

# NEWS FROM THE NJDA

New Jersey  
Department of  
Agriculture

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## Important Dates for your Calendar:

### November is National Peanut Butter Lovers Month

**Nov. 27** - First Night of Hanukkah

**Nov. 28** - Thanksgiving

**Nov. 29** - National Square Dance Day

**Dec. 1** - National Eat a Red Apple Day

**Dec. 4** - Deadline for Resolution Drafts

**Dec. 11** - State Board of Agriculture Meeting, EcoComplex, Columbus

## From the Secretary's Desk



*NJ Secretary of Agriculture, Douglas H. Fisher*

Thanksgiving is a time to spend with our families and reflect on the blessings we have received over the past year. 2013 had some challenges, but overall we can call it another successful year in New Jersey agriculture.

Because we've had mostly good weather all fall, there is still a wonderful array of fall produce available for our Thanksgiving tables. All New Jerseyans have an opportunity to have an all-Jersey Thanksgiving meal. They can purchase fresh turkeys from several poultry farms around the state. There are plentiful potatoes, sweet potatoes, Brussels sprouts, broccoli and greens. Our local farm stands have an abundance of apple, pumpkin and various pies, made with Jersey Fresh ingredients. Jersey wine is perfect to enjoy alongside your meal.

We are so very lucky in New Jersey to have great farmers growing the foods we love so close to where we live. Anyone in our great Garden State can enjoy a local Thanksgiving meal. Please let us know how you have used Jersey ingredients in your holiday meal. And, feel free to share with us your favorite recipes. We will include them on the Jersey Fresh website. E-mail your Thanksgiving photos and recipes to Lynne Richmond, NJDA Public Information Officer, at [lynn.richmond@ag.state.nj.us](mailto:lynn.richmond@ag.state.nj.us).

## From the State Board President



*State Board of Agriculture President, Rob Swanekamp*

At the New Jersey State Board of Agriculture meeting on November 13, the Resolutions Committee was formed for the upcoming NJ State Agricultural Convention in February. As you know, one of the important purposes of the Convention is to introduce resolutions that help shape agricultural policy in New Jersey. These resolutions are important in helping the administration and Legislature better understand the opinions of agriculture. As such, we are asking the industry for input in the resolutions process. If your county is working on issues you believe to have statewide implications for New Jersey's agricultural industry, we ask that you submit a draft to Secretary Fisher's office no later than December 4. The drafts will be disseminated to the convention resolutions committee for consideration at their upcoming meeting. State Board member Rich Norz will serve on the Resolutions Committee. Please e-mail your drafts to Jeff Beach at [Jeffrey.beach@ag.state.nj.us](mailto:Jeffrey.beach@ag.state.nj.us).

Thanksgiving is a perfect time to stop for a moment once a year and remember to give thanks. It's a time to be grateful for one's health, family, friends, job, home and the food that this industry helps to put on everyone's table.

The next meeting of the State Board will be Wednesday, December 11 at the Rutgers EcoComplex in Bordentown, beginning at 1:30 pm.

## Spotlight on NJDA: State Agriculture Development Committee

The State Agriculture Development Committee (SADC) runs New Jersey's Farmland Preservation Program, administers the State's Right to Farm (RTF) Act protections, and generally acts as an advocate for and promotes the interests of productive agriculture and farmland retention within the state. It also staffs the Transfer of Development Rights Bank and operates a Farm Link Program designed to connect farmers with landowners interested in renting or selling farmland. The Committee is administratively located within the Department of Agriculture but functions independently of the Department. The 11-member Committee consists of four farmer members, two public members, the Secretary of Agriculture who serves as chair, and representatives of the Departments of Treasury, Environmental Protection and the Department of Community Affairs, and the Rutgers School of Environmental and Biological Sciences.

The Farmland Preservation and RTF Programs celebrated their 30th anniversaries this year. Under the Farmland Preservation Program, the SADC provides grants to counties, municipalities and nonprofits to purchase the development rights on farmland, and also purchases development rights directly from landowners. Earlier this year, the Farmland Preservation Program marked the preservation of the 200,000th acre of farmland under the state program.

The SADC administers New Jersey's RTF Program in cooperation with the 18 county agriculture development boards (CADBs). The RTF Act protects commercial farmers who operate responsibly from public or private nuisance actions and overly restrictive municipal and county ordinances that can unreasonably

hinder farming operations. The SADC and CADBs are charged with resolving disputes related to agricultural activities on commercial farms. The SADC also develops and adopts agricultural management practices (AMPs), which are regulations that set forth standards for right-to-farm protection for certain activities. By providing clear standards, AMPs provide farmers with greater certainty of right-to-farm protection. Most recently, the SADC proposed an AMP for on-farm direct marketing on farms, including the facilities, activities and events employed in connection with such operations. It expects to adopt an on-farm direct marketing AMP early next year.

For more information on any of the SADC's programs, visit [www.nj.gov/agriculture/sadc](http://www.nj.gov/agriculture/sadc) or call (609) 984-2504.

### Pipeline and Utility Projects in Agricultural Development Areas

Long-range planning by the Federal Energy Regulatory Commission, PJM (the regional electricity transmission organization) and the N.J. Energy Master Plan has generated a growing list of projects designed to enhance natural gas and electrical transmission to and through New Jersey. Recent initiatives related to energy independence, reliability, resiliency and conservation have resulted in unprecedented investments in infrastructure upgrades and capacity expansion. Some of these proposals can be accommodated within existing rights-of-way or immediately parallel to existing facilities while other projects require new rights-of-way that often impact agricultural development areas (ADAs) and, in some cases, preserved farmland.

State law gives the SADC and the CADBs the ability to review proposed projects that would affect land in ADAs and/or on preserved farmland. This allows the agencies to evaluate a project's impacts on agricultural activities and, if necessary, explore alternatives

with the utility or pipeline company to avoid or minimize adverse effects on agricultural resources. Preserved farmland is afforded a higher degree of protection by a requirement that the Governor must find that such a project is necessary for the public health, safety and welfare. Projects that have federal superseding authority, such as interstate natural gas transmission facilities, are exempt from these State law requirements.

The SADC, in cooperation with respective CADBs, is working to evaluate and minimize the agricultural impacts of several natural gas pipeline and electric power line projects across the state. Questions related to pipeline or utility projects should be directed to Tim Brill, SADC's Planning Manager.

### Dual Appraisal Valuation Deadline for Highlands Farms

Highlands farm owners who are considering farmland preservation should be aware that the dual appraisal valuation provision in the Garden State Preservation Trust Act expires on June 30, 2014. This provision allows Highlands land being appraised for preservation to be valued in two ways -- based on zoning and environmental laws and regulations in effect on January 1, 2004, and based on those same factors under current conditions -- with the landowner able to receive the higher value. It is uncertain at this point whether or when the provision will be extended. Highlands farm owners who want to take advantage of the provision before it expires must meet certain requirements, including submitting their farmland preservation application to the SADC for consideration by June 30, 2014 to qualify. If landowners apply to a county, municipal or nonprofit program for preservation, those agencies must submit applications to the SADC by June 30, 2014. Questions should be directed to Heidi Winzinger, SADC's Chief of Acquisitions, at (609) 984-2504.

## Agricultural Natural Disaster Designation Approved for 8 New Jersey Counties

United States Secretary of Agriculture Thomas Vilsack has granted a Natural Disaster Designation for eight New Jersey counties following excessive rain, flooding, high winds and hail that caused crop losses for farmers during the 2013 growing season.

The disaster declaration includes Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean and Salem counties to cover crop losses that occurred between May 1 and September 24, 2013.

For counties to be designated as primary natural disaster areas, they must have sustained a 30 percent or greater production loss to a single crop due to the disaster, making them eligible to be considered for assistance from the U.S. Department of Agriculture's (USDA) Farm Service Agency (FSA), provided eligibility requirements are met. This assistance includes FSA loans.

Farmers in eligible counties have eight months from the date of a Secretarial disaster declaration to apply for emergency loans. FSA considers each loan application on its own merits, taking into account the extent of production losses on the farm and the security and repayment ability of the operator.

Farmers are encouraged to contact their local FSA office for details. To find a local office, visit <http://offices.sc.egov.usda.gov/locator/app?state=nj&agency=fsa>. For more information on FSA's disaster assistance programs, visit [www.fsa.usda.gov/FSA/webapp?area=home&subject=diap&topic=landing](http://www.fsa.usda.gov/FSA/webapp?area=home&subject=diap&topic=landing).

## Food Safety Rules Questioned at EcoComplex Session

About 70 farmers, extension agents and agricultural regulators attended a session at the Rutgers EcoComplex on Tuesday, October 22, to hear from FDA officials and agricultural leaders about impacts the Food Safety Modernization Act (FSMA) implementation will have on New Jersey farms.

Three FDA specialists involved in the roll-out of the rules spawned by the FSMA were joined by Anita MacMullan of the North Carolina Department of Agriculture, a leader in the National Association of State Departments of Agriculture (NASDA) effort to suggest changes to the proposed FDA rules, and Rutgers Extension Agent Wes Kline, long recognized as one of New Jersey's foremost authorities on food safety.

The session was a joint effort of the Department, New Jersey Farm Bureau and Rutgers NJAES, and was designed to highlight specific impacts the proposed FDA rules would have on farmers in the Garden State.

"These rules are coming and we can't put our heads in the sand and pretend they won't exist," Agriculture Secretary Douglas H. Fisher told the crowd in opening remarks. "We have this opportunity to comment on the rules where we have specific concerns."

Much of the criticism of the rules voiced by farmers and others that day centered on the Produce Safety Rule and the Preventive Controls Rule, the first two of five rules FDA has issued to implement the goals of FSMA, which was created after several large-scale foodborne illness outbreaks in recent years sparked a call on Capitol Hill to improve food safety laws.

Within the Produce Safety Rule, two aspects have drawn the most uproar: provisions regarding the length of time that must be spent between spreading of manure and harvesting of crops and the stringent water-testing protocols for farms using surface water, such as ponds, for irrigation.

The manure provisions' call for a ninth-month wait between spreading manure and harvesting crops from that same field is seen as unrealistic in northern states, since for many crops, the entire season is not nine months.

The requirement for weekly testing of surface water also was viewed as unrealistic by those attending the meeting because in some cases the results of one test would not even be returned to the farmer by the time the next test would be required to be performed. *(continued on Page 4)*



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**WE'RE HAVING ANOTHER GREAT SEASON!**

## Food Safety Rules (cont. from Page 3)

On the Preventive Controls rule, many in attendance expressed concerns over what activities could move an operation from being considered solely as a farm versus those that would cause it to be considered a "food processor" or a "mixed use facility," saying something as simple as bringing in another farm's produce to be packed alongside the host farm's produce in a packing shed could lead to one of the more restrictive classifications, where food-safety inspections would be more frequent and detailed.

Michael Mahovic, the lead FDA official attending the meeting, encouraged farmers to comment on the proposed rule by the November 15 deadline for comments. NASDA has been encouraging Congress to pass legislation that would require FDA to publish a "second draft" of the rules for further discussion before they go to the "final rule" stage, during which little or no change can be made to them.

For more information on the Food Safety Modernization Act, please visit: <http://www.fda.gov/Food/GuidanceRegulation/FSMA>



## FINAL CALL for Outstanding Young Farmer Nominations

Nominations for the 2015 Outstanding Young Farmer Award will be accepting until **January 15, 2015**.

Nominees must be actual farm operators, deriving a minimum of two-thirds of their income from farming and must be between the ages of 21-40, not becoming 41 prior to January 1, 2014. For a copy of the Official State Nomination Form visit [www.nj.gov/agriculture/about/sba/cover.html](http://www.nj.gov/agriculture/about/sba/cover.html). If you have questions contact **Karen Kritz**, NJ OYF Program Manager at **(609) 984-2506** or e-mail at [Karen.Kritz@ag.state.nj.us](mailto:Karen.Kritz@ag.state.nj.us).

## Comments?

Joe Atchison, Agricultural Marketing Coordinator for the NJDA, is the editor of this newsletter. If you have comments, concerns or an item that you would like considered for the next issue of the newsletter, please contact him at: [joe.atchison@ag.state.nj.us](mailto:joe.atchison@ag.state.nj.us) or at **609-984-2223**.