**Hello Northeast Ohio Counties!**

Palmer amaranth has been positively identified in North Bloomfield Twp in Trumbull County. Oddly, it was found in standing corn and not the usual soybeans. Although we don’t want this weed here, I am optimistic that these small patches will be effectively controlled, and possibly eradicated. I was pleased to see the neighboring bean fields were relatively weed free, so the farmer’s weed control program is working.

It’s speculated that the weeds came in on a delivery of lime, so scout your former lime piles. If you have any questions give us a call.

Stay safe!

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Lee Beers  
Trumbull County Extension Educator

Andrew Holden  
Ashtabula County Extension Educator
Eastern Equine Encephalitis Confirmed in Northeast Ohio Horse


Ohio Department of Agriculture State Veterinarian Dr. Tony Forshey today confirmed one case of Eastern Equine Encephalitis (EEE) in a horse in Ashtabula County and is urging horse owners to contact their veterinarian to ensure the animal’s EEE vaccine and boosters are up to date.

“This is a serious disease and the most effective way to prevent your horses from getting EEE is to have the animals vaccinated by a licensed veterinarian,” said Dr. Forshey. “It is spread through mosquitoes and can also affect people, so taking steps to manage the mosquito population, such as eliminating standing water, will also help prevent EEE and other vector-borne viruses, like West Nile virus.”

The virus responsible for EEE is transmitted to horses by mosquitoes and attacks the animal’s central nervous system. In horses, onset is abrupt and usually fatal. Symptoms include unsteadiness, erratic behavior, a marked loss of coordination and seizures. Horses are particularly susceptible but the virus can also cause serious illness in people as well as other animals such as poultry and deer.

Because EEE can also be transmitted to humans by the bite of infected mosquitoes, animals sick from EEE are a sign that people should also take steps to guard themselves against mosquitoes by applying repellent and wearing protective clothing. The disease is very rare in humans, and only a few cases are reported in the United States each year. There are no confirmed human cases associated with this outbreak in Ohio.

The Ohio Department of Agriculture is working with the Ohio Department of Health and local health officials to monitor the outbreak. Suspect horse cases should be reported to a veterinarian as soon as possible. Citizens who are concerned about an illness should contact their physician.
Changes on the Horizon for H-2A Temporary Agricultural Labor Rules

By: Evin Bachelor, Law Fellow, Agricultural and Resource Law Program
Source: https://farmoffice.osu.edu/blog/thu-08292019-1114am/ohio-ag-law-blog-changes-horizon-h-2a-temporary-agricultural-labor-rules

The U.S. Department of Labor (DOL) says that it has found a number of inefficiencies in the H-2A temporary agricultural labor visa program, and the department has a solution: change the program’s rules. The DOL has proposed a number of administrative rule changes that it believes will make the approval process move along quicker, relieve burdens on U.S. farms, and create a more level playing field with regards to pay. Before we talk about the rule changes, let’s recap what the H-2A program is.

H-2A is a visa program for seasonal agricultural laborers from other countries.

Labor shortages have plagued farms across the United States for decades. Congress first created a visa program for non-immigrant labor in the early 1950s, but it wasn’t until 1986 that Congress established the H-2A visa program for temporary agricultural workers. Under this program, farmers may apply to employ H-2A workers on their farm on a temporary or seasonal basis for up to a year, but may apply to renew the worker’s visa for up to three total years.

In order to hire H-2A workers, an employer must certify in an application to the DOL that there are not enough qualified domestic workers willing and able to perform temporary and seasonal agricultural labor. In order to prove that there is not enough domestic labor, the farmer must demonstrate an effort to advertise the available work in the local area.

Further, the farmer must demonstrate to the DOL that employing foreign workers will not negatively affect the wages and working conditions of similarly employed U.S. workers. In other words, a farmer can’t hire foreign labor because it’s cheaper. A farmer is expected to pay the foreign workers the same as the farmer would pay domestic workers, based upon the higher of the DOL’s Adverse Effect Wage Rate, minimum wage, or prevailing wage.

What does the Department of Labor seek to change?
The DOL proposes to make several changes to the H-2A program’s administrative rules. Some of these changes update the rules to reflect what is already happening, while some make slight changes to the program’s overall scope.

- **Mandate e-filing.** The DOL currently allows farmers to submit their applications online or in hard copy, but reports that 4/5 of applications are completed online. A review by the DOL has found that online applications get completed more quickly, have fewer errors, and reduce costs relative to hard copy submissions. Under the new rule, the DOL would require all applications to be completed online, unless the farmer has a disability or does not have internet access.

- **Allow e-signatures.** The DOL currently requires farmers to sign a hard copy of their applications and either scan the document into the application or mail it. Under the new rule, the DOL would accept e-signatures as equal to handwritten signatures.

- **Subdivide the adverse effect wage rate based upon specific agricultural occupations.** In the previous section, we noted that the farmer must pay the foreign workers the same as he or she would pay domestic workers. One way to determine that wage is to use the DOL’s Adverse Effect Wage Rate. Currently, the DOL has one rate for a state or region based upon the combined numbers for field and livestock workers. Under the new rule, the DOL would use Farm Labor Survey data to subdivide agricultural occupations in order to ensure that higher paying occupations, such as supervisors of farmworkers and construction laborers on farms, use an Adverse Effect Wage Rate that properly reflects the wages of those higher paying occupations, rather than one general rate for all agricultural workers.

- **Update the methodology for calculating prevailing wage standards.** Another way to calculate the minimum wages of H-2A laborers is to base their pay off of the prevailing wage. The current method of calculating the prevailing wage, which has not been updated since 1981, requires in-person interviews of employers. Under the new rule, the DOL would eliminate the in-person requirement and allow states to collect data using more modern methods.

- **Incorporate guidance letters regarding animal shearing, commercial beekeeping, custom combining, and reforestation occupations into formal rules.** When asked for an interpretation of its rules and policies, a federal agency may issue a guidance letter to the person seeking an interpretation. These guidance letters are not necessarily binding, and have no general application beyond the person seeking the interpretation. By incorporating the guidance into a formal rule, the interpretation holds the force of law. The DOL identified these occupations as
unique relative to other agricultural occupations, and created a special set of procedures to obtain H-2A laborers to work these types of jobs.

- Expand the definition of “agriculture” to include reforestation and pine straw activities. Currently, reforestation and pine straw occupations are only available for H-2B applications, which are for non-agricultural occupations. Under the new rule, these activities would be eligible for the agricultural based visa.

- Reduce the time an employer must allow a domestic worker to apply for a job to 30 days. Currently, the DOL requires a farmer to hire all eligible, willing, and qualified U.S. workers who make themselves available to work until the half way point in the H2-A contract period. This means that if a farmer has H-2A laborers working under a six-month contract, then the farmer must hire any eligible, willing, and qualified domestic worker during the first three months of the contract. Under the new rule, the farmer would only have to leave such opportunity open to domestic workers for 30 days.

- Allow an employer to stagger the entry of H-2A labor. Sometimes a farmer does not need all of the H-2A labor to arrive at once, but rather needs some to start on one date and then others to start on a different date. Currently, this would require the farmer to submit an application for each date on which the farmer needs H-2A labor. Under the new rule, the farmer would be able to submit one application but stagger the start dates of his or her workers over the course of 120 days. This 120-day clock begins on the day the first H-2A workers enter the U.S.

For more information about the proposed changes, visit the proposed rule’s entry on the Federal Register HERE.

The public may submit comments until September 24, 2019.

As part of the public rulemaking process, the DOL is seeking public input on the proposed rule changes. Members of the public may submit written comments to the DOL until Tuesday, September 24, 2019.

You may submit a comment online (visit https://www.regulations.gov/) or by mail (send to Adele Gagliardi, Administrator, Office of Policy Development and Research, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N-5641, Washington, DC 20210). When mailing comments, be sure to include the rule’s Regulatory Information Number (RIN): 1205-AB89.
Back-to-school means different laws apply to youth farm workers

By Peggy Kirk Hall, Associate Professor, Agricultural & Resource Law
Originally published at: https://farmoffice.osu.edu/blog/mon-08262019-909am/ohio-ag-law-blog%E2%80%94back-school-means-different-laws-apply-youth-farm-workers

When kids head back-to-school, it’s time for farmers to do some homework and recall the rules that apply to youth working on farms during the school year. Once school is in session, Ohio labor laws place restrictions on the times of day and number of hours that youth under the age of 18 can work on a farm. The laws don’t apply to parents, grandparents, or legal guardians, however. For other farm employers, be aware that the laws vary according to the age of the minor and some require written parental consent. Here’s a quick refresher:

16 and 17 year olds
- Cannot work before 7:00 a.m. on school days, with the exception that they can work starting at 6:00 a.m. if they were not working past 8:00 p.m. the night before.
- Cannot work after 11:00 p.m. on a school night, which means a night when the minor has school the next day.
- No daily or weekly limits on the number of hours the youth can work.

14 and 15 year olds
- Cannot work during school hours while school is in session.
- Cannot work before 7:00 a.m. or after 7:00 p.m., but can work until 9:00 p.m. from June 1 to September 1 or during any school holiday or break lasting more than 5 weekdays.
- Cannot work more than 3 hours during a school day or more than 8 hours during a non-school day.
- Cannot work more than 18 hours in a week while school is in session, unless the job is part of a work education program such as vocational training or work study.

12 and 13 year olds
- The same time restrictions and daily and weekly hour limits for 14 and 15 year olds (above) apply to 12 and 13 year olds, but there is no exception to the 18 hour weekly limit for vocational training or work study programs.
- Employer must obtain written parental consent for the youth to be working, unless the youth’s parent or legal guardian also works on the same farm.

Under 12 years old
- Can only work on a farm where employees are exempt from the federal minimum wage, which includes a farms of an immediate family member or a “small farm”
that used fewer than 500 “man days” of agricultural labor in any calendar quarter the preceding year. A “man day” is a day during which an employee performs agricultural work for at least one hour.

- Exception to the above: local youths 10 and 11 may hand harvest short-season crops outside school hours for no more than 8 weeks between June 1 and October 15 if their employers have obtained special waivers from the U.S. Secretary of Labor.
- The same daily time restrictions and daily and weekly hour limits for 14 and 15 year olds (above) apply to youth under 12 years old, but there is no exception to the 18 hour weekly limit for vocational training or work study programs.
- Employer must obtain written parental consent for the youth to be working.

The other labor laws that typically apply to youth doing agricultural work on a farm continue to apply throughout the school year. For example, employers must maintain records for youth employees, provide a written agreement of compensation and a statement of earnings on payday, and a 30-minute rest period if the youth works more than five consecutive hours. An employer can’t assign any youth under the age of 16 with a “hazardous” job or task unless the youth is 14 or 15 and has a certificate of completion for tractor or machine operation. Further information about these and other laws that apply to youth under 18 working on a farm is in our new Law Bulletin, *Youth Labor on the Farm: Laws Farmers Need to Know*, available here.

**Corn Market Considerations**

By: Clint Schroeder OSU Extension  
Source: [https://u.osu.edu/ohioagmanager/2019/09/03/corn-market-considerations/](https://u.osu.edu/ohioagmanager/2019/09/03/corn-market-considerations/)

The United States Department of Agriculture (USDA) released their World Agriculture Supply and Demand Estimates (WASDE) report earlier this week and it has certainly taken the market by surprise. The debate continues to rage over how acres are classified by USDA and if the information contained in the report is accurate. The WASDE reported that corn acres nationally are at 90 million with another 11.2 million classified as Prevented Plant. The USDA also increased their national yield forecast to an average of 169.5 bushels per acre. This came as a major shock to the market and sent corn futures sharply lower. The December ’19 corn futures have traded 61 cents lower in the days following the report.
This report is especially problematic for producers in Ohio that have not forward contracted any bushels based on uncertainty of yields associated with delayed plantings. There are also producers that are holding old crop corn in hopes that the cash price would reach levels over $5. This has led to a very strong regional basis through the summer. It has also begun the process of demand rationing. One of the major end users in Ohio is obviously the ethanol industry. Unfortunately, September ethanol futures on the Chicago Board of Trade are trading at their lowest levels since October of 2014. One of the reasons for this is increased stocks. The industry closed the month of July with a new record of 24.5 million barrels stockpiled. That represents an increase of 11% from the previous year. Needless to say these cumbersome stocks combined with a low futures price and a higher cash corn price, due to the strong basis, have had a negative impact on ethanol margins. It is important for producers to be aware of this situation as any significant rally in the futures or strengthening of the basis will ratchet
up the pressure on ethanol plant managers. This could lead to the temporary shutdowns at plants throughout Ohio as managers wait for margins to improve.

Provided by Stephanie Karhoff – OSU Extension

The USDA will release the next WASDE on September 12th and it is unlikely that it will have as great of an impact as the August report. Many of the questions that farmers and traders have been left with will not be answered fully until after harvest data comes in. Given the unprecedented number of unplanted or delayed acres there are many questions on how many acres will actually end up harvested for grain. Ohio had reported over 880,000 of prevent plant corn acres to the USDA as of August 1st. This will continue to be reflected in a stronger than normal basis in those areas that were most impacted. There also remains plentiful speculation on the possibilities of meeting the yield numbers that USDA has forecasted.

15 Measures of Dairy Farm Competitiveness Bulletin Revised
by: Chris Zoller, Extension Educator, ANR in Tuscarawas County

Originally published in 1997, the 15 Measures of Dairy Farm Competitiveness is an Ohio State University Extension publication that has undergone revisions and is now available for use by dairy farmers, lenders, and others interested in dairy farm finances. The bulletin is available at https://dairy.osu.edu or by contacting your local Ohio State University Extension office.

The measures described in the bulletin represent key characteristics of the most competitive dairy producers in the Midwest. While a single dairy may not meet all 15 measures, those that meet the majority should maintain long-term competitiveness. The measures fall into the following broad areas which provide an overview of the competitiveness of a dairy farm business:

1. Rate of production
2. Cost control
3. Capital efficiency
4. Profitability
5. Liquidity
6. Repayment schedule
7. Solvency
8. Mission

Northeast Ohio Agriculture

OHIO STATE UNIVERSITY EXTENSION
Ashtabula and Trumbull Counties
9. Maintain family’s standard of living
10. Motivated labor force
11. Capturing dairy manure nutrients

The bulletin provides a summary of each measure, along with instructions for calculating, evaluating, and interpreting the measure, followed by a discussion of the competitive range.

The first measure, Rate of Production: Pounds of Milk Sold per Worker, evaluates the pounds of Energy Corrected Milk (ECM) sold per worker. ECM is calculated using the following formula:

\[
ECM = (7.2 \times \text{lb of protein}) + (12.95 \times \text{lb of fat}) + (0.327 \times \text{lb of milk})
\]

**Competitive Level**
1,000,000 lbs per worker

**Example**
8,500,000 lb of ECM sold/(20,000 hrs/2,500 hrs) = 1,065,500 pounds of milk sold per worker

Pounds of ECM sold per worker is an important tool for evaluating the productivity of workers and cattle. It combines efficient labor utilization with good to excellent herd production. If all feed is purchased, the general rule is to double these benchmarks.

Because free-stall parlor systems can handle more cows, these systems allow more pounds of milk per year per worker than tie stall or stanchion systems. Tie stall or stanchion barns entail considerably higher costs per cow than larger, modern free-stall facilities. The combination of lower investment per cow and more efficient labor utilization make free-stall housing systems much more economical because they generally result in lower costs for producing each unit of milk. However, existing tie stall or stanchion facilities may be able to compete with freestall systems if the operation carries little or no debt.

Fewer pounds of milk per worker will likely be sold per year for small versus large breed herds, but the value of ECM sold per year may be similar under similar management systems. This occurs because of the higher value per cwt of milk for the small breeds of dairy cattle (milk is higher in concentration of fat and protein). However, because the value of milk sold is affected by milk price fluctuations, gross milk sales is not a very useful tool for measuring productivity trends over time.

If the pounds of milk sold per worker is below the competitive level:
1. **Evaluate herd productivity.** To achieve the desired level of pounds of ECM sold per worker, cows will most likely need to be above average in production for their breed. Many competitive farmers implement strategies to increase herd productivity. Some strategies include feeding balanced rations, optimizing cow comfort, using proven milking technologies, improving cow flow in the parlor, milking more than two times per day, and filling facilities over 100% when labor is only slightly affected.

2. **Evaluate labor efficiency.** Antiquated facilities and uncomfortable working conditions reduce labor efficiency. Careful hiring also plays an important role in labor efficiency. Employee training, motivation, and pride in doing a job well help workers to be more efficient and effective, whether they are family members or unrelated employees. Workers in tie stall or stanchion systems should be able to handle 30 to 35 cows per FTE, including raising crops. Workers in free-stall systems should be able to handle 40 to 50 cows per FTE, including raising crops. Efficiently operating parlors will turn a minimum of four times per hour.

3. **Set a realistic goal.** Collect information for your own farm, compare your performance with the goal, and take appropriate corrective action, if needed.

For additional information, visit https://dairy.osu.edu to access a copy of the 15 Measures of Dairy Farm Competitiveness bulletin. Ohio State University Extension educators and specialists are available to analyze, evaluate, and provide recommendations to help you be successful.

**Why Consider Backgrounding a Calf?**

By: Stan Smith, PA, Fairfield County OSU Extension


The recent packing house fire in Kansas has the potential to cause a backlog in feedyards that pressures feeder calf prices this fall. Backgrounding calves for later sale is an alternative.

Typically, when feed prices go down, we see feeder calf prices begin to climb as a corresponding move. That is, unless fed cattle prices are unstable or declining. A fire in a Kansas cattle packing plant just before a report detailing that the U.S. might have planted more acres of corn than earlier anticipated caused the perfect storm that allowed pressure on feeder calf prices at the same time as declining feed prices. With the time of year when the vast majority of U.S. feeder calves are weaned and marketed quickly approaching, there’s little time to develop a plan that might preserve or even
enhance some of the value and profit in feeder calves that simply may not be in as strong of demand now as they might have been just a few weeks ago.

However, less expensive feed combined with the thought that calf prices can rebound in the coming months once we are past the seasonal tendency for lower prices and the damaged Kansas packing house comes back on-line offer incentive for developing a strategy to hold on to this fall’s feeder calves while also adding value to them.

To recap the path that’s brought us to this point, on Friday, August 9 at fire at the Tyson cattle harvest facility in Kansas caused enough damage that it’s expected to be off-line for at least 8 to 12 weeks. This plant was harvesting about 6,000 head per day, or nearly 6% of the cattle harvested in the U.S.

While losing 6% of our harvest capacity may seem minimal, it comes at a time when the majority of the kill capacity in the country was at or above 90%, which technically puts them at capacity. With recent Cattle On Feed reports suggesting feedyards are basically full, any slow down in moving them to harvest will pressure the demand for replacement feeder calves until space in the feedyard becomes available.

Following on the heals of the Kansas packing plant closure, on Monday, August 12, the National Ag Statistics Service released their Crop Forecast that indicated there were significantly more U.S. corn acres, yield and projected corn inventory than earlier anticipated. This caused down limit corn markets for two days, with further declines in the days that followed.

While there may be little that can be done for fed cattle that are market ready, there are some things that cow/calf producers can do if demand for feeder calves is delayed until after a consistent flow of fed cattle leaving the feedyard is restored.

In the face of lower feeder prices and cheaper feed – including some less expensive by-products, annual forages planted on PP acres, and poor quality hay that would benefit from being processed and blended with higher quality concentrates, it may be the perfect time to suggest cattlemen explore retaining ownership of their calves and backgrounding them until better calf marketing opportunities appear. There might even be some opportunities for local cattlemen to coop with local dairymen who have recently retired facilities??

Backgrounding could not only enhance calf value by adding some lower cost pounds, but it also moves the marketing of the calves to a time when calf prices are traditionally beginning to climb, and also away from the confusion in the market caused by the recent Kansas fire.
Last week in this publication Garth Ruff discussed how weaning, castration, vaccinating and bunk breaking a consistent sized group of calves adds value. In the article that follows, Steve Boyles offers suggestions on how one might background calves and add another layer of value.

**Extended Forecast from NOAA, Weather.gov**

**Cortland, OH**

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<th>Tonight</th>
<th>Wednesday</th>
<th>Wednesday Night</th>
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<tbody>
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<td>Mostly Clear</td>
<td>Sunny</td>
<td>Partly Cloudy</td>
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**Jefferson, OH**

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<tr>
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<td>Partly Cloudy</td>
<td>Chance Showers</td>
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From steadfast survival and reproduction to pollination and even charming tales of maternal care, insects and spiders keep our gardens buzzing with adventure. Join bug and botanical portrait photographer Danae Wolfe on a journey through your garden to discover the stories of insects and spiders. Uncover the fascinating tales of the curious creatures among our plants and explore how to capture incredible images of bugs on any budget.

Danae Wolfe is a digital engagement and educational technology specialist with Ohio State University Extension. She has over 10 years’ experience designing and facilitating learning opportunities that span natural resources, horticulture, digital engagement, leadership, and her personal passion of photography. She was invited to speak at TEDxColumbus 2018 on the power of photography in fostering appreciation and conservation of insects and spiders. Her current work focuses on improving digital engagement strategies and fostering innovation throughout Extension.

Complete the below information and send with payment to OSU Extension Trumbull County, 520 West Main Street, Cortland, OH 44410. Please make checks payable to OSU Extension.

Name: ____________________________________________________________
Phone: ___________________________ Email: ____________________________
Number Attending: ___________ X $20/person = ________________ Total Enclosed $__________

Cost: $20/ person; $15/Trumbull MGVs; includes light refreshments
Ohio's Tree Farm of the Year Tour

Snowy Oak Tree Farm

September 21st, 2019 - 9:30 AM to 3 PM

Paul and Joanne Mechling welcome family, friends, fellow tree farmers, conservationists, and the general public to their 365 acre Certified Tree Farm. Come explore 8 miles of trails, view forest management, examine 12 acres of wetlands, walk through warm season grasses and pollinator habitat, and learn how to plant wildlife food plots. Professional foresters will conduct interpretive tours of the property.

Location: St. Route 167 East, Pierpont Township, Ashtabula County, Ohio
Parking is at the Pierpont Township Fire Hall, 6006 Marcy Rd Pierpont, OH 44082. Shuttle service will be provided to the farm. See map on back.

Presentations/Displays/Exhibitors:

◊ Red oak regeneration
◊ Drone demonstration
◊ Over 140,000 trees planted, representing 21 species
◊ Walking tour with Dr. James Bissell of the Cleveland Museum of Natural History
◊ Maple tubing/sap production
◊ Kids activities
◊ Wetland construction/ WRP
◊ Various conservation organization displays
◊ Bridge construction
◊ Invasive plant control

This event will take place rain or shine! Hiking footwear required!
Fairly level terrain. Food and beverages available for purchase.

GPS Location (parking): 41.752243, -80.567792
Additional information: 614-309-6096
RSVP’s appreciated: ohiotreefarm2019@gmail.com
Make a weekend of it!

Come visit Ashtabula County—Ohio’s best perch, walleye and steelhead fishing. Explore our 23 wineries, 19 covered bridges and 4 scenic rivers. Check out more at www.VisitAshtabulaCounty.com for lodging and reservations.