

## Weekly Update from the Texas Seed Trade Association

**Member News** 

PURE

The Texas Seed Trade Association welcomes its newest member **PureSeed** represented in Texas by **Alexandra Stepanova**.

Pure Seed is a wholesale company selling warm and cool season turfgrass and forages developed by Pure-Seed Testing. From the development of the varieties, to the grower who produces the seed, to the coating, packaging and shipping of the seed, Pure Seed is a fully integrated family ran business based in the heart of Oregon's Willamette Valley.

#### FARM BILL IS NOT ONE OF THE SENATE'S PRIORITIES POLITICO reports:

lowa Republican Sen. Chuck Grassley suggested that Senate Majority Leader Chuck Schumer could make the farm bill a top priority "to do between now and the summer," but warned such a move is "not likely to happen."

On Friday, Schumer appeared to tip his hand by making no mention of the farm bill in a "dear colleague" letter laying out the Senate's top priorities for the weeks and months ahead.

In the letter, Schumer laid out a series of bills the Senate will try to advance in the coming months.

According to Schumer, the upper chamber will take action on "bipartisan bills that enhance our national security, advance online safety for kids and promote innovation, expand the Child Tax Credit, work on a path forward on Tik Tok legislation, combat the fentanyl crisis, hold failed bank executives accountable, address rail safety, ensure internet affordability, safeguard cannabis banking, outcompete the Chinese government, lower the cost of prescription drugs like insulin while expanding access to health care, and more."

Conspicuously absent was any mention of the farm bill.

What's the holdup? In short, the farm bill has repeatedly been pushed to the backburner as Congress has struggled to function smoothly. Government funding talks dragged on for six extra months, the House was derailed for weeks after it deposed its Speaker and

Congress has given greater priority to other stalled legislation, like foreign aid bills to help Ukraine repel Russia's invasion and replenish military aid for Israel.

The farm bill, meanwhile, has not been considered at the committee level despite a marathon of hearings in both the House and Senate. Behind the delay is a drawn-out funding battle. The farm bill's budget is flat -- meaning there is no additional money at the committee's disposal.

To add additional funds, lawmakers are hoping to roll about \$15 billion worth of Inflation Reduction Act funding for climate-smart agriculture into the farm bill baseline, making it permanent and removing the deadlines for spending it. But Republicans want to loosen climate-smart restrictions on the money, allowing it to be used for a broader set of practices. In the House, Republicans want to reallocate some of the funds to the farm safety net programs that assist farmers in the event of an economic downturn.

Democrats so far have rebuffed both proposals, insisting that climate-related guardrails on the IRA funds must remain intact. That's left both sides in a stalemate that shows no sign of resolving anytime soon.

The current extension to the 2018 farm bill will expire on Sept. 30.

# FARMERS FILE SUIT AGAINST USDA, CHALLENGE CONSTITUTIONALITY OF PAYMENTS BASED ON RACE AND SEX

Source: Southeastern Legal Foundation

AMARILLO, TX -- On behalf of Texas farmers, Southeastern Legal Foundation (SLF), together with Mountain States Legal Foundation (MSLF), filed a motion for preliminary injunction in federal court to stop the Biden Administration Department of Agriculture (USDA) from unconstitutionally and unlawfully funneling disaster and pandemic relief funds to certain farmers based on race and sex.

Farming is a difficult livelihood. One of the biggest hurdles farmers face is challenging weather conditions that are out of their control, so Congress frequently provides relief to hard-hit producers and regions. Since 2020, Congress has provided over \$25 billion in emergency disaster and pandemic relief funds to USDA to distribute to farmers.

But rather than help farmers like Plaintiffs Alan and Amy West, Bryan Baker, and Rusty Strickland--who have owned their family farms for decades and have suffered from the effects of droughts and the COVID-19 pandemic--USDA is harming them by favoring other producers at their expense based on factors including race and sex that were not authorized by Congress.

USDA provides more relief money to "socially disadvantaged" farmers, which includes women, American Indians or Alaskan Natives, Asians or Asian-Americans, blacks or African-Americans, Hispanics or Hispanic-Americans, and Native Hawaiians or other Pacific Islanders.

In short, farmers who fail to meet the "socially disadvantaged" criteria--including Plaintiffs-received far less assistance for their losses than if they were of a different race or sex. Such discrimination violates basic equal protection principles enshrined in the Constitution. USDA is acting unlawfully and without congressional authorization. If Congress wanted an executive agency to distribute funds in such an arbitrary and discriminatory way, it would have said so clearly.

On behalf of farmers Rusty Strickland, Alan and Amy West and their farm, and Bryan Baker and his farm, SLF and MSLF are suing USDA for violating the Fifth Amendment Equal Protection Clause and the Administrative Procedure Act. SLF and MSLF are representing these farmers free of charge.

SLF Executive Director Kimberly Hermann states, "On the day President Biden took office, he declared that his administration would adopt a 'whole-of-government equity agenda.' Equality is a constitutional mandate which does not permit intentional discrimination, but

equity relies on racial classifications to achieve outcomes across racial categories. USDA is attempting to control outcomes with intentional discrimination, but this cannot stand under our laws."

SLF Vice President of Litigation Braden Boucek states, "USDA is just one of several agencies under the Biden Administration acting as though it can act independently of Congress. The American people, through Congress, trusted USDA to help victimized farmers with disaster relief, not hurt them further by discriminating based on race and sex. The Constitution exists to curb the power of runaway bureaucracies. We are holding USDA accountable in court and will not rest until constitutional balance is restored."

Editor's Note: We've made many references over the last several years of the astonishing amount of money being made available to the ag sector by USDA representing new spending by the current administration. Using your money to attempt to solidify a voting base is not new, nor was in it invented by the Biden administration, but it does seem to have been taken to new heights lately.



#### **News Bits**

**U.S. farmers** were generally able to make solid planting progress last week, but there were delays in some areas and dry weather in the Plains is having some impact on winter wheat.

The USDA says 6% of U.S. corn is planted as of Sunday, compared to 3% a week ago and the five-year average of 5%.

3% of soybeans have been planted, compared to 1% on average.

55% of winter wheat is in good to excellent shape, 1% less than last week, but 28% more than this time last year, with 11% of the crop headed, compared to 7% normally in mid-April.

7% of spring wheat is planted, compared to 6% typically this time of year.

8% of cotton is planted, matching the five-year average.

44% of rice is planted and 18% has emerged, both faster than their respective usual paces.

New publication shares insights into Al for crop improvement from Iowa State University researchers Iowa State University release

Questions about artificial intelligence are becoming more pressing in every discipline. For crop improvement, AI provides a new lens to bridge science and practice, according to Jianming Yu, one of the world's top-ranked scientists in the fields of quantitative genetics and plant breeding. "People have a lot of questions about how to actively start using AI in crop improvement.

However, it is not easy to know how its tools can best be used," said Yu, the Pioneer Distinguished Chair in Maize Breeding and director of the Raymond F. Baker Center for Plant Breeding in Iowa State University's Department of Agronomy. "There are many specific examples of constructive use of these tools, but at a large scale, it really hasn't happened yet."

Helping his peers, students and the public become more knowledgeable about the rapidly evolving field of Al has become a mission for Yu. To this end, he and other co-authors, including Karlene Negus, a genetics doctoral student working with him, have published an overview on the role of artificial intelligence in crop improvement in a scholarly compilation, Advances in Agronomy.

"Many scientists, even those who have relevant backgrounds, don't always know where to begin," Yu said. "We have been receiving feedback that the new paper is very timely and helpful." Recently, the College of Agriculture and Life Sciences at Iowa State asked Yu and Negus to review highlights of their new publication and reflect on the uses and implications of AI tools in their field.

Yu: One thing we do in this paper is to briefly sketch Al's historical context. It has been

14% of sorghum is planted, compared to 16% on average.

The USDA's weekly national crop progress and condition reports run through the end of November.

USDA Annual Hemp Report is available. Click here to read.

#### By Farms.com

Mexico has extended the timeline for banning imports of genetically modified (GMO) corn from the U.S. until 2025. Originally slated for implementation by March 2024, the decision has been deferred to address concerns about jeopardizing the nation's agricultural output and food security.

This decision stems from ongoing tensions over agricultural technology and environmental safety. President Andrés Manuel López Obrador's administration aims to protect native corn varieties and eliminate the use of the controversial herbicide glyphosate, which is deemed harmful to both human health and the environment.

The delay allows more time for Mexican officials and industries to evaluate the economic impacts and explore alternative agricultural practices. This interim period is crucial for the seed industry, which may need to pivot towards producing non-GMO and alternative crops to adapt to the upcoming changes in import regulations.

The potential ban has prompted significant discussions regarding the future of agricultural biotechnology and its role in international trade. Most of the corn imported from the U.S. is used for animal feed and industrial purposes, not directly affecting food products like tortillas and dough made from white corn, which represents a small fraction of U.S. corn production. developing since the 1940s, and what is considered the third AI summer is underway. Deep learning systems have defined the early years of this era.

For crop improvement, AI has largely been deployed to help process and make sense of very large, high-throughput data sets. Large-scale data has become a new challenge in agronomic research and many other areas of science, and AI tools are already providing diverse solutions.

Negus: The field of AI has been rapidly changing in recent years. It can be difficult to know what methods are relevant for specific uses. To streamline this learning process for areas related to crop improvement, we describe more than 15 types and subtypes of AI and give insights on how they are being used in these fields. These methods are not exhaustive, but I think this provides a good introduction to what's out there today and the building blocks of tools we can expect to be developed in the near future.

While the newsworthy AI of today is most often very sophisticated neural networks, other examples of AI range from comparatively simple robotic process automation, which uses an AI "agent" capable of conducting repetitive processes that have enough variability to prevent the use of standard process automation, to relatively complex expert and fuzzy systems that attempt to replicate the problemsolving capabilities of human experts, to other types of highly advanced machine learning.

Machine learning (ML) is a type of AI that uses large data sets to improve through experience, or learn, and then uses the outcomes to solve problems or make predictions. ML is being put into practice widely in the crop improvement field. ML methods using genomic, enviromic, phenomic and other multi-omic approaches are helping researchers capture environmental and genetic variations to better understand their influences on crop breeding and management.

Yu: Together, these applications are quickly revolutionizing agricultural practices in the laboratory, the greenhouse and the field. For researchers in crop improvement to adopt AI methods, it is desirable to know the potential advantages of AI methods over traditional methods. For breeders, the improved capacity to monitor and forecast crop growth and health under different genetic, environmental and management combinations has the potential to greatly facilitate decisions about crop selection. For producers, it will be desirable to leverage AI to improve sustainability and resiliency through enhanced onfarm production management.

Keeping up is a challenge that those involved in crop improvement are familiar with. For the last century, that challenge has been framed around keeping up with the demand of a growing world During this postponement, Mexico's relevant ministries and the Federal Commission for Protection against Health Risks will continue their search for alternatives to glyphosate and other hazardous agricultural chemicals.

The ongoing uncertainty surrounding the ban illustrates the complexities of integrating modern agricultural technology with traditional farming practices and highlights the global challenges of ensuring food security and sustainability in agriculture.

Researchers from Ryukoku University and Osaka Metropolitan University in Japan have grown transgenic eggplants with high betacarotene content. These crops were grown under artificial lighting.

Eggplants only have few carotenoids, like beta-carotene, compared to tomatoes. That is why scientists are searching for ways to boost the amount of beta-carotene in eggplants to make it more nutritious. The researchers inserted a *PSY* gene from bacterium Erwinia *uredovora* into the eggplant to confer beta-carotene accumulation. Their results showed that the beta-carotene content of the eggplants grown under artificial light were 5 times higher than the crops grown in the greenhouse. However, they were smaller in size, which may indicate that fruit development was inhibited by beta-carotene accumulation.

The results provide valuable information for developing transgenic eggplant varieties rich in beta-carotene that thrive under artificial lighting conditions.

Read the article on <u>*J-Stage*</u> for more information

BrownfieldAgNews reports:

A bill has been introduced in the U.S. House that would allow

population, and this continues to be the major concern. Now, changing climates further complicates the task. Al has great potential to help with these challenges, but we have a lot of work to do to fully capitalize on this potential, and we need to rapidly increase training and skills in these areas.

However, if the prior success achieved from leveraging innovative technologies for crop improvement is any indication, the future of Alassisted crop improvement is bright.

### Factoids

**EPA REPORTS AG INDUSTRY'S GREENHOUSE GAS EMISSIONS DROPPED 2% IN 2023** By Daniel Munch, Economist, American Farm Bureau Federation

U.S. agriculture represents just under 10% of total U.S. emissions when compared to other economic sectors. Overall U.S. greenhouse gas emissions increased from 2021 to 2022 by 1.3%, though agricultural emissions dropped 1.8% - the largest decrease of any economic sector.

The aggregate nationwide emissions increase in 2022 was likely a result of the continued return of economic activity after the COVID-19 pandemic; with the slow return of food service, entertainment and travel came the emissions associated with those activities. Agricultural production remained vital throughout the COVID-19 disruptions and lockdowns as the world still required food. Net emissions were 17% below 2005 levels.

The nearly 2% drop in U.S. agricultural emissions from 2021 to 2022 highlights the success and continued importance of voluntary, market- and incentive-based conservation practices that help farmers and ranchers access finances for the research and technology needed to take everbetter care of our natural resources. 2022 marks the lowest U.S. agricultural greenhouse gas emissions since 2012.

To read the entire report click here.

Editor's Note: We followed the trail of these numbers as far as one can via the internet and well past the U.S. EPA's Inventory of U.S. Greenhouse Gas Emissions & Sinks annual reports. We're always curious about the methods utilized to arrive at such numbers and doubly so now that it is apparent that future regulations will be based on federal government estimates of agriculture's contribution to global climate change.

We were unable to find any descriptions or examples of specific scientific process used to arrive at "estimates" for ag's contributions to climate change. Current estimates by the EPA say we are responsible for 10% of the U.S. contribution to global climate imbalance and lauds the most recent "estimate" at 8% representing a decrease of 2%. Congratulations.

The further one delves into the EPA's "data" you will

E15 to be sold during the 2024 summer driving season.

Congressman Zach Nunn says the Year-Round E15 Act wouldn't have been necessary if the U.S. EPA would have enacted year-round sales beginning this year.

"This year, (the EPA) is not budging," he said. "They're talking about allowing E15 in the out years. I've asked the secretary of agriculture to weigh in in support of this. They were not able to be of assistance. We've asked the EPA repeatedly to lift this waiver and they've been nonresponsive."

The Iowa Republican tells Brownfield the legislation has received bipartisan support, but Congress faces a short window to get it passed.

"We've got to have this done before May," Nunn said. "The waiver would need to either be approved or the legislation signed by that time, and I feel very confident that we can move forward together on this."

Nunn says the bill would extend the Reid Vapor Pressure (RVP) volatility waiver to ethanol blends above 10 percent to allow for year-round E15 sales in Iowa, Illinois, Missouri, Minnesota, Nebraska, Ohio, South Dakota, and Wisconsin.

The Year-Round E15 Act is cosponsored by U.S. Representatives Adrian Smith (NE-03), Nikki Budzinski (IL-13), Brad Finstad (MN-01), Eric Sorensen (IL-17), and Don Bacon (NE-02). find less and less information about where it comes from, who gathered it (they say "experts"), justification for why the data should be considered reliable, and no verification of the "estimates" by any credible authority outside the agency.

For all we know these numbers may be fairly accurate. For all we know they could represent a total fabrication. There is, literally, no way to determine the accuracy of these "estimates" given the "trust us" attitude at the EPA and their complete lack of transparency concerning their materials & methods used to arrive at these "estimates."

#### **COMMODITY GROUPS CALL FOR TRADE COMMISSION TO NIX DUTIES ON HERBICIDES** Source: National Corn Growers Association (NCGA) news release

Six of the nation's major commodity groups, including the National Corn Growers Association, sent a letter to the U.S. International Trade Commission today encouraging it to vote negative in advancing a petition by Corteva Agribusiness to place antidumping and countervailing duties on imports of the herbicide 2,4-D shipped from India and China.

The letter said if the U.S. International Trade Commission votes to continue the case beyond the preliminary stage, farmers across the country could soon find it difficult to access critical supplies. The letter, signed by leaders from the

\*American Soybean Association,

\*National Association of Wheat Growers,

\*National Barley Growers Association,

\*National Corn Growers Association,

\*National Sorghum Producers and

\*U.S. Durum Growers Association

expressed concerns that the petition could hinder imports and cause herbicide shortages.

"The imports covered by this case are the large majority of sources of supply other than Corteva, which is the only U.S. supplier," the letter said. "To put it simply, America's farmers cannot rely upon a sole domestic supplier of 2,4-D to meet nearly all the market's needs, and imports are needed to meet the majority of market needs."

Duties on 2,4-D imports from the two countries would intensify what is already a difficult period for many growers as key input costs continue to increase.

The U.S. Department of Agriculture is projecting record high farm production cash expenses for 2024. At the same time, crop values are declining. USDA projects total cash receipts for crops in 2024 will be 11.7% lower than 2022.

The letter noted that the petition, which seeks to

limit imports of a critical farm input, only makes a rough environment even more challenging. "There is no way for farmers to make up for the additional costs, as we are price takers, not makers, in selling crops," the leaders said. "If this case moves forward, we will be forced to make budget cuts that can impact our operations as well as our local economies. To put it simply, the weight of a dispute between multinational companies would fall directly on the shoulders of growers." The ITC is scheduled to vote on its preliminary determination in this case on May 17, 2024.

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