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NEWS

USDA seeks input on greenhouse gas program

The U.S. Department of Agriculture (USDA) on May 28 announced it is seeking information on protocols that may be considered for use within a new Greenhouse Gas Technical Assistance Provider and Third-Party Verifier Program. The input is being collected through a [Request for Information](#) and will be considered as USDA prepares a proposed rule to establish the program.

The program is authorized under the NGFA-supported Growing Climate Solutions Act (GCSA), signed into law with the Consolidated Appropriations Act of 2023. As part of USDA's implementation of the GCSA, in October 2023 the department published [A General Assessment of the Role of Agriculture and Forestry in the U.S. Carbon Markets](#), a comprehensive look at current market activity, barriers to participation, and opportunities to improve access to high-integrity carbon markets for farmers, ranchers, and private forest landowners.

Establishing the Greenhouse Gas Technical Assistance Provider and Third-Party Verifier Program is the next step in implementing the GCSA. The new program aims to better facilitate technical assistance by providing a list of qualified technical assistance providers and third-party verifiers who work with producers to generate credible carbon credits, enabling USDA to share trusted information and reduce market confusion. Under the program, USDA will also list widely accepted voluntary carbon credit protocols designed to ensure consistency, reliability, effectiveness, efficiency, and transparency.

USDA is seeking feedback on provisions of the GCSA including:

1. Options for interpreting and applying criteria used to evaluate protocols that are designed to ensure consistency, reliability, effectiveness, efficiency, and transparency.
2. Information pertaining to specific protocols to be evaluated for inclusion in the program.
3. Qualifications needed by covered entities who provide technical assistance to farmers, ranchers, or private forest landowners.
4. Qualifications needed by covered entities who serve as third party verifiers of processes described in protocols for voluntary environmental credit markets.

Interested parties may [submit comments](#) by June 28. NGFA's Sustainability Committee is evaluating USDA's request and will make recommendations related to NGFA comments.

FDA allows marketing of methane-reducing dairy feed ingredient

The U.S. Food and Drug Administration (FDA) on May 24 [announced](#) it does not intend to object to the marketing of Elanco Animal Health's Bovaer, a feed ingredient to reduce methane gas production in lactating dairy cows.

Based on FDA's current policies, Bovaer (3-nitroxypropanol or 3-NOP) is classified as an animal drug because it is a non-nutritive substance intended to affect the structure or function of the body of an animal. However, after a review of the product, the FDA said it does not intend to require animal drug approval requirements for the marketing or use of Bovaer in food for lactating dairy cows.

Meanwhile, NGFA has endorsed and is supporting passage within Congress of the Innovative Feed Enhancement and Economic Development Act of 2023 (I FEED Act). The I FEED Act would create a new category of animal food substances within the Federal Food Drug and Cosmetic Act that affect the microbiome of the animal, affect the byproducts of the digestive process, or reduce pathogens in food products made from the animal, and allow such substances to gain legal approval through FDA's food additive petition process.

Contact your lawmakers about the I FEED Act at ngfa.org/advocacy.

Lawmakers introduce bills to enhance biotechnology oversight

Members of the National Security Commission on Emerging Biotechnology (NSCEB) recently introduced several pieces of [legislation](#) related to the importance of food and agriculture to U.S. national security, particularly concerning biotechnology regulation and coordination.

Sens. Alex Padilla, D-Calif., and Todd Young, R-Ind., and Reps. Stephanie Bice, R-Okla.; and Ro Khanna, D-Calif., sponsored the following legislation:

Agricultural Biotechnology Coordination Act: Within USDA, biotechnology policies and activities span multiple agencies working on research and development, extension and education, regulation, labeling, and trade. This bill would establish a USDA Office of Biotechnology Policy to coordinate these efforts. The office would also serve as a voice for biotechnology developers, academics, farmers, and others who may be affected by changes to biotechnology policies.

Biotechnology Oversight Coordination Act: This bill builds on federal efforts to coordinate U.S. biotechnology regulation, responding to developers' calls for regulatory efficiency and clarity. The bill would, for the first time in the nearly 40-year history of U.S. biotechnology regulation, require interagency coordination in statute.

Agriculture and National Security Act: This bill recognizes the need to identify and mitigate threats to food and agriculture, particularly concerning emerging technologies. It directs the USDA's senior advisor for national security to work in partnership with the USDA Office of Homeland Security; encourage employee exchange between USDA and national security and intelligence agencies; and instruct the USDA to identify gaps related to food and agriculture in existing national security and intelligence efforts.

- USDA currently has a senior advisor for trade and national security, Regina Black, who works with the USDA Office of Homeland Security and other national security and intelligence agencies.

In addition to the bills described above, [the Senate package](#) includes the Synthetic Biology Advancement Act, which would create a Synthetic Biology Center under USDA with a focus on the application of synthetic biology to food security and agriculture.

Congress created the NSCEB to examine the critical intersection of emerging biotechnology and national security. The Commission's mandate is to conduct a thorough review of how advancements in emerging biotechnology will shape current and future national defense activities.

NGFA, business groups and lawmakers fight OSHA walkaround rule

NGFA signed a [May 17 letter](#) from the Coalition of Workplace Safety, led by the U.S. Chamber of Commerce, urging House lawmakers to support a resolution to rescind the Occupational Safety and Health Administration's (OSHA) worker walkaround rule.

OSHA published a final rule on April 1 that authorizes OSHA Compliance Safety and Health Officers (CSHO) to allow union organizers, community activists, or other third parties to accompany them on an inspection of a workplace if employees request.

Republicans in the House, led by Rep. Mary Miller, Ill., introduced a Congressional Review Act (CRA) resolution to rescind the walkaround rule. Members of the coalition, including NGFA, said the resolution "is vital to safeguarding the mission of workplace health and safety inspections."

Without the resolution, OSHA CSHOs "will be forced into an impossible position of policing labor disputes, for which they are simply unequipped," the letter states. Furthermore, OSHA's final rule allows as few as two employees to designate an outside entity as the representative for the entire workplace during an OSHA inspection. "This violates the other workers' right to choose their workplace representative in a free and fair election, as required by federal labor law," the coalition noted.

The resolution "would protect employers against individuals looking to further their own agendas and safeguard their property rights," the letter noted. "It would also protect workers' right to have their voice heard when determining workplace representation."

Meanwhile, a coalition of business groups, including the U.S. Chamber of Commerce, filed a [lawsuit](#) challenging the walkaround rule in the U.S. District Court for the Western District of Texas. The

complaint alleges that OSHA exceeded its statutory authority in promulgating the rule and violated the Administrative Procedure Act because the agency did not adequately explain its expansion of existing regulations and failed to consider alternatives. The complaint also alleges that the regulation infringes on property owners' rights to exclude third parties and is therefore an unconstitutional taking under the Fifth Amendment of the U.S. Constitution.

NGFA joins Food and Ag-ISAC as industry partner

NGFA joined the [Food and Agriculture - Information Sharing and Analysis Center](#) (Food and Ag-ISAC) as an industry partner to increase collaboration between ISAC and the food and agriculture industry on cybersecurity and threat intelligence sharing.

The Food and Ag-ISAC will provide weekly threat reports to association partners as well as threat briefings and cybersecurity thought leadership. "Taken together, these offerings will enable more companies in the industry to understand better threats facing the industry and actions that can be taken to mitigate them," said ISAC in a May 30 announcement.

In April, the Food and Ag-ISAC released its first [ransomware report](#), which revealed that the food and ag supply chain was the seventh most targeted industry for ransomware attacks in 2023.

"As an Association representing companies throughout the agricultural supply chain, we are keenly aware of the urgency and importance of strengthening security measures against cyber and ransomware attacks," NGFA President and CEO Mike Seyfert said in a May 30 press release. "The Food and Ag-ISAC stands as a cornerstone in safeguarding our nation's food security. NGFA is proud to be part of a community dedicated to actively collaborating to detect attacks, respond to incidents, and share indicators so that food and agriculture companies can better protect themselves and manage risks to the food supply chain. We encourage all industry stakeholders to help facilitate the spread and sharing of information, thereby bolstering the resilience of our human and animal food supply chain."

Food and Ag ISAC also announced FMI - The Food Industry Association and SNAC International as industry partners on May 30.

EVENTS

Members to arrive in DC for annual fly-in

One hundred NGFA members are flying into Washington, D.C., next week to conduct committee meetings and visit more than 100 lawmakers and congressional offices on Capitol Hill about NGFA priorities.

Members of NGFA's Executive; Business, Merchandising and Operations; Ag Policy and Legislative Affairs; and Trade and Crop Technology Committees will join the 2024-25 class of NGFA's Committee Apprentice Program for lobbying visits on June 5. In addition to meetings with lawmakers and their committees, NGFA CAPs will visit federal agencies and government officials who work closely with NGFA, including the Food and Drug Administration, the U.S. Department of Agriculture and the Commodity Futures Trading Commission.

View one-pagers of each priority issue that NGFA members will discuss with lawmakers below.

[Farm Bill](#): Congress should increase investments in working lands conservation programs and agricultural export promotion programs.

[IFEED Act](#): The bipartisan Innovative Feed Enhancement and Economic Development (Innovative FEED) Act (H.R.6687 and S. 1842) would establish a new category of non-nutritive animal food additives that provide production, health and environmental benefits.

[Lower Snake River Dams](#): NGFA opposes any actions by federal or state governments that could result in breaching the Lower Snake River dams (LSRD).

[Rail](#): The Reliable Rail Service Act (S.2071) would better define Class I rail carriers' common carrier obligation. NGFA also supports the Keeping International Land Ports of Entry Open Act to prevent shutdowns of rail crossings between the U.S. and Mexico.

[Trade](#): NGFA opposes efforts to strip China of its Permanent Normal Trade Relations (PNTR) status. Agricultural export volumes for 2024 are predicted to decline for several major commodities and flip to a \$30.5 billion deficit in 2024.

[Water Resources Development Act](#): NGFA supports the "Thomas R. Carper Water Resource Development Act of 2024" passed out of the Senate Environment and Public Works Committee.

CONVEY'24 early bird rate ends June 17

[CONVEY'24](#) an annual conference jointly hosted by NGFA, Grain Journal, and the Grain and Elevator Processing Society (GEAPS), is July 23-25 in Omaha, Neb. The early bird registration rate expires on June 17. Register to attend or exhibit at conveyconference.com.

New this year: DEGESCH will host a pesticide state-certification workshop on the afternoon of July 23. Additional registration is required for this workshop.

SUPPLEMENTS

Extra Supplements

NGFA in the news:

World Grain: [US farm bill makes small strides](#)

American Ag Network: [NGFA Issues Statement on Farm Bill Advanced by House Ag Committee](#)

Other news:

Reuters: [Biden administration expands tax credits beyond wind, solar](#)

The Hill: [House farm bill amendment targets hemp industry](#)

Transport Topics: [Canadian Rail Labor Dispute Talks Restart; CN Revises Offer](#)

DTN: [Avian Influenza Continues Affecting Dairy Herds](#)

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