

Farm Bureau Files Court Brief On OSHA Small-Farm Ruling

PARK RIDGE, Ill. — The American Farm Bureau Federation (AFBF) and the Wisconsin Farm Bureau Federation have filed a friend-of-the-court brief challenging a Wisconsin Circuit Court ruling that expands federal workplace regulations to small farms.

If upheld, the ruling could set a precedent to apply Occupational Safety and Health Act (OSHA) regulations to small farms, which would cause severe economic hardships for those producers.

The case involves action against Doane Derricks, a small dairy farmer in Pierce County, Wis., who was sued in 1997. The plaintiff in that suit fell through a hay chute, despite being warned before entering the haymow that the chutes had been left open. The plaintiff performed general farm chores for

Derricks in exchange for feed for her horses.

A circuit court judge allowed testimony about, and then applied, OSHA's "general duty clause," which requires employers to furnish each employee a place of employment free from recognized hazards that may cause death or serious physical injury. Small farms, those with 10 or fewer employees, are exempt from federal enforcement of OSHA's general duty clause.

By applying the general duty clause given by the court's instructions, a jury found that Derricks was strictly responsible for the plaintiff's injuries. The verdict was appealed to Wisconsin's Third District Court of Appeals. Farm Bureau is entering, as a friend of the court, to represent and protect

the interests of small farmers from having OSHA liability regulations extended to them.

Farm Bureau argues that applying the clause to small family farmers would unlawfully impose strict liability on a broad range of inherent farm activities.

"If allowed to stand, this court ruling would jeopardize America's small farmers by unlawfully extending OSHA regulations that were never intended to apply to them," said AFBF President Dean Kleckner. "The result would open the door for the federal government and the courts to reach into every small farm in the country for injuries suffered in the day-to-day operation of a farm."

"Weather, long days, animals and powerful equipment all pose

threats to farmers, but they work very hard to avoid and prevent risks," said Wisconsin Farm Bureau Federation President Dan Poulson. "It's unreasonable and

unfair to require the small family farmer to face automatic liability if he or she does not prevent every imaginable hazard."

**A LESSON
WELL
LEARNED...
LANCASTER
FARMING'S
CLASSIFIED ADS
GET RESULTS!**

**BUY,
SELL,
TRADE
OR
RENT
THROUGH
THE
CLASSIFIED
ADS
IN
Lancaster
Farming**

PHONE
717-626-1164
OR
717-394-3047

FAX
717-733-6058



Mon., Tues.,
Wed., Fri.
8 AM to 5 PM
Thurs.
7 AM to 5 PM



J-STAR

YOUR ALL-IN-ONE FARMSTEAD EQUIPMENT SOURCE

Silo Unloader Technology Takes a Giant Leap Forward!

**BIG JIM. Quantum™
SYSTEM**

SIMPLY THE BEST!

You know tower silos are the best way to store feed. Now Jamesway® gives you the best way to fill and feed fast, with great reliability. Plus, you get:

- Better Feed Quality
- More Feed Storage
- A Clean Chute

The all-new industrial-design Big Jim QUANTUM System can be installed in any type of 20' to 30' forage silo... conventional or oxygen limited. And since it requires little maintenance and has no doors to change, you eliminate trips up and down the silo



CALL US TODAY FOR A
VIDEO AND BROCHURE.

The
Silo Unloader
Experts



LEASE IT TODAY WITH
ONE PAYMENT DOWN!

9" & 11"

Single Chain Conveyors

MOVE TONS OF FEED FAST & EFFICIENTLY

Now get the best of Jamesway®, Van Dale® and Starline® in J-STAR'S high capacity single chain feed conveyors. Available in 9" and 11" models to match distances up to 150', their belt and chain reduction drive is factory pre-assembled for easy installation. The 9" conveyor has #62 steel chain with metal backed rubber flights; 11" has 667H pintle chain and rubber flights. Both models also feature safety/service shutoff switch conveniently located on conveyor drive.



For high capacity feed conveying that offers you built-in flexibility, look no further than the one name that says it all — J-STAR.

- **CABLE ALLEY SCRAPER**
- **WASTE HANDLING EQUIPMENT**
DUMPS - TANKS - TILLAGE APPLICATOR
- **FEED HANDLES**
BELTS - FEEDERS - CONVEYORS

See These Dealers For Details Now...

FRANKLIN'S FARM SERVICE
Laceyville PA 570-869-2407

HARRY TROOP
Cochranville PA 19335
215-593-6731

HISTAND'S FARM & HOME SERVICE
Rome PA 570-744-2371

HOOVER EQUIPMENT
Tyrone PA 16686
814-684-1777

LAPP'S BARN EQUIPMENT SALES & SERVICE
Gap PA 17527
717-442-8134

JAMES L. HOSTETTER
McVeytown PA 17051
717-899-6386

McMILLEN BROTHERS
Loydsville PA
717-789-3961
(VanDale Dealer)

PRINGLES SUPPLY & EQUIPMENT INC.
Greenville PA 16125
724-588-7950

ROVENDALE AG & BARN EQUIPMENT
Watsontown PA 17777
570-538-9564
OR 570-742-4226

SOLLENBERGER SILOS CORP.
Chambersburg PA 17201
717-264-9588

SOMERSET BARN EQUIPMENT
Somerset PA 15501
814-445-5555

STAR SILOS
Myerstown PA 17067
717-866-5708

WALNUT BARN EQUIPMENT
Port Royal PA
717-436-9429

NEW JERSEY
GEORGE COLEMAN
Elmer, NJ 08318
609-358-8528

MARYLAND
GLADHILL TRACTOR MART
Frederick MD 21701
301-663-6060

MD & VA MILK PRODUCERS ASSOC.
Frederick MD 21701
301-663-6552