

House Ag Committee hears Commodity Board testimony

HARRISBURG — The Pennsylvania House Agriculture Committee recently conducted a hearing in Biglerville on House Bill 1687, which proposes to strengthen the powers of the Commodity Marketing Boards. The hearing was held under the direction of Rep. Samuel W. Morris of Chester County.

Co-sponsored by Reps. John H. Broujos (Adams, York and Cumberland Counties) and Kenneth J. Cole (Adams County), the bill was prepared by various farm groups in response to a legal opinion of the Office of Counsel of Governor Thornburgh, which interpreted the Agricultural Commodities Marketing Act of 1968 to give absolute discretion in the Secretary of Agriculture to make all decisions with respect to administration of the Commodity Marketing Programs.

Broujos stated at the hearing, "For 17 years everyone was satisfied that the system worked well with authority in the marketing boards over contracting and personnel decisions. This bill merely places the final say where it should be: on the farmers who pay for the program."

Seven persons and organizations testified in favor of the bill, including the Pennsylvania Farmers Association, fruitgrowers and milk producers.

Don Duncan of The Pennsylvania Milk promotion Board

testified that some of the problems were being corrected and that the program should remain as presently administered.

Secretary of Agriculture Richard E. Grubb testified in opposition to the bill, complaining that the bill would create problems of accountability, disparity among separate commodity programs, and a division of labors.

Rep. Jeffrey W. Coy (Franklin County) stated that, "This has been a productive meeting. I heard things today that have convinced me of the need for this bill."

Morris stated, "This issue must be resolved. However, there seems to be a difference between the Milk Marketing Program and the Apple Marketing Program, so we may need to address this distinction."

Rep. Broujos said that, as a result of the hearing, a new bill would be introduced along the same lines of strengthening the marketing board, but addressing some of the questions raised at the hearing, such as accountability.

There was a general consensus among those who testified that the opinion of the Governor's Office was responsible for the defeat of the Apple Marketing Program in a referendum of June, 1985.

Arthur Rice, former Apple

Advisory Board Chairman, one of the writers of the original bill, stated that the fruit growers turned down the program because, "If we can't administer our own program, why have a program? We support this bill to clarify that the authority is delegated to the people running the program."

John Rice, another fruit grower from Adams County, who also served on the Marketing Board, stated that "The growers do not have control. They used to hire who they wished. It was a popular program, but suddenly it looked like it was being taken away. The program prior to the legal opinion avoided time consuming administrative procedures and was accountable to the growers."

James Lerew, of Latimore Township, Adams County, gave an example of the advantage under the old board: a quick marketing program for perishable products, rather than the delayed routing of contracts under the new system.

John Bell, Director of Research for the Pennsylvania Farmers' Association told the committee that the need to amend the law which established state commodity promotion programs arose from a legal memorandum issued by the Thornburgh Administration

on Feb. 13, 1985. That legal memo, Bell explained, makes all commodity program decisions regarding staff employment and marketing contracts subject to the approval of the office of the Governor.

Bell said, "You have recently seen the practical effect of this legal decision by the office of General Counsel — defeat of the referendum to continue the apple marketing program. This referendum defeat epitomizes the feeling of many producers that they no longer have a viable say in the expenditure of money they have supplied through assessments for development of commodity marketing and research."

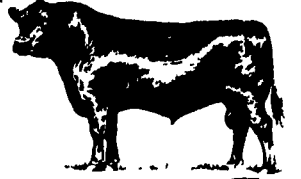
Bell said PFA believes, "Since the producers, not the public, provide the funding for commodity programs, the representative commodity marketing boards, not the Governor, should be given the primary say in how program funds should be spent."

H.B. 1687 will restore the spirit of the law and amend present law to allow commodity marketing boards a cooperative autonomy with the Secretary of Agriculture in implementing commodity programs, Bell said.

"We enthusiastically support any effort to statutorily correct the administrative dilemma which the Feb. 13 memorandum has created for commodity board," Bell told the committee, "We urge you to report a bill out of committee amending the Agricultural Commodities Marketing Act with statutory language that conclusively reflects the Act's intended purpose to give commodity boards effective decision-making authority in commodity program administration."

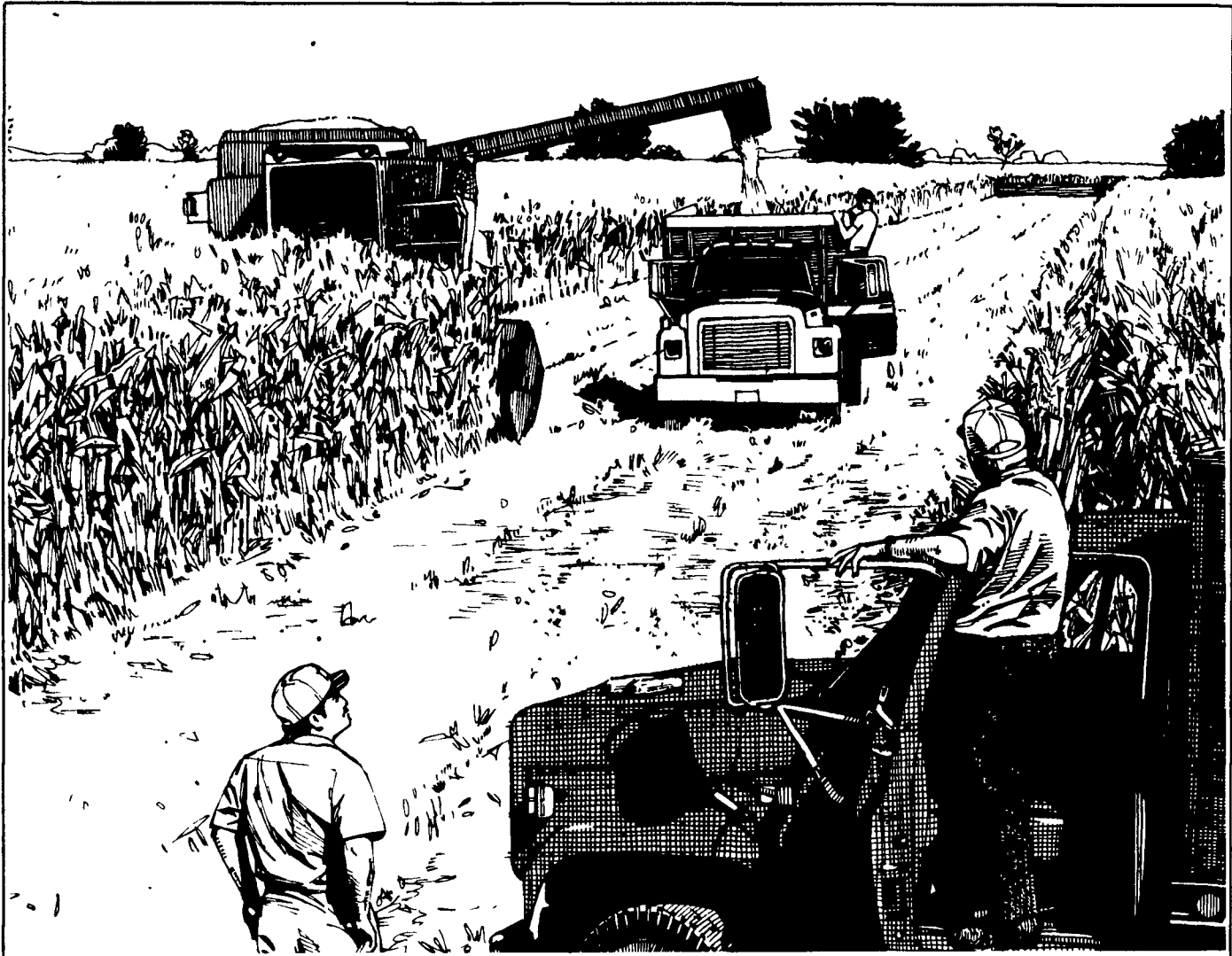
During the entire hearing, speaker after speaker praised Secretary Grubb for his concern for the marketing program, stating that they had no quarrel with his role in administration of the program.

The Agriculture Committee will consider the bill at a future date before the entire committee membership, at which the public can attend.



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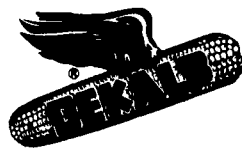
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