

Crop Protection Product Harmonization and Registration Board  
Minutes of April 7, 2011 Meeting

The Crop Protection Product Harmonization and Registration Board met on April 7, 2011, in the Governor's Conference room on the ground floor of the State Capitol in Bismarck, ND. Governor Dalrymple called the meeting to order at 2:30 p.m.

Board members in attendance included Governor Jack Dalrymple, Agriculture Commissioner Doug Goehring, Chairman Jeff Topp, Senator Terry Wanzek, Representative Tracy Boe, Representative Mike Brandenburg, Terry Weckerly, Stan Buxa and Ivan Williams. Board members absent from the meeting were Randy Haugeberg and Dr. Kenneth J. Grafton. Others individuals present during all or part of the meeting included Jim Gray (NDDA), Amanda Hayen (NDDA), Dan Wogsland (ND Grain Growers Association), Gary Knutson (ND Ag Association), Troy Bassingthwaite (Winfield Solutions), Dr. Sam Markell (NDSU), Dr. Harlene Hatterman-Valenti (NDSU), Dr. Michael Wunsch (NDSU Carrington REC), and Dr. Scott Halley (NDSU Langdon REC).

It was noted that the ND Department of Agriculture had filed a notice of meeting with the ND Secretary of State, and a copy of the agenda was posted next to the main entry to conference room in the hallway.

**I. Approval of minutes.** Motion by Goehring to accept the minutes from Board meeting on September 30, 2010. Motion seconded by Brandenburg. Motion carried.

**II. Budget Report.** Governor Dalrymple requested Gray to give reports starting with Minor Use Fund and follow with the Pesticide Harmonization Grant Program. Gray referred Board members to the budget spreadsheets included in their meeting packets and provided the following summary:

*Minor Use Fund:* There was \$240,730.39 carried over to the Minor Use Fund from the last biennium. The board was not appropriated funds last legislative session because of that large carryover. Payments of \$95,463.58 have been made to date this biennium, with an additional \$102,645 committed as part of existing contracts. This leaves a Minor Use Fund balance of \$42,621.81 available for additional projects this biennium.

Gray stated the board will hear funding proposals during meeting for funding of new projects and final reports to close out those contracts already in place. Governor Dalrymple questioned the '09-'11 legislative session. Gray explained the Environment and Rangeland Protection (EARP) fund is the source for both the Minor Use Fund and the Pesticide Harmonization Grant Program and provided a spreadsheet listing EARP fund revenue and expenditures from the 2009-2011 and 2011-2013 biennia.

On June 30, 2009, the balance in the EARP fund was over \$1.3 million. Adding revenue from pesticide registration fees and weed seed free forage from the current biennium and the carryover from the previous biennium, the EARP fund had total available balance of \$5.3 million for the 2009-2011 biennium. After subtracting \$4,141,709 for the 2009-2011 biennium, this leaves a projected balance of \$1,186,698 on June 30, 2011.

Goehring discussed the pending appropriations out of the EARP fund based on bills this legislative session. Over \$5 million in appropriations is projected this session, leaving a projected EARP balance of \$506,451 on June 30, 2013.

Governor Dalrymple stated that because the '09-'11 minor use fund was in good shape on cash, that appropriation was skipped one biennium. Discussion was held on the legislative changes for anhydrous inspections to be moved from the Insurance Department to the Department of Agriculture and corresponding funding changes.

*Pesticide Harmonization Grant Program:* Gray referred board members to the report on Pesticide Harmonization Grant program and explained that this was also the source of funds for board operating expenses. The board was appropriated \$50,000 from this fund for the current biennium, and another \$50,000 was included in the Governor's budget for the next biennium. Gray stated that board operating expenses have totaled \$3,263 so far this biennium. Combined with payments of \$23,219.04 made out of the program to date, there is a balance of \$25,517.96 remaining. Several funding proposals were submitted to the board for consideration later in the meeting. The funds do not carry over.

**III. Reports on Recent Minor Use Fund (MUF) Grants.** Board members were provided with written reports on several recently-funded MUF grants (Tabs D through I in the meeting folders). Gray explained that two of reports were interim reports that did not require board action. Four final reports required board approval prior to final payment being provided to the grant recipient, these being:

- a. *Determination of Insecticide Efficacy and Planting Date for Control of the Sunflower Seed Maggot* (MUF-02-09) from Dr. Jan Knodel, NDSU
- b. *Evaluation of Fungicides for Management of Pasm Disease in Flax- 2010* (MUF-03-10) from Dr. Scott Halley, NDSU
- c. *Evaluation of Fungicide Efficacy and Development of a Timing Strategy for Control of Sunflower Rust* (MUF-03-09) from Dr. Sam Markell, NDSU
- d. *Evaluation of Fungicides and Fungicide Timing for Management of Phomopsis in Sunflowers* (MUF-04-09) from Dr. Sam Markell, NDSU

Topp noted that some of the researchers were present if the board had any questions on their final reports, and Gray stated that Dr. Knodel was available by telephone.

Brandenburg asked Dr. Markell to provide a brief summary of his projects evaluating fungicides on sunflower. Markell did so.

Buxa moved that the Board accept the final reports and remit final payments. Commissioner Goehring seconded the motion. Those voting Aye: Topp, Goehring, Brandenburg, Wanzek, Boe, Weckerly, Buxa, Williams. Those voting nay: none. Absent: Grafton and Haugeberg. Motion carried.

**IV. Consideration of New Minor Use Fund Grant Proposals.** Gray reminded board members that there is a balance of \$42,621.81 remaining in the Minor Use Fund for this biennium. He referred members to Tabs J through N in the meeting folders which included the following proposals:

- a. *Evaluation of Fungicide Efficacy and Timing for Control of Common Bean Rust.* Dr. Markell, NDSU (Tab J)
- b. *Evaluation of Fungicides for Management of Pasm Disease in Flax:* Scott Halley, NDSU (Tab K)
- c. *Weed Control in Onion: Using an Integrated system for Early Season Control:* Dr. Harlene Hatterman-Valenti, NDSU (Tab L)
- d. *Evaluation of Fungicide Efficacy and Timing for Management of Alternaria Blight of Safflower:* Dr. Michael Wunsch, NDSU (Tab M)
- e. *Evaluation of Application Rates of the fungicide Boscalid for Management of Ascochyta Blight of Chickpea:* Dr. Michael Wunsch, NDSU (Tab N)

Gray informed the board that he had also received a proposal from Dr. Rich Zollinger just a few days prior to the meeting titled, “*Herbicides for Residual Weed Control in Dry Edible Beans and Sunflower*”. He stated that the proposal met the necessary requirements and asked if the board wanted to evaluate it along with the others. Brandenburg suggested holding the Zollinger proposal until the others have been evaluated.

Topp asked each person requesting funds to provide a brief oral presentation on the proposed research project.

Markell discussed his proposal to evaluate fungicides for control of common bean rust. He stated that the disease causes significant losses for bean growers. While several fungicides have been registered for use on dry beans, very few of them have been evaluated for control of bean rust. He was requesting \$15,002. Markell stated that Northarvest Bean Growers Association was also contributing \$7,500 to the project.

Halley provided a summary of his proposal to evaluate fungicides to manage pasmo disease in flax. The project would expand on research conducted in 2010, and his intention was to repeat the study and expand it to three sites. Halley requested \$12,175 in Minor Use Funds, and stated that Ameriflax had committed funds as well.

Hatterman-Valenti discussed her proposal to evaluate herbicides on onion. She stated that onions are a high-value crop, although the lack of weed control options has inhibited expanded production in North Dakota. She has obtained some funding through a specialty crop grant and was requesting \$20,828 in Minor Use Funds.

Wunsch had submitted two Minor Use Fund proposals. He first discussed the proposal for \$25,031 to evaluate fungicides for management of *Alternaria* blight on safflower. He stated that this is the most serious disease affecting safflowers, cutting yield and discoloring the seed. This impacts marketability of safflower for the birdseed market. The funding request was for the first year of a study. Wunsch stated that of the \$25,000 requested, approximately \$10,000 was for efficacy studies and \$15,000 was for timing studies.

Buxa questioned whether Wunsch had approached the Oilseed Council for matching funds. He stated that safflower funds have been available in the past and were rarely accessed. Wunsch stated that he did not because he did not know about that potential funding source. Gray left the room to call the Oilseed Council. Upon his return, Gray informed the board that the Oilseed Council had around \$39,000 available for safflower projects.

Wunsch then gave a brief discussion on his proposal to evaluate the fungicide boscalid on chickpea to manage *Ascochyta* blight. He stated that the disease is a serious one for chickpea growers. His request was for \$10,355.

Brandenburg noted that the proposals are for around \$83,000; the board only has \$42,000 to allocate. Williams asked the presenters if it would be possible for them to get their projects off the ground with only half the funding requested. Boe asked the Board if they would review the additional proposal that was submitted late.

Zollinger was reached by phone and provided a summary of his Minor Use Fund proposal, *Herbicides for Residual Weed Control in Dry Edible Beans and Sunflower*. He stated that he was requesting \$25,000 to do research in three areas: a) weed control in dry beans with preemergence applications of Spartan plus Permit, b) lambsquarters control in dry beans with the herbicide Cadet, and c) herbicides for residual weed control in dry beans and sunflower.

Zollinger stated he had funding from a Cadet representative in Philadelphia for a few treatments. He is most excited about the third of the three proposed studies. The breakdown of funds requested is \$5,000 for proposal one, \$5,000 for proposal two, and \$15,000 for proposal three.

Brandenburg stated the board now has \$108,000 in proposals with \$42,000 to work with until July first. Wanzek expressed concern that if they fund only half of each proposal, the funds would be wasted if the projects can't be completed. Gray stated that in the past the board's operating fund has been accessed. Goehring suggested that Zollinger resubmit the proposal for review after the new biennium.

Brandenburg made a motion to take the Zollinger's \$25,000 proposal off the table. Williams seconded the motion. Wanzek suggested the board give serious consideration to Zollinger's request and have it noted in the minutes that he is encouraged to proceed with his research and resubmit his funding proposal to the Board. Those voting aye: Topp, Goehring, Brandenburg, Wanzek, Weckerly, Buxa, Williams. Those voting nay: Boe. Absent: Haugeberg and Grafton. Motion carried.

Goehring questioned whether any of the proposals would require full funding to start their research. Buxa asked the presenters in the room if any would have an issue with receiving half of the proposed funding now with consideration, but no guarantee, of additional funding later. Boe suggested Wunsch approach the Oilseed Council to match funding. Wanzek asked the Board to entertain prioritizing versus splitting funds for projects to cover more significant and immediate needs.

Williams made a motion to fund the remaining proposed projects at half to get them all started and then revisit them in the July meeting. Brandenburg seconded the motion. Boe stated that proposals keep increasing and the Board will have to prioritize at some point. Goehring stated that prioritizing would attach funds to crops by revenue they generate and specialty crops would be left out. Roll call was taken. Those voting aye: Buxa, Weckerly, Brandenburg, Wanzek, Goehring, Topp. Those voting nay: Boe. Absent: Grafton and Haugeberg. Motion carried.

Based on the motion, the following funding levels were approved:

<u>Project</u>	<u>Amount</u>
Markell: Evaluation of Fungicides of Common Bean Rust	\$7,501
Halley: Evaluations of Fungicides for PasmO in Flax	\$6,088
Hatterman-Valenti: Weed Control in Onion	\$10,414
Wunsch: Evaluation of Fungicies for Alternaria on Safflower	\$12,516
<u>Wunsch: Evaluation of Boscalid for Ascochyta of Chickpea</u>	<u>\$5,178</u>
Total:	\$41,697

**V. Consideration of Harmonization Grant Proposals.** Brandenburg asked Gray what the harmonization grant proposals were. Gray referred Board members to tabs O through Q in their meeting folders where three proposals were included:

- A. *Request from ND Grain Growers Association 2010 E-Tour Grant Proposal: Dan Wogsland, NDDFA (\$13,334 requested)*
- B. *National Sunflower Association Request to Help Defray Costs to Meet with BASF to Discuss Pesticide Registration Issues & Needs: Larry Kleingartner, NSA (\$8,000 requested)*
- C. *ND Department of Agriculture to Defray Air Transportation Costs Associated with 2010 E-Tour: Jim Gray, NDDA (\$2,223 requested)*

Commissioner Goehring stated that the Department of Agriculture will take the cost from deferring rent of Governor's plane in the amount of \$2,225 out of the proposal in order to make that amount available for other projects.

Gray stated that he had recently received an amended request from the National Sunflower Association for the meeting with BASF. Instead of \$8,000, the Sunflower Association is now requesting \$2,880.40.

Wanzek moved to approve fund the \$13,340 request from the North Dakota Grain Growers Association to defray costs for the 2010 E-Tour and to provide \$2,880.40 to the National Sunflower Association per their amended request. Brandenburg seconded motion. Those voting aye: Topp, Goehring, Brandenburg, Wanzek, Boe, Weckerly, Buxa, and Williams. Those voting nay: none. Absent: Haugeberg and Grafton. Motion carried.

**VI. Other Business.** Williams stated that there are many national pesticide issues that could impact North Dakota and asked Goehring if the ND Department of Agriculture had adequate funding to track and work on them. Goehring stated the budget is stretched thin and it is important to be present in EPA meetings. He stated that he the 6<sup>th</sup> Circuit granted its two-year stay on *National Cotton Council v U.S. EPA* on his third day as agriculture commissioner. Goehring stated that being present and tracking national issues takes time and money, but it is worth it. He asked for a research analyst in the Agriculture Department budget to help absorb workload, but that did not include much of an operating budget for travel. Wanzek stated the funding is important for regulatory policy decisions that impact pesticide and herbicide issues, regulatory issues, and to show others the economic impact on the state. Brandenburg stated the board has to be able to explain why it needs more funds and what the issues are. Wanzek stated

that EARP dollars come from pesticide registration fees and should go back to benefit agriculture. Boe stated that the board would make use of additional funds.

Discussions then centered on how much additional funding the board needed. Goehring stated that approximately \$25,000 would fund ten to twelve EPA meeting trips in the biennium. Gray stated that many states have cut budgets and fewer states are present to represent the agriculture industry in decision making. Brandenburg asked if additional funding would allow more activity and travel by the agriculture groups. Goehring replied that many of the key meetings occur between EPA and state regulatory agencies, and agriculture groups would likely not be participating in those sorts of meeting. Wogsland stated that it is getting very expensive to fly to Washington, DC, with flights normally being \$1,500.

Williams motioned to request additional \$50,000 in operating from the legislature. Buxa seconded the motion. Those voting aye: Topp, Goehring, Brandenburg, Wanzek, Boe, Weckerly, Buxa, Williams. Those voting nay: none. Absent: Grafton and Haugeberg. Motion carried.

**VII. Scheduling Next Meeting.** Topp requested that the board hold its next meeting in early July after the new appropriation becomes available. The board can then evaluate whether or not to provide additional funds to the Minor Use Fund proposals that could not be fully funded this meeting. Members were advised to keep their binders because they will need them for the next meeting.

Chairman Topp adjourned the meeting at 4:50 p.m.