



Illinois Fertilizer & Chemical Association
Supply • Service • Stewardship

Our Mission: *To assist and represent the Illinois crop production supply and service industry while promoting the sound stewardship and utilization of agricultural inputs.*

IFCA Chairman’s Report

by Eric Gordon, Brandt



It’s full-on spring and we all have our plates full with serving our customers with crop input deliveries, recommendations and applications.

As our industry prepares for another opportunity to produce good yields for our customers while balancing the need for responsibility and accountability, the staff at the IFCA has been working hard on initiatives to help our members meet these goals.

We continue to keep 4R nutrient stewardship at the forefront of our mission, but this year we are also faced with the stewardship challenge of managing a new tool in our soybean weed fighting toolbox. Dicamba tolerant beans (RR2 Xtend soybeans) will be a great addition to the toolbox but they bring along a few additional label restrictions that we are not accustomed to. We must steward this technology to a high level.

This is one of the first times we have had a two year trial label on a product. We will have more eyes watching us than ever before, so we need to make sure we do this right and help our customers do the same. As we have learned at meetings over the winter, Illinois doesn’t need the black eye of Missouri and Arkansas. Our staff has done a great job getting out the stewardship message in major ag publications (Prairie Farmer, AgriNews, Progressive Farmer, Illinois Farmer, FarmWeek) with the support of the manufacturers.

We are also working to support our members with locally based efforts including making field flags available to our members to help protect organic and non-tolerant dicamba soybeans. The staff has also met with the Grape and Vineyard Growers Association to ensure good communication to avoid pesticide mishaps. We want to have these new herbicides for more than just a year or two, so let’s do our utmost to get this right the first time in Illinois.

Spring is also time to renew your IFCA membership. Our Association truly focuses on the needs of our specific sector of the industry. Being on the Board, I’ve seen for myself how legislators, regulatory officials and environmental groups respect and listen to the input of the IFCA. That respect is earned, and it is backed up by a strong coalition of members who support IFCA. Thank you for being a member; if you know someone out there who is not, talk to them about the importance of joining the Association.

Have a safe and prosperous season!

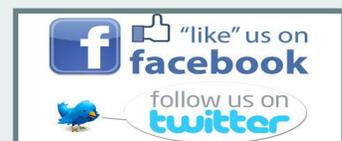


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Dicamba Stewardship: What You Need to Know

1. Applying Products that are NOT Labeled for Use on Soybeans is **Big Trouble.**

In the Illinois Pesticide Act, the “point” system that IDA uses when investigating a pesticide misuse complaint is based on the toxicity of the product being applied, the extent of damage it causes, and the actions and decisions made by the applicator. The higher the points, the higher the penalty. Drift that is “accidental” is a point value of 2; but if misuse is attributed to the applicator being negligent or knowingly applying the product in clear violation of the label the points are much higher and get you to a **\$5,000—\$10,000** fine. IDA has confirmed with IFCA that they will consider the “**negligent**” and “**knowingly**” categories if they discover that the applicator used a herbicide that was NOT labeled for use on soybeans. And the more damage there is to non-target plants as a result, the higher the points and fines will be. Bear in mind that “negligent” and “knowingly” can also be applied when applying during excessive wind conditions that clearly enable drift.

Help spread the word that use of non-labeled dicamba products on soybeans will not be tolerated in Illinois. If you know it has occurred, you should report it immediately to IDA or call IFCA. To access the rules that explain the pesticide penalty process go to www.ifca.com, click on “Regulations” and then click on “Pesticide Act Penalties.” Call IFCA if you have questions.

2. What is a Sensitive Area? Is This the Same as a Sensitive Crop?

This is the first time we’ve had a herbicide label require a downwind buffer for “sensitive areas.” The first thing to understand is that sensitive areas are NOT the same as sensitive crops. **You must take all precautions to avoid drifting onto sensitive crops meaning non-tolerant soybeans, vegetables, vineyards, orchards, nurseries and gardens.** Bear in mind that if someone sees symptoms of dicamba on their sensitive crop, even if the symptoms do not ultimately reduce yield, if they complain to IDA and IDA verifies the existence of dicamba symptoms in the off-target crop, they can go to enforcement against the applicator.

Sensitive areas include EVERYTHING BUT an unplanted field, corn or other dicamba tolerant crops, a paved road or a footprint of a building with walls and/or a roof. This is clearly stated on the supplemental labels. So if it’s everything “but” those items listed, it means **sensitive areas are grass, trees, shrubs, CRP, pastures, pollinator plots, weeds, etc.** **You have to protect these sensitive areas if they are downwind on the day of application. This means roadside ditches next to the fields, whether or not they are mowed.** There is some confusion over this, but in the case of anything that may be damaged or complained about, IDA will have to determine if you complied with the buffer requirement to protect these sensitive areas. If you didn’t, it’s a violation.

“Sensitive Area” is a new concept for us. Its purpose is to protect endangered species and habitat that may provide forage or shelter for endangered species. Believe it or not, there are endangered species in Illinois including plants and critters. These new labels are all very protective of endangered species, that’s just the way it is. This is a new reality for us.

The conundrum is that it is perfectly legal to apply dicamba products, including these new products, on grassy areas and farmsteads when you are **NOT** making an over the top application on planted soybeans. It is only the supplemental label for over the top use that kicks in the protection requirements for sensitive areas. We know it makes no sense, and USEPA acknowledges this, but to get these supplemental labels approved required the protection of endangered species. This article is not about common sense, it’s about the requirements of the label.

3. The Applicator is Responsible. Keep Good Records to Protect Your Business.

These new products are not restricted use, so only commercial applicators have to keep a record of application. Pesticide dealers also do not have to keep a record of who they sell the products to. This means that most IFCA members are likely going to be the first stop on any complaint filed with IDA, because you have a record of where and when you applied. So please view this as an opportunity to document everything you did right, because that may be the best way for IDA to move on and find who may be truly responsible for any damages. IDA is going to have a tough job so do all you can as a professional to help them determine the responsible party.

NUTRIENTS

Lake Springfield is the First Watershed in Illinois with Its Own MRTN

The work of IFCA staff Dan Schaefer and Jason Solberg has resulted in a Maximum Return to Nitrogen recommendation for acres within the Lake Springfield watershed. Why is this important? Here's why:

- ◆ **Lake Springfield is the source of drinking water for our state Capitol and the lake is managed by a municipal utility: City, Water, Light & Power (CWLP).** By comparison, the Des Moines Waterworks supplies water to Iowa's Capitol city (Des Moines) and when nitrates became a problem there we all know what happened. But the Waterworks can remove excess nitrate with treatment, and CWLP can not. So if Lake Springfield ever goes over 10 ppm nitrate, it will require bottled water to be distributed. We never want to get to that point!
- ◆ **The Illinois Nutrient Loss Reduction Strategy (INLRS) lists using the MRTN "first" on the list of activities to reduce nitrogen losses to water.** With Lake Springfield being such a high priority area for reducing nitrate losses, it was vital to ensure that the industry can be confident in using the MRTN. With three years of nitrogen rate trials in this watershed, IFCA was able to provide harvest yield data to the U of I, and data from this watershed and neighboring fields produced a MRTN specific to Lake Springfield. For corn following soybeans, the MRTN for nitrogen dropped slightly and for corn following corn, it increased slightly. Here's the new MRTN map for Illinois with North, Central and Southern regions and the new LSW region. Check it for yourself: <http://cnrc.agron.iastate.edu/>
- ◆ **N-Rate Trial Results are Available at IFCA.com.** Lake Springfield is not the only area benefitting from an updated MRTN. IFCA conducted N Rate Trials in many fields, and the Illinois MRTN has new data from other regions as well to keep it current. Go to the IFCA website at www.ifca.com and click on "Keep it 4R Crop" to see the response curves from nitrogen rate trials 2014, 2015 and 2016. With funding from NREC, we are implementing 60 trials in 2017. It's a powerful way to partner with our Land Grant University to ensure we have a reliable, defensible and economically viable nitrogen rate recommendation system in Illinois.
In Ohio, farmers and retailers in the Western Lake Erie basin MUST use the Ohio State nitrogen recommendations, it's the law. If that were ever to happen in Illinois, it's absolutely in our best interest to ensure our MRTN is the best it can be to achieve and balance the production, economic, environmental and societal goals of the 4Rs.



IDA Updating Rules for Registering Efficiency Products and Soil Amendments

IFCA is part of a committee working with the IL Dept of Ag Bureau of Ag Products Inspection to update the regulations pertaining to how fertilizer products are registered and labeled, as well as the labeling requirements for nutrient efficiency products and soil amendments.

These updates are necessary to implement the 2012 changes to the Fertilizer Act and to be consistent with national standards for labeling. IDA follows a science based approach when deciding to grant a fertilizer label and to accept a nutrient stabilization or efficiency claim; this helps assure consumer and environmental protection and establishes a transparent process for how these products will be labeled, sold and used in Illinois.

With more nutrient products also making claims in the medical marijuana industry, these rules are the backstop to ensure that all nutrient used in Illinois are safe, effective, properly labeled and not adulterated.

IFCA MEMBER SPOTLIGHT: FLANAGAN FERTILIZER

Flanagan Fertilizer

204 E Lumber
Flanagan, IL 61740

Owners: Daniel,
Sharon & Jim Brown

Started in the

Business: 1972

Employees: 7

Counties Served:

Livingston, McLean, Woodford & LaSalle



Danny Brown grew up on a farm near Bismarck, IL, the oldest of eight siblings. He has an Ag degree from Danville Area C.C. and worked for Kaiser in El Paso, IL. He spent 6 years in the army reserve, and during that time became the Manager of Flanagan Fertilizer in Flanagan, IL.

Danny rarely misses an IFCA event despite the fact that he uses a cane. In 1985, he fell out of a deer stand while hunting; doctors gave him a 50/50 chance of walking again. But his will to walk and his work ethic prevailed, and he was soon back on his feet. In 1987, he and Sharon purchased Flanagan Fertilizer from the previous owners.

Danny and Sharon have been married for 44 years and have raised three sons: Rob, Jim and Rich. Jim is the second generation to join Flanagan Fertilizer. Jim's knowledge of precision ag is another added value for their customers. Danny & Sharon are also blessed with 7 grandchildren, with Jim having 3 boys. We are quite sure at some point we will see a third generation joining Flanagan Fertilizer.

Danny has been a CCA for 20 years and is Emergency Response certified through the Asmark Institute. Congratulations to Danny, Sharon & Jim for their many years of dedicated service to our industry!

Hobbies? Hunting, fishing, vacationing in Florida in February and attending the activities of their seven grandchildren.

What do you enjoy about the business? Providing good quality service, along with the independence of working for yourself.

Biggest change you have seen? Technology. When I first started we had a pick-up truck sprayer. And the advancement in seed traits.

Challenges? Regulations seem to be increasing; also, larger growers do create more challenges.

Why did you join IFCA? IFCA adds value; they provide regulatory guidance along with support for many aspects of our business.



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ANHYDROUS AMMONIA

REQUIREMENTS by December 31, 2020

Each facility shall provide the minimum protection at each non-refrigerated storage tank opening by:

A. Installation of an internal valve with a manual shutoff

or

B. Approved excess flow valve, a manual shutoff valve, & an approved ESV located within 3 feet of the opening of the manual shutoff valve.

Reliable actuation system for ESV's or internal valve(s).

Bulkheads shall provide protection during transport unloading.

Container pressure relief valves shall not be used over 5 years past the manufacture date.

Nurse tank withdrawal valves shall be protected by an excess flow valve matched to the designed flow rate. Flow capacity of the excess flow valves shall not exceed 45 GPM for 1¼ connections & 60 GPM for 1½ connections.

Nurse tanks that are pulled in tandem a breakaway coupling device or other means of protection shall be installed at each point where the hose crosses a hitching point.

Adequate hose length to allow breakaway couplers to articulate freely but prevent contact with the nurse tank tongue. This shall be achieved without securing the hose mechanically through the use of chains, elastomeric straps, wire ties or other means.

Keep it Safe by John Rebholz

We had great turn out for anhydrous ammonia safety schools that were held in February and March. Total attendance was over 800, and included a high number of first time attendees. The dates have been set for fall classes (see below).

Under the Illinois ammonia rules, any person at a commercial or noncommercial site who makes or breaks a connection on anhydrous ammonia equipment pertaining to the loading and unloading, or who maintains or repairs ammonia vessels or associated equipment shall be a certified competent attendant. If you have any special training needs, please contact the IFCA office; we can provide training on site, as well as training for your customers.

Now is a good time to revisit the new ammonia regulations that went into effect last July. If you haven't already, start reviewing and planning for upgrades to your facility. Most of the requirements have a phase in period with December 31, 2020 being the compliance deadline. However, some requirements went into effect July 01, 2016 and those are:

July 01, 2016 requirements:

- ▶ Caution Signs at Bulkheads (Caution Driver Must Chock Wheels)
- ▶ No liquid transfer hose shall be joined between any nurse tank and any toolbar during transport upon a public right-of-way.
- ▶ All break-away couplers shall be installed and maintained according to the manufactures instructions. Adhere to any replace by dates stamped on break-away couplers.
- ▶ Written record of all inspections and maintenance shall be kept at the facility for a period of 5 years or until sold or removed from service.
- ▶ Repair or alteration to a storage tank, nurse tank, piping & associated appurtenances shall be performed by an R stamp holder.

A detailed compliance document on the Illinois ammonia rules is on the IFCA website, or contact me with questions. I am here to help you.

Finally, a cargo tank driver in the state of Nebraska was killed while off-loading anhydrous ammonia into a storage tank. The bleeder lines leading into the mini bulk bleed off container were inadvertently left opened, and as ammonia was off loaded into the storage tank, ammonia was also pressurizing the mini-bulk bleed off container until it ruptured, killing the driver. Please ensure that you properly vent all bleed-off containers.

If you have any questions about ammonia please call me.



Fall 2017 Anhydrous Ammonia Safety Schools

- Sept 11: Asmark Agricenter – Bloomington
- Sept 12: Days Inn – Rock Falls
- Sept 13: Best Western – Galesburg
- Sept 14: Poes Catering – Springfield
- Sept 15: Unique Suites – Charleston
- Oct 05 : Asmark Agricenter - Bloomington

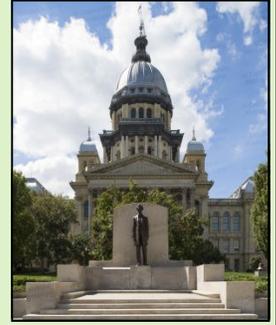


We train to prevent this!

LEGISLATIVE UPDATE

Budget Impasse Brings Ag Input Sales Tax Debate Back Again

On March 28, Senator John Mulroe (D-Chicago) introduced legislation to remove the state sales tax exemption for ag chemicals and farm machinery effective July 1, 2017. Another section of the bill would eliminate the 10% ethanol sales tax incentive. It also places a 50% sales tax on biodiesel for one year until it sunsets at the end of 2018. IFCA is working with Senator Mulroe to explain the reasons for the ag sales tax exemptions—that they are part of a manufacturing process. We are working to emphasize that if we didn't have these exemptions, our farmer customers could go over state lines to buy their inputs. Every state in the Midwest has exemptions from sales tax for agricultural inputs and machinery. If and when this piece of legislation looks like it will move, we will notify our members of the need to contact your legislators.



Neonicotinoid Ban Legislation Introduced in Both Chambers

Just like last year, Senator Don Harmon (D-Oak Park) and Rep. Will Guzzardi (D-Chicago) introduced a bill to ban or limit the use of neonicotinoid insecticides. SB672/HB613 would make it unlawful to apply any neonicotinoid insecticides on any public lands owned or maintained by Illinois or any other outdoor residential settings, including landscaping, ornamental, or other outdoor applications in Illinois. It also requires the Department of Ag to issue a draft report evaluating whether peer-reviewed scientific evidence exists that states neonicotinoids are safe for honey bees and other pollinators. Both bills have been assigned to the Senate and House Environmental Committee. IFCA has been talking with Sen Harmon and Rep Guzzardi about how this will effect agriculture. As of right now, neither bill has been called in committee.

For a full report of all the bills IFCA is tracking, go to www.ifca.com and click on 'Legislation.'
Contact KJ Johnson with any questions or concerns about state or federal legislation.



John Bright of JR's Crop Service in Reddick chats with Senator Bill Cunningham last fall.



Meeting with Senator Scott Bennett (2nd from left) at Ehler Brothers' facility in Thomasboro.



KJ and Goldstar FS employees visit with Senator Neil Anderson (center) at their Lyndon facility.

IFCA Members Host Legislators at Their Facility

We encourage our members to invite their legislators to your retail operation to explain your business and the issues that impact our industry. It's a great chance to also discuss what you do to serve the farmers of Illinois, the value of your employees and your role in the community, and how a thriving ag industry can help the State of Illinois. These visits make a big difference, because legislators then can better relate to how bills impact our industry and the local ag retail businesses. Contact KJ and we'll help you organize a visit!

COMPLIANCE CORNER

Managing Injection Systems

Under the heading of “what now?” comes the issue of injection units on pesticide application equipment. With the need to use different chemistries in different parts of the field thanks to mandated buffer zones, how do retailers feasibly accomplish this?

Well, there is no great answer, but there is an answer. But first we will explain the Illinois Vehicle Code when it comes to the legal operation of application equipment on a public road.



- Self-propelled implements of husbandry designed for the application of pesticides or fertilizers should not be transported on the highway laden with load unless they have a license plate. These injection tanks, if filled, could constitute a load. If you decide to put a license plate on your applicator so you can drive loaded on the highway, you must burn clear, highway diesel. You can apply for a refund of the motor fuel tax for the fuel burned in the field of application, but you have to carefully document your fuel use and submit the refund to the IL Dept of Revenue. And then wait. Sometimes, a long time (our state is way behind in paying their bills).
- A few pesticides are classified as Poison by the USDOT. If you fill injection units with undiluted products that are DOT regulated, then you are transporting a DOT regulated material on a public highway and the rules governing these products kick in. But remember that your sprayer is not a commercial motor vehicle, and your operator may or may not have a CDL with a hazmat endorsement. This creates all kinds of prickly issues that have no good resolution to them. You can avoid this by filling your sprayers in the field of application and using your licensed commercial motor vehicles and properly licensed and trained drivers to deliver the products.
- If you tender your equipment in the field, you save the license fee and can burn red fuel. Since you cannot exceed 36,000 lbs on the highway, hauling a load in your applicator can also put you up against or over the legal weight limit, and if you have an accident there is also spilled product on the highway or in the ditch to deal with.
- We understand that when finished with a field, the sprayer or floater may not be completely empty. However, there is a big difference between having some product in the equipment or leaving the plant filled up. The DOT officers know the difference.

If tendering pesticide applicators becomes a significant issue IFCA will explore ways to amend state law to allow reasonable loads. But remember that our legislature is looking for money; currently this equipment is tax exempt and we also do not have to pay a permit fee to operate these rigs on the road (such as in neighboring states). It's all about picking your battles. Loading in the field is a good compromise. Please call IFCA if you have questions.



Announcing the New Applicator Training Center



The launch of the Applicator Training Center is June 12, 2017. The facility is located in the same business park as the Asmark Agricenter and IFCA office in Bloomington. Are you as excited as we are? Registration will open soon for this course for operators, and is open to everyone. We'll keep you posted!

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From the President's Desk *by Jean Payne*

I was thinking today about hindsight. Maybe it isn't 20/20, but hindsight does often make you reflect on what you failed to do. People also say that in life, when you look back, you regret more the things you failed to do vs the things you did do. For the past few months, IFCA has been focused on the successful management of dicamba. There are lots of things we do behind the scenes to try to eliminate those "what if" moments later.

Like "what if" we never put the "Dos and Don'ts" out there? And "what if" we never met with the Dept of Ag to discuss how they will investigate and enforce complaints? "What if" we took advantage of the flexibility in the Illinois Pesticide Act to support IDA applying the "negligent" and "knowingly" penalties if someone uses a non-labeled dicamba product? And "what if" we had a professional, open discussion about the pros and cons of making dicamba products restricted use in Illinois? "What if" no one asked USEPA to explain what sensitive areas really are?

When proactive actions result in reducing the likelihood of detrimental laws from being introduced, not too many people notice—life just goes on. But when onerous rules are proposed, perhaps because we didn't think ahead, everyone reacts to "kill the bill" or "choose sides" to fight it out. Fighting bad rules is easy; it's doing the things no one else thought of (or wanted to do) to manage potential issues in the first place, and earning the respect and trust of those outside of our industry, that is hard.

IFCA has a limited supply of red field flags that we have been providing to our members (by request) to help identify sensitive soybeans and build good will with these growers. The best part of my job is when you get to do things people don't expect, like reaching out to organic growers who otherwise thought the pesticide industry didn't care about them. To get a "wow, thank you IFCA" is really nice. So thank you IFCA members for doing your part to steward this new technology and please let us know if we can assist you in any way.

