotions you do.

Fighting consumes not only time and energy, but also credibility. Brawling over every issue is a good way for others to quickly ignore you. Engagement requires perspective, logic and reason. And perseverance.

The best way to fight for agriculture is to develop a passion for the mundane things like talking to legislators and policy makers about our experiences, taking the time to provide feedback on issues that affect us, becoming educated on the issues before us and, maybe the most difficult of all, keeping our minds open to new ideas. We won't resolve every issue, but these are the necessary steps before gearing up for a real fight.

Greg Doering is a writer and photographer at Kansas Farm Bureau. This column was originally published as part of the Kansas Farm Bureau Insight series.

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