I cannot believe that December is upon us! I hope each of you had a great Thanksgiving and were able to survive Black Friday and Cyber-Monday without spending too much money. Last Tuesday, we held our annual “Snowbird” Pesticide Re-certification session and our last Fertilizer Certification session for 2015 in Burton, Ohio. It was nice to be able to complete these trainings to allow some of our farmers to head south for the winter early and not worry about staying around until January to complete their required training. Today, I have included the information on our 2016 sessions. Yesterday, we mailed the registration forms to the Ashtabula & Trumbull producers whose license expires on March 31, 2016- so watch your mailbox details. Lastly, we have been really lucky as far as the weather has been concerned with only trace amounts of snow in November. Here is hoping for a mild, gentle winter. After all, don’t we desire it? Have a good and safe week.

David Marrison, AG Educator

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Private Pesticide Applicator Re-Certification Session & Commercial Fertilizer Application Certification Sessions to be held across Northeast Ohio in 2016

Does your Private Pesticide Applicator’s License expire on March 31, 2016? If so, OSU Extension in Northeast Ohio has planned four pesticide re-certification sessions for producers. These sessions will be held on January 15 at the Williamsfield Community Center, January 29 at the Geauga County Extension office, February 10 at the Trumbull County Extension office and February 24 at the Perry Community Center.

Each of these sessions will offer 3 credits for pesticide re-certification for CORE and All Categories (1-6). Private Pesticide Applicators are encouraged to choose the session which best fits their schedule the best. Additionally, a special session will be held during the same day and location for private pesticide applicators who would like to complete their Commercial Fertilizer Application Certification. Due to Ohio’s new legislation, any producer who applies commercial fertilizer to 50 or more acres must be certified by no later than September 30, 2017. Attend this session to complete your certification.
The times and locations for each of the sessions are:
Friday, January 15, 2016 at the Williamsfield Community Center in Williamsfield, Ohio.
Private Pesticide from 9:00 to 12:00 noon & Fertilizer Applicator Certification from 1:00 to 4:00 p.m.

Friday, January 29, 2016 at the Geauga County Extension office in Burton, Ohio.
Private Pesticide from 9:00 to 12:00 noon & Fertilizer Applicator Certification from 1:00 to 4:00 p.m.

Wednesday, February 10, 2016 at the Trumbull County Extension office in Cortland, Ohio.
Private Pesticide from 9:00 to 12:00 noon & Fertilizer Applicator Certification from 1:00 to 4:00 p.m.

Wednesday, February 24, 2016 at the Perry Community Center in Perry, Ohio.
Private Pesticide from 6:00 to 9:00 p.m.

The registration fee is $35/per person for the private pesticide applicator re-certification. There is no fee for the fertilizer certification session. A hearty farmer’s lunch and refreshments will be provided for attendees for a fee $10/person. Pre-registration is required eight days prior to the session date. An additional late registration fee of $25 per person will be added for any late registration. Make checks payable to OSU Extension and mail to OSU Extension-Geauga County, PO Box 387, Burton, Ohio 44021. More information can be obtained by calling the Geauga County Extension office 440-834-4656.

How Can I Obtain a Private or Commercial Pesticide Applicator License?
Farmers and agricultural industry personnel can obtain either a “Private” or “Commercial” pesticide applicator license through the Ohio Department of Agriculture (ODA). OSU Extension helps in the licensing process by providing study material, practice exams, and local test preparation classes. OSU Extension also provides annual re-certification sessions for applicators to attend to obtain the continuing education requirements needed.

Private Pesticide Applicator’s Licenses are for farmers who apply restricted-use pesticides on his/her own land (or rented land) and produce an agricultural commodity. Each private applicator is required to take & pass the CORE test (general safety for the applicant and the environment) and any category(ies) that correspond to the crops he/she grows. There are 7 categories which certification can be received: Grain and Cereal Crops (category 1), Forage Crops and Livestock (category 2), Fruit and Vegetable Crops (category 3), Nursery and Forest Crops (category 4), Greenhouse Crops (category 5), Fumigation (category 6), and Specialty Uses (category 7). Study materials can be found at: http://pested.osu.edu/privateteststudy.html Complete details on the licensing process for private pesticide applicators can be found at: http://pusted.osu.edu/privatelse.html

Commercial Pesticide Applicator Licenses are for farmers or industry personnel who apply pesticides for a business or on land owned by someone else, and usually receive payment for their services. In agriculture this includes agricultural businesses who custom spray crops, as well as farmers who are hired to custom spray for fellow farmers. The commercial license area also includes applicators who work for a government or public agency such as a K-12 schools, colleges, universities, villages, townships, and park districts, in addition to applicators who apply to sites accessible to the public.

Each commercial applicator will need to take and pass the CORE test (general safety for the applicator and the environment) and the category(ies) that correspond to their commercial spray operation. These categories include: Aerial Pest Control (category 1), Agricultural Pest Control (category 2 with 6 sub-categories); Aquatic Pest Control (category 3 with 3 sub-categories), Forest Pest Control (category 4 with 2 sub-categories), Industrial Vegetation (category 5), Ornamental Plant & Shade Tree Pest Control (category 6 with 4 sub-categories), Vertebrate (category 7), Turf (category 8), Animal Pest Control (category 9), Domestic, Institutional, Institutional,
Structural & Health Related Pest Control (category 10 with 4 sub-categories), Livestock Predator Control (Category 11 for USDA employees only), and Wood Destroying Insect Diagnostic Inspection (category 12). Complete details on the commercial categories and their sub-categories can be found at: [http://pested.osu.edu/catlist.html](http://pested.osu.edu/catlist.html). More information about the commercial licensing process can be found at: [http://pested.osu.edu/commbecome.html](http://pested.osu.edu/commbecome.html)

**Preparation Class for Private Pesticide Applicator License Test to be held on February 4, 2016 in Burton, Ohio**
OSU Extension in Northeast Ohio will be providing a training session to help farmers prepare for the Ohio Department of Agriculture’s Private Pesticide Applicator’s Exam. This class is not required but is a great opportunity for applicators to learn what they will need to study for the test. This class will be held on **Thursday, February 4, 2016** from 1:00 to 4:30 p.m. This session will be held in Burton, Ohio at the Geauga County Extension office. The registration fee for this program is $35/person, which includes all CORE study materials. Call the Geauga County Extension office at 440-834-4656 to register or for more information.

**Private & Commercial Pesticide Applicator Testing to be held by Ohio Department of Agriculture During Winter of 2016**
Are you looking to take obtain your private or commercial pesticide license or wish to add an additional category to your existing license? The Ohio Department of Agriculture will be holding testing sessions during the winter/spring of 2016 in Northeast Ohio. These tests are administered by the Ohio Department of Agriculture and are held at Extension offices in northeast Ohio as a courtesy to producers. Pre-registration is required for each location and can be made by calling the ODA at 614-728-6987 or 1-800-282-1955 (press 3 then 1). Study materials online can be found at: [http://pested.osu.edu/privatestudy.html](http://pested.osu.edu/privatestudy.html)

**Ashtabula County**
Location: OSU Extension Office
Basement Meeting Room
39 Wall Street
Jefferson, Ohio 44047
For Directions Call 440-576-9008

**Date**
March 23 (beginning at 10:00 a.m.)

**Geauga County**
Location: Geauga County Extension Office
Patterson Center Basement
P.O. Box 387
14269 Claridon-Troy Road
Burton, OH 44021-0387
For Directions Call 440-834-4656

**Dates**
February 17 (beginning at 11:00 a.m.)
March 16 (beginning at 11:00 a.m.)
April 20 (beginning at 11:00 a.m.)
May 18 (beginning at 11:00 a.m.)
June 15 (beginning at 11:00 a.m.)

**Trumbull County**
Location: Trumbull County Extension Office
520 West Main Street, Suite #1
Cortland, OH 44410
For Directions Call 330-638-6783

**Date**
April 13 (beginning at 10:00 a.m.)
Easily Collect and Manage Calving Records in Real-Time

Dr. Gustavo M. Schuenemann, Department of Veterinary Preventive Medicine, The Ohio State University

A comprehensive calving management program involves many components, but one of the most important aspects for decision-making is valid and reliable records. Dairy farmers, consultants, and veterinarians often trouble-shoot calving-related losses within herd; however, the lack of meaningful records makes it difficult to implement effective corrective measures. Keeping accurate and complete records of calving-related events is key to reducing the prevalence of stillbirth around parturition and improving calf development. In many dairy herds, there are shared responsibilities for a given task, shift changes, turnover, absenteeism, and the subsequent communication challenges.

Dr. Gustavo M. Schuenemann has developed eCalving™, a touchscreen application (app), for dairy producers and personnel to easily record and manage calving-related records in real-time. The eCalving™ app is currently available for Android smart devices at www.ecalving.com within OSU Veterinary Extension, and it is free of charge and available for anyone who would like to utilize this tool to aid in their decision-making process. It is important to note that the timing and accuracy of data are always dependent on the willingness and cooperativeness of the individual recording the information. This user-friendly tool requires minimal training to use, but personnel must possess sound knowledge and skills regarding calving and colostrum management (what to look for and why it is important). Training for calving personnel is available from Dr. Gustavo M. Schuenemann at OSU Veterinary Extension upon request to increase technical knowledge, skills, and build teamwork. The app was designed to benefit herd-specific calving management programs by helping farms keep more accurate and complete records, and to monitor personnel adherence to established protocols and standard operating procedures (SOP). The app captures those calving-related events associated with stillbirth and calf development. Novel components of the app include:

1. Login screen for individual herds.
2. Capture of selected calving-related events for both dam and calf (e.g., parity, breed, body condition score, hygiene of perineum, calving ease, sex of calf, presentation, and personnel).
3. Rolling list of active cows with an alarm to monitor calving progress and time in labor.
4. Rolling list of active calves (single or multiple) within 24 hr after birth.
5. Colostrum management practices (quality, quantity, time of administration, calf vigor, birth weights, and personnel).

A field study was conducted to assess the effectiveness of the eCalving™ app in dairy herds (Barragan et al., 2015). Calving events collected by personnel (n = 23) from 6 large dairy operations (range: 900 – 5,000 cows) were recorded. Calving personnel reported that the information provided during the training was relevant (agree = 14.3% and strongly agree = 85.7%) and of great immediate use (agree = 33.3% and strongly agree = 66.7%). The app captured calving events and integrated multiple metrics with personnel performance (accounting for the effect of shift change), such as the dam (e.g., date-time of calving), colostrum (e.g., timing, quality, and quantity), and newborn calf (e.g., presentation and vigor). The follow-up assessment with participants revealed that the app was easy to use (91.3%) and that they would like to keep using it. These findings showed that decision-makers can monitor calving events and losses (magnitude and time) at the farm level while accounting for the effect of management.

Calving is an essential requirement of the production system in which cows initiate lactation and provide the future replacements for the herd. Too often, the success of calving management programs are evaluated only on the basis of calf survival, which substantially undervalues other factors contributing to superior management. Economic losses associated with dystocia can have severe consequences in dairy herds. It is known that dystocia increases the risk for stillbirth and maternal injury, leading to increased risk for uterine disease (metritis) and reduced milk yield and reproductive performance of lactating dairy cows (Curtis et al., 1983). Without considering medical and replacement costs, the percentage contribution of the total costs resulting from dystocic births was reported as 41% due to
reduced milk yield, 33.4% due to reduced fertility, and 25% due to cow-calf losses (Dematawewa and Berger, 1997). Prevention of stillbirth (calf born dead or died within 24 hours after birth, normal gestation length) at the herd level requires an ongoing and constant effort with effective coordination of the whole system (animals, feed/water, facilities, environment, and personnel).

Considering the diversity of production systems, adoption of herd-specific management practices is critical to prevent calving-related losses (e.g., stillbirth, dam injury, and uterine diseases) without neglecting animal welfare and profitability. When designing calving protocols within-herd, it is important to keep in mind the risk factors associated with stillbirth. Difficult births at calving, backward presentations, calf gender (male), parity (primiparous cows), season (winter and spring), and the time around the shift change (calves born 1-hour before and after) of herd personnel have been associated with increased risk for stillbirth (Lombard et al., 2007; Schuenemann et al., 2011; Hunter et al., 2013). For instance, distribution of births with respect to season (daily or weekly birth rate) and the same number of calving personnel might increase the risk for stillbirth because of increased number of cows calving per unit of time and the real possibility of late intervention (unable to assist multiple cows with dystocia at the same time). A proactive calving management program should cover at a minimum the following five areas: (1) nutrition and reproductive management of replacement heifers (from birth to weaning, from weaning to breeding, and from breeding to calving) and dry cows; (2) appropriate calving and colostrum protocols and SOP; (3) efficient training and re-training of personnel; (4) calving-related records; and (5) adequate facilities. The eCalving™ app addresses point #4 (records) and the data collected can be used to assess the human element associated with points #2 (protocols and SOP) and #3 (training).

**References**


**Silage Pile Management & Safety**

By [Rory Lewandowski](#), Extension Educator, Wayne County

It is easy to see the importance silage plays in ruminant livestock rations by observing the number of bunker silos and silage piles that are on area farms. Feeding out that stored silage requires management. Silage management can be discussed from two perspectives, one being how to manage the removal of silage from the silo to maintain silage quality and promote animal intake and the other on how to keep farm workers, family, and visitors safe around the bunker.

The key point to remember is that air is the enemy of silage quality. Once silage is exposed to air quality begins to decline. The reason is that yeast begin to grow in the presence of oxygen and those yeast metabolize the lactic acid
that was formed during silage fermentation. That lactic acid keeps silage pH low, preserving silage quality. As yeast metabolize the lactic acid, silage pH begins to increase and this allows fungi and bacteria to grow, which results in silage quality degradation. After the bunker silo or silage pile is opened up and silage starts to be used, the goal is to remove an adequate amount of silage each day from the bunker so that the face of the silage remains fresh and silage quality is maintained. In general, a minimum of 8-12 inches of width should be removed from the silage face each day.

Silage face management is important. Bunker silos or silage piles that have poor face management, generally characterized by uneven and/or rough silage faces, will have a higher silage pH and higher temperature at that face surface compared to the silage maybe 2-3 feet behind the face. Higher pH and temperature indicate yeast activity which results in silage heating. The bunk life of this silage is decreased and dairy cattle usually eat a lesser amount of this type of silage compared to silage that is managed better. The goal is minimize the penetration of air into the new silo face as silage is removed so equipment that allows a smooth face to be maintained is preferred. Silage face shavers (or defacers) and silage rakes are designed for this purpose. Digging into the face of the silage should be minimized because that usually creates a rough, uneven face with more potential for silage avalanches. If a front end loader is used, do not dig into the pile from the bottom but rather remove silage from the top down, keeping the face smooth across the entire width of the bunker silo. A smooth silage face reduces the surface area exposed to air, reduces the amount of water that may be caught and reduces the chance of a silage avalanche.

The top priority when working around a bunker silo or silage pile should be safety. There are too many stories of silage avalanches occurring just after a worker has left the silage face or equipment betting hit by a silage avalanche, or worse, the tragedy of a person losing their life after being buried under a silage avalanche. The first point in silage safety is to recognize that silage avalanches are real and there is no way to predict when and where they will occur. Although a rough or uneven silage face, or one that has been undercut, is more likely to have an avalanche, even a well maintained smooth silage face could have part of that face fall away. With the size of many of the bunker silos that we commonly see today on farms, those avalanches involve multiple tons of silage falling. If a person is located below when that occurs, this can easily result in a fatality.

A few silage safety guidelines that should be followed include:

• Never stand closer to the silage face than 3 times its height. When a silage avalanche occurs, the silage falls down and runs out away from the silage face.
• Do not fill bunker silos higher, or create silage piles higher, than your unloading equipment can reach. These are the situations that most typically create overhangs when removing silage. Generally most unloading equipment can reach 12 to 14 feet above the silage floor.
• Follow the “buddy” rule and never work in or near a bunker or pile alone. Suffocation is a major concern in the event of a silage avalanche and the minutes saved in a rescue attempt because of the buddy rule could mean the difference between life and death.
• Use proper removal or unloading techniques. Never dig the bucket of a loader into the bottom of the silage. Do not undercut the silage face. Shave the silage from the top down on the silage face and maintain a smooth silage face.
• When collecting a silage sample for quality analysis, do not sample from the silage face. Collect silage in a loader bucket and sample from that loader bucket after it has been moved a safe distance from the silage face.
• Consider posting a warning sign: “Danger! Silage Face Might Collapse” around the perimeter of bunkers and piles.

Reference materials used in this article include an eXtension article by Donna Amaral-Phillips at the University of Kentucky available on-line at: http://tiny.cc/bunkersilomgmt and the Silage Safety Handbook by Lallemand Animal Nutrition.
More information about silage management and safety available at [Horizontal Silo Safety: Penn State Extension publication](#) and [Silage Face Management: California Extension publication](#)

**Farm Transition Considerations: Working with an Attorney**

*Dr. Chris Zoller, Extension Educator, ANR, Tuscarawas County, The Ohio State University*

Questions and issues from families about transferring their farm businesses to the next generation often arise. Most farm business transfers will involve a group of experts to advise you through the process. In most cases, an attorney will need to be a part of the transition process. For some, finding an attorney the family feels comfortable with can be difficult, but it can be done. Options available to help you locate an attorney include: reviewing websites of law firms that specialize in estate planning, talking with friends or relatives about attorneys they use, or using one who has advised your family on other legal matters related to the business.

When meeting with an attorney for the first time, there are several questions you will want to ask, including:

- What is your expertise in the field?
- Have you handled matters similar to mine?
- What paperwork is involved?
- What are your rates and how often will you bill me?
- Will you consider doing the work for a flat fee?
- Can you give me an estimate of the cost?
- How will you inform me of the progress?
- Do you have any conflict of interest?
- Who else in the office will work on my case?
- Can paralegals or junior attorneys handle some of the work at a lower cost?

Your first meeting should be one where you and the attorney get to know each other. The attorney will want to know some background about the farm and your goals for transferring ownership. Come prepared with written information about your background, goals, and questions you have for the attorney.

Documents the attorney may ask you to bring to the first meeting might include:

- Business plan or summary of information about your farm,
- Financial records (balance sheet, tax returns, and financial statements),
- Any agreements or information about the organization of the business, and
- Organizational chart or diagram of the people involved.

Once the documents have been reviewed, the attorney may provide you with alternatives. Make certain you understand the pros and cons of each alternative. You need to make sure when you leave the office that you and the attorney have a clear understanding of the present situation, goals, and next steps. Discuss with the attorney how you will be billed, how you should expect to receive communications, and that you want copies sent to you of all correspondence prepared on your behalf.

There are a few things you can do to help minimize your attorney expenses:

- Don’t call unless you have a good reason – attorneys typically bill for phone calls.
- Plan meetings at the attorney’s office – otherwise, you will be billed for travel time and costs.
- Ask for an itemized bill that provides detailed information – this may help you see where to trim costs, especially with communication.
• Do your homework. The more time the attorney spends preparing your transfer, the more you will pay.

We’ve all heard the lawyer jokes, but attorneys are most often a necessary resource to guide you through the transition process. Find one you feel comfortable working with and capitalize on his/her expertise. Remember, you hire a lawyer to work for you, but don’t expect free legal advice or simple answers to complicated questions!

(Source: PA Farm Link, 2708 N. Colebrook Road, Manheim, PA)

**Will Robots Replace Herbicides on the Farm?**
By Ben Potter

Weed control today is hardly perfect. Hand-weeding is tedious. Chemical control is costly and can succumb to resistant weeds over time. So why not build a robot to get the job done?

That idea may seem frivolous or futuristic, but German engineers at Deepfield Robotics have already designed a functional prototype. It features a camera and sensors that are trained to identify small weeds, with a rod that stamps the weeds underground. So far, the bot can punch out 120 weeds per minute with an 80% accuracy.

“For weed treatment, that’s okay because the idea is to run multiple times over the field,” says general manager Amos Albert, general manager. “If it misses the weed one time, maybe next time it recognizes it.” The robot, about the size of a compact car, is relatively small by design, according to Deepfield Robotics. “Too heavy machines cause undesired soil compaction, and it is difficult to transport them on public roads,” they report. “Furthermore, when using heavy equipment, up to 90% of energy consumption is required for tilling tasks and to repair damages caused by the high soil compaction.”

The process takes quite a bit of calculus and computing to work, and the researchers say there are still technological challenges to overcome. They will conduct additional testing in 2016, making the question more valid than ever – will robots someday replace herbicides on the farm?

**Free Mobile App Helps Farmers Comply with New State Laws**
By: Joe Cornely

A free mobile app is now available to help farmers comply with new recordkeeping requirements created under two state laws. Developed by Knox County Farm Bureau and Knox County Soil and Water Conservation District, the Ohio Nutrient Management Record Keeper (ONMRK) was designed to help farmers comply with Senate Bill 1, which restricts the application of manure and fertilizer on frozen, snow-covered or saturated ground in the Western Lake Erie Basin, and Senate Bill 150, which requires anyone who applies fertilizer on more than 50 acres to obtain fertilizer application certification. The app is available at [www.onmrk.com](http://www.onmrk.com), Google Play and the App Store.

Over $30,000 in grant money for the development of the app was awarded through Ohio Farm Bureau’s County Water Quality Initiative Program, Ohio State University Extension and the Muskingum Watershed Conservancy District. The ONMRK app features drop-down menus that make it easy and quick for farmers to record their fertilizer...
or manure application as well as record the current weather conditions and forecast for the next 24 hours. Those records can then be printed through an Internet portal.

“We wanted to make it simple and not have farmers be at the edge of the field and entering a lot of data,” said Knox County Farm Bureau President Trish Levering. “It was very important for us to team up with the local Soil and Water Conservation District on a project like this that has an impact locally and statewide. It’s going to take a lot of people working together to improve our water quality situation here in Ohio.”

After setting up the ONMRK app on their mobile device, farmers can easily record what nutrients they apply on their farms and fields. The application screen shows the current weather and the weather forecast. If the weather forecast calls for more than ½ inch of rain, there will be a warning, letting farmers know their application could be out of compliance. The application information is quickly entered in drop-down menus that track type, time, analysis, soil conditions, method of application, field conditions and amount of nutrients applied per acre and any notes to be included in the report. All the information is saved, and application reports can be downloaded for printing from the Web portal.

The project was one of 12 county Farm Bureau projects funded by Ohio Farm Bureau this year as part of its $1 million Water Quality Action Plan. Ohio Farm Bureau provided nearly $140,000 in direct support to the county Farm Bureau water quality projects with partnering organizations providing additional matching funds.

Highly Erodible Lands and Wetlands Compliance Rules Workshop to be held on December 15 in Cortland

The Natural Resources Conservation Service (NRCS) and the Farm Service Agency (FSA) are hosting a workshop on December 15th in the Cortland Field Office (Ag Center) Meeting Room from 9:30 am – 12:00 pm to discuss Highly Erodible Lands and Wetlands Compliance rules as they apply to farm subsidies, program eligibility, and crop insurance subsidies.

This workshop is aimed to inform and educate Trumbull County producers about the rules surrounding Highly Erodible Lands and Wetlands compliance with respect to eligibility for FSA subsidies, Farm Loans, NRCS Conservation Programs, and Crop Insurance Subsidies.

Anyone with pending wetlands or HEL determination requests pending should consider attending. Learn the details on how to go through the process of what to expect, who does what, and when certain paperwork needs to be completed. More information about this program can be received by calling the NRCS office at (330) 637-2046

FDA Makes History in Approving Genetically Engineered Salmon

By Philip Brasher © Copyright Agri-Pulse Communications, Inc.

The Food and Drug Administration has approved a fast-growing, genetically engineered salmon for commercial sale, making it the first biotech animal cleared for human consumption. “After an exhaustive and rigorous scientific review, FDA has arrived at the decision that AquAdvantage salmon is as safe to eat as any non-genetically engineered (GE) Atlantic salmon, and also as nutritious,” the agency said.

FDA also said the multiple containment measures that the fish's developer, AquaBounty Technologies, would employ at its land-based production facilities in Panama and Canada should prevent the fish from posing an environmental risk. The agency declined to require that the fish be labeled as genetically engineered and instead released draft guidance for labeling salmon.
FDA says it doesn't have the legal basis to require labeling of biotech foods that are materially the same as their conventional counterpart. Alaska lawmakers have fought to stop the fish's approval, and Republican Sen. Lisa Murkowski told Agri-Pulse she will try to use the fiscal 2016 omnibus spending bill to force the fish to be labeled. “What we’re trying to do is provide some clarity to the consumer out there,” she said, calling the AquaBounty salmon a “science experiment.”

She argues that biotech animal products should be treated fundamentally different than plants when it comes to labeling. “What is happening with crops in the field and the seeds that are engineered is different than a living species designed for human consumption,” she said.

Labeling considered appropriate under FDA's voluntary guidance would include the term “genetically engineered” and statements such as: “This salmon patty was made from Atlantic salmon produced using modern biotechnology.” The guidance explains “how to make it easy for consumers to know whether a food was produced using genetic engineering or not,” says Felicia Billingslea, director of FDA's Division of Food Labeling and Standards.

FDA also released final guidance for voluntary labeling of foods derived from genetically engineered plants. The document includes advice on how non-GMO foods should be labeled. For example, non-GMO statements that would be OK with the agency include: “Not bioengineered;” “Not genetically modified through the use of modern biotechnology,” and “We do not use ingredients that were produced using modern biotechnology,” and “This oil is made from soybeans that were not genetically engineered.”

AquaBounty said its salmon would “offer the opportunity for an economically viable domestic aquaculture industry while providing consumers a fresh and delicious product.” The United States currently imports 95 percent of the Atlantic salmon now on the market. “Land-based aquaculture systems can provide a continuous supply of fresh, safe, traceable and sustainable” salmon “with a reduced carbon footprint,” the company said.

But under pressure from critics of the fish, Safeway, Kroger and several major grocery chains have said they would not sell the product. “We are deeply disappointed with the FDA's decision to approve the AquaAdvantage salmon, said Michael Hansen, senior scientist with Consumers Union, publisher of Consumer Reports. “And it's even more concerning that the FDA chose not to require any form of labeling, making it extremely difficult for consumers to know if the salmon is GE or not.”

The environmental activist group Friends of the Earth said the FDA action would set a precedent for commercializing other biotech animals. At least 35 other species of genetically engineered fish, along with chickens, pigs and cows, are under development, the group said. “Despite FDA's flawed and irresponsible approval of the first genetically engineered animal for human consumption, it's clear that there is no place in the U.S. market for genetically engineered salmon.” said Lisa Archer, the group's food and technology program director.

AquaBounty said it was “too early to discuss commercialization plans but there are several paths to market that are being considered.” The biotech industry welcomed the decision. “Animal biotechnology can improve livestock to require less feed, produce more protein, and reduce environmental impact, while also providing for enhanced animal health and welfare,” said Jim Greenwood, CEO of the Biotechnology Industry Organization. “Other animal biotechnology applications can improve human health through faster discovery of cures, improved medicines and life-saving tissues and organs.”
FDA Refuses to Require GMO Labeling
By Philip Brasher © Copyright Agri-Pulse Communications, Inc.

The Food and Drug Administration has refused to consider requiring the labeling of biotech foods, affirming its longstanding policy that there's no legal basis for mandating such disclosure on products that are essentially the same as their conventional versions. >

The FDA decision came in denying petitions filed by the Center for Food Safety, an advocacy group that has long fought to stop or restrict the commercialization of agricultural biotechnology, and the Truth in Labeling Coalition. The FDA action comes as lawmakers are nearing agreement on legislation that would bar states from requiring the labeling of GMO foods while possibly requiring disclosure through smartphone codes and on the Internet. Appropriators say they are open to including the legislation in a fiscal 2016 omnibus spending bill that they are writing.

“The petition does not provide evidence sufficient to show that foods derived from genetically engineered plants, as a class, differ from foods derived from non-GE plant varieties in any meaningful or uniform way, or that as a class, such foods present any different or greater safety concerns than foods developed by traditional plant breeding,” FDA said in its 35-page response to the Center for Food Safety.

The agency separately denied petitions asking it to require labeling of genetically engineered salmon, which the agency approved on Thursday. “The FDA announcement shows that there is a clear path forward for bipartisan compromise in support of consistent, science-based, factual food labeling and ends any chance of a federal mandatory on-package labeling requirement,” said Claire Parker, spokesperson for the Coalition for Safe Affordable Food.

Pamela Bailey, president and CEO of the Grocery Manufacturers Association, said FDA “made the right decision for the right reasons.” “We look forward to continuing to work with Congress to enact a uniform national standard for food labeling that would prevent a costly and confusing patchwork of state labeling mandates,” she said.

The first state GMO labeling law is set to take effect in July in Vermont, which is adding urgency to the congressional effort to pass a preemption measure.

“We’re getting close” to agreement on the labeling legislation, said Sen. John Hoeven, a North Dakota Republican who has been working with the top Democrat on the Senate Agriculture Committee, Debbie Stabenow of Michigan, on the issue. The Agriculture Department has been assisting in developing the electronic disclosure plan, Stabenow has said. However, Stabenow’s staff issued a statement late Thursday cautioning that no deal had been reached yet. “Stabenow believes that for any solution to pass the Senate, it must establish a national system of required disclosure that would ensure consumers get the information they want about their food, while also solving the problem of a 50-state patchwork of regulations. Senator Stabenow is willing to play a leadership role on this issue but only if it can be done in a bipartisan way and if stakeholders are willing to step up and engage in meaningful ways,” the statement said.

Also on Thursday, the FDA released draft guidance for voluntary labeling of salmon and final guidance for voluntary labeling of products from GMO plants, such as corn, soybeans or sugar. The documents include advice on how non-GMO foods should be labeled. For example, non-GMO statements that would be OK with the agency include: “Not bioengineered,” “Not genetically modified through the use of modern biotechnology,” and “We do not use ingredients that were produced using modern biotechnology,” and “This oil is made from soybeans that were not genetically engineered.” GMA spokesman Brian Kennedy said the guidance would provide a “more consistent framework” for companies to follow in deciding how to label products.
The Center for Food Safety petition had argued that the use of biotechnology amounted to a “material” difference that merited mandatory labeling, “if it results in a change to a food at the molecular or genetic level” and a “significant share of consumers would find it relevant to their purchasing decisions.” The group's senior attorney, George Kimbrell, said it was reviewing its legal options. “FDA has robust authority to require the labeling of GE foods and any decision to the contrary is legally wrong and contrary to good governance and the overwhelming public will.”

To see the FDA responses to the different petitioners, click on the name of these groups: Center for Food Safety; Truth in Labeling Coalition; Food and Water Watch (salmon) Earth Justice and others (salmon).